



southern
utah
wilderness
alliance

HAND DELIVERED

May 2, 2005

Sally Wisely
Utah State Director, Bureau of Land Management
324 South State Street #300
P.O. Box 45155
Salt Lake City, Utah 84145-0155

Re: Protest of Bureau of Land Management's Notice of Competitive Oil and Gas Lease Sale Concerning 63 Parcels in Iron, Beaver, Sanpete, Sevier, Emery, Grand, and San Counties

Greetings,

In accordance with 43 C.F.R. §§ 4.450-2 and 3120.1-3, the Southern Utah Wilderness Alliance, the Natural Resources Defense Council, The Wilderness Society, the Sierra Club, and the Grand Canyon Trust, (collectively referred to as "SUWA") hereby protest the May 2005 offering, in Salt Lake City, Utah, of the following 63 parcels in the Cedar City, Richfield, Price, Moab, and Monticello field offices:

Richfield field office:

UT 013, UT 015, UT 017, UT 019, UT 020, UT 121, UT 122, and UT 123. (8)

Cedar City field office:

UT 061, UT 062, UT 063, UT 064, UT 065, UT 066, UT 075, UT 076, UT 087, UT 088, UT 089, UT 090, UT 091, UT 092, UT 093, UT 094, UT 095, UT 096, UT 099, UT 102, UT 103, UT 014, UT 105, UT 106, UT 107, UT 108, UT 109, UT 110, UT 111, UT 112; UT 113, UT 114, UT 115, UT 116, and UT 117. (35)

Price field office:

UT 140, UT 144, UT 149, UT 152, UT 153, UT 154, UT 155. (7)

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Moab field office:

UT 172, UT 173, UT 174, UT 175, UT 178, UT 180, UT 201, UT 202, UT 209,
UT 211, UT 213. (11)

Monticello field office:

UT 244 and UT 246. (2)

As explained below, the Bureau of Land Management's (BLM's) decision to sell the 63 parcels at issue in this appeal violates the National Environmental Policy Act, 42 U.S.C. §§ 4321 et seq. (NEPA), the National Historic Preservation Act, 16 U.S.C. §§ 470 et seq. (NHPA), and the Endangered Species Act, 16 U.S.C. §§ 1531 et seq. (ESA), and the regulations and policies that implement these laws.

Notably, 44 of the 63 parcels that SUWA protests are located in lands currently managed pursuant to grossly outdated management framework plans (MFPs) which were prepared without any accompanying NEPA analysis. As the BLM noted in its February 2000 report to Congress: "Some of BLM's plans are current, but others date as far back as the mid-1970s and do not meet the requirements of the National Environmental Policy Act or current BLM program requirements." United States Department of the Interior, Bureau of Land Management, *Report to Congress – Land Use Planning for Sustainable Resource Decisions*, Executive Summary (Feb. 2000) (excerpts attached as Exhibit 1) (emphasis added). Accordingly, and as discussed below, BLM is required under NEPA to defer these 44 parcels until the agency prepares new and updated NEPA analyses that consider, among other things, the no-leasing alternative.

In sum, SUWA requests that BLM withdraw these 63 lease parcels from sale until the agency has fully complied with NEPA, the NHPA, and the ESA.

The grounds of this Protest are as follows:

A. Leasing the Contested Parcels Violates NEPA

1. BLM's 1975 EARs Did Not Adequately Consider the No-Leasing Alternative.

NEPA requires that the BLM prepare a pre-leasing NEPA document that fully considers and analyzes the no-leasing alternative before the agency engages in an irretrievable commitment of resources, i.e., the sale of non-surface occupancy oil and gas leases. Bob Marshall Alliance v. Hodel, 852 F.2d 1223, 1228-30 (9th Cir. 1988) (requiring full analysis of no-leasing alternative even if EIS not required). See Southern Utah Wilderness Alliance, 164 IBLA 118, 124 (2004) (quoting Pennaco Energy, Inc. v. U.S. Dep't of the Interior, 377 F.3d 1147, 1162 (10th Cir. 2004)) (reversing and remanding Utah BLM decision to lease seven parcels in Randolph planning area and Kanab field office because of inadequate pre-leasing NEPA analysis). Importantly, BLM's pre-leasing analysis must be contained in its already completed NEPA analyses because, as the IBLA recognized in Southern Utah Wilderness Alliance, "DNAs are not themselves documents that may be tiered to NEPA documents, but are used to determine the sufficiency of previously issued NEPA documents." 164 IBLA at 123 (citing Pennaco, 377 F.3d at 1162).

Richfield Field Office

The Richfield DNA states that the 1975 Richfield Oil and Gas Environmental Analysis Record (Richfield EAR) and 1975 Fillmore Oil and Gas Environmental Analysis Record (Fillmore EAR) adequately considered the "no-leasing alternative." Richfield DNA at 4-5 (citing Richfield EAR at 26; Fillmore EAR at 11). See Richfield EAR at 128-29 (discussion of "do not allow leasing" alternative"). A review of the

EARs, however, reveals that the “no-lease” alternative was summarily dismissed and was not, in fact, analyzed, considered, and evaluated. Moreover, when BLM prepared the 1982 Mountain Valley MFP, also cited in the Richfield DNA, it was not accompanied by a separate environmental impact statement or other similar NEPA analysis and thus the current leasing categories and alternatives were not considered in the land use planning context. Southern Utah Wilderness Alliance, 164 IBLA at 123-24 (noting that BLM did not consider MFPs “major federal actions” and thus agency did not prepare EIS to accompany MFP). The subsequent oil and gas environmental assessments cited to in the Richfield DNA – the Utah Combined Hydrocarbon Leasing Regional EIS (1984) and the Oil and Gas Leasing Implementation EA for Henry Mountain and Sevier River Resources Areas (1988) – did not analyze the no-leasing alternative, but simply carried forward the decisions made in the EARs that lands were available for leasing.

Cedar City Field Office

The Cedar City DNA states that the Cedar City District Oil and Gas Leasing Environmental Analysis Record (Cedar City EAR) considered an adequate range of alternatives. Cedar City DNA at unnumbered 2-3. The EAR, however, did no such thing. Moreover, when BLM prepared the 1983 Pinyon MFP it was not accompanied by a separate environmental impact statement or other similar NEPA analysis and thus the current leasing categories and alternatives in the lands managed by the Pinyon MFP were not considered in the land use planning context, as required by NEPA. Southern Utah Wilderness Alliance, 164 IBLA at 123-24 (noting that BLM did not consider MFPs “major federal actions” and thus agency did not prepare EIS to accompany MFP). The subsequent oil and gas environmental assessment cited to in the Cedar City DNA – the

Supplemental EA for Oil and Gas Leasing, Cedar City District (1988) – did not analyze the no-leasing alternative for lands managed by the Pinyon MFP, but simply carried forward the decisions made in the Cedar City EAR and Pinyon MFP that lands were available for leasing.

Price Field Office

The Price DNA states that the 1983 Price River Management Framework Plan and 1988 EA Supplement on Cumulative Impacts of Oil and Gas Leasing Categories adequately considered the “no-leasing alternative.” Price DNA at 4 (citing Price River MFP Supplement). To the contrary, neither of these documents contains the required NEPA no-leasing alternative analysis. The Price River MFP was not accompanied by a NEPA analysis and thus cannot be relied upon for an analysis of the no-lease alternative. In addition, the Price River MFP Supplement did not analyze the no-leasing alternative for lands managed by the Price River MFP, but simply carried forward the decisions made in the Price EAR and Price River MFP that lands were available for leasing.¹

Summary

BLM has not prepared the required pre-leasing analysis for 44 of the parcels at issue that are managed by the following three field offices: Richfield field office parcels – UT 013, UT 015, UT 017, UT 019, UT 020, UT 121, UT 122, and UT 123; Cedar City field office parcels – UT 075, UT 076, UT 087, UT 088, UT 089, UT 090, UT 091, UT 092, UT 093, UT 094, UT 095, UT 096, UT 099, UT 102, UT 103, UT 014, UT 105, UT 106, UT 107, UT 108, UT 109, UT 110, UT 111, UT 112, UT 113, UT 114, UT 115, UT

¹ The Price EAR – which is not referenced in the Price DNA – also did not establish leasing categories in a land use planning context and thus cannot be tiered to and relied upon by BLM for a pre-leasing NEPA analysis.

116, and UT 117; and, Price field office parcels: UT 140, UT 144, UT 149, UT 152, UT 153, UT 154, and UT 155. The environmental documents previously prepared by the BLM that purportedly analyzed and authorized the leasing of these parcels – *i.e.*, the 1975 Price, Richfield and Fillmore EARs (all prepared before the Federal Land Policy and Management Act was enacted), the 1984 CHL EIS, and several oil and gas supplemental environmental assessments – did not consider the no-lease alternative in the context of land use planning and decisions.

The IBLA's recent decision in Southern Utah Wilderness Alliance, 164 IBLA at 121-25, controls the outcome of this protest as it pertains to parcel these 44 parcels. BLM's failure to prepare an adequate pre-leasing NEPA analysis that fully considers the no-leasing alternative is fatal to its decision to proceed with the sale of parcels: UT 013, UT 015, UT 017, UT 019, UT 020, UT 075, UT 076, UT 087, UT 088, UT 089, UT 090, UT 091, UT 092, UT 093, UT 094, UT 095, UT 096, UT 099, UT 102, UT 103, UT 014, UT 105, UT 106, UT 107, UT 108, UT 109, UT 110, UT 111, UT 112, UT 113, UT 114, UT 115, UT 116, UT 117, UT 121, UT 122, UT 123, UT 140, UT 144, UT 149, UT 152, UT 153, UT 154, and UT 155.

2. BLM Has Not Analyzed the Full Impacts of Oil and Gas Leasing, Exploration, Development, and Reclamation, as Required By NEPA.

BLM has not analyzed the potential site-specific impacts of leasing and development on the protested parcels and therefore the sale of these parcels violates NEPA. NEPA requires the BLM to prepare an environmental impact statement whenever major federal actions may significantly alter the quality of the human environment. See 42 U.S.C. § 4332(2)(C). If BLM is uncertain whether an EIS should be prepared, NEPA's implementing regulations permit it to prepare an environmental

assessment to determine whether an EIS is necessary. See 40 C.F.R. §§ 1501.4, 1508.9.

The EA must provide sufficient evidence and analysis for determining whether to prepare an EIS, or to support a Finding of No Significant Impact. See id. § 1508.9. In this case, BLM prepared neither a pre-leasing EA nor EIS that considered, analyzed, and disclosed the environmental impacts of oil and gas development to the natural and cultural resources in the 63 leases at issue.²

The Interior Board of Land Appeals and numerous courts have held that NEPA requires a site-specific EA or EIS for non-NSO proposed oil and gas leases because they constitute a full and irretrievable commitment of resources. See Southern Utah Wilderness Alliance, 159 IBLA 220, 240-43 (2003); Colorado Env'tl. Coalition, 149 IBLA 154, 156 (1999); Conner v. Burford, 848 F.2d 1441 (9th Cir. 1988); Sierra Club v. Peterson, 717 F.2d 1409 (D.C. Cir. 1983).

All of the 63 protested parcels are being offered without NSO stipulations, meaning that they all (to some extent) authorize surface occupancy. Moreover, the environmental analyses previously prepared by the BLM for the contested parcels – i.e. EISs accompanying resource management plans; EAs accompanying oil and gas supplements and plan amendments; and, pre-FLPMA EARs – did not examine site-specific impacts of oil and gas leasing and development on wilderness and other important, sensitive public resources. For example, these documents failed to consider

² This deficiency is particularly glaring for the 44 lease parcels proposed for sale in lands managed pursuant to MFPs. As discussed above, the Richfield, Cedar City, and Price DNAs rely (in whole or in part) on pre-FLPMA EARs and other statewide or regional programmatic documents that allegedly evaluate and analyze the impacts of oil and gas development. These documents are cursory and general in nature and do not constitute an adequate pre-leasing NEPA analysis. See Southern Utah Wilderness Alliance, 164 IBLA at 122-25.

the potential impacts of roads, pipelines, drilling rigs, waste pits, and other drilling-related activities to the specific lands at issue.

Because the BLM has not adequately examined the potential impacts of leasing and development activities on all the contested parcels, the agency should withdraw the 63 protested parcels from the lease sale. The parcels should be offered for lease only after the agency prepares an EA or an EIS that describes, analyzes, and discloses the site-specific effects of oil and gas exploration, leasing, development, and reclamation. In particular, a decision to postpone leasing the challenged parcels within the Moab, Price, Monticello, and Richfield field offices until these plans and NEPA analyses are finalized is appropriate because the Richfield, Vernal, and Monticello field offices are preparing new land use plans with new leasing categories and stipulations. In the alternative, the BLM could avoid running afoul of NEPA by offering the 63 contested parcels with NSO stipulations.

The significant congressional support for passage of America's Redrock Wilderness Act (H.R. 1774/ S. 882), a bill that was supported in the 108th Congress by 15 senators and 161 members of the House of Representatives, further argues for the preparation of a pre-leasing environmental assessment (EA) or environmental impact statements (EIS). If enacted, America's Redrock Wilderness Act would protect the public lands underlying 20 of the protested parcels as wilderness: UT 144, UT 145, and UT 149 (Desolation Canyon unit); UT 152, UT 153, UT 154, UT 155 (Lost Springs Wash unit); UT 172, UT 173, UT 174, UT 175 (Coal Canyon WIA); UT 178 and UT 180 (Diamond Mountain unit); UT 201 and UT 202 (Dome Plateau unit); UT 209 (Hideout

Canyon RPD); UT 211 and UT 213 (Flume Canyon WIA and Diamond Mountain unit); and, UT 244 and UT 246 (Monument Canyon unit).

3. BLM Failed to Take the Required “Hard Look” at Whether Its Existing Analyses Are Valid in Light of New Information or Circumstances.

NEPA requires federal agencies to take a hard look at new information or circumstances concerning the environmental effects of a federal action even after an environmental assessment (EA) or an environmental impact statement (EIS) has been prepared, and to supplement the existing environmental analyses if the new circumstances “raise[] significant new information relevant to environmental concerns.” Portland Audubon Soc’y v. Babbitt, 998 F.2d 705, 708-09 (9th Cir. 1993). Specifically, an “agency must be alert to new information that may alter the results of its original environmental analysis, and continue to take a ‘hard look’ at the environmental effects of [its] planned actions.” Friends of the Clearwater v. Dombeck, 222 F.3d 552, 557 (9th Cir. 2000). NEPA’s implementing regulations further underscore an agency’s duty to be alert to, and to fully analyze, potentially significant new information. The regulations declare that an agency “shall prepare supplements to either draft or final environmental impact statements if . . . there are significant new circumstances or information relevant to environmental concerns and bearing on the proposed action or its impacts.” 40 C.F.R. § 1502.9(c)(1)(ii) (emphasis added).

As explained below, the Price, Moab, and Monticello field offices failed to take a hard look at new information and new circumstances that have come to light since BLM finalized the Price River EAR, Grand RMP/EIS, and San Juan RMP/EIS, as well as their subsequent oil and gas EAs. See also Pennaco Energy, Inc. v. U.S. Dep’t of Interior, 377

F.3d 1147, 1162 (10th Cir. 2004) (explaining that DNAs determine whether “previously issued NEPA documents were sufficient to satisfy the ‘hard look’ standard,” and are not independent NEPA analyses). In addition, to the extent that these offices took the required hard look, its conclusion that it need not prepare a supplemental NEPA analysis was arbitrary and capricious.

Wilderness Inventory Areas

BLM has arbitrarily determined that the sale of seven lease parcels in three BLM wilderness inventory areas (WIAs) is appropriate, arguing that new information about these lands’ wilderness characteristics is not “significant new information.” BLM is wrong. These six WIAs were inventoried between 1996-98 by the BLM as part of the agency’s larger Utah wilderness inventory and determined to contain the necessary wilderness characteristics as defined in the Wilderness Act, 16 U.S.C. §§ 1131 et seq., for potential entry into the National Wilderness Preservation System. See Utah Wilderness Inventory, at vii-ix (1999) (excerpts attached as Exhibit 2). As the BLM’s wilderness inventory documentation explained,

The Secretary’s instructions to the BLM were to “focus on the conditions on the disputed ground today, and to obtain the most professional, objective, and accurate report possible so we can put the inventory questions to rest and move on.” [The Secretary] asked the BLM to assemble a team of experienced, career professionals and directed them to apply the same legal criteria used in the earlier inventory and the same definition of wilderness contained in the 1964 Wilderness Act.

Id. at vii (emphasis added). As the result of this review, the BLM determined that its earlier wilderness inventories had failed to recognize 2.6 million acres of lands that met the applicable criteria in its prior reviews, including the Coal Canyon and Flume Canyon WIAs. See *State of Utah v. Babbitt*, 137 F.3d 1193, 1198-99 (10th Cir. 1998) (discussing

history of BLM's Utah wilderness inventories). Importantly, the Grand RMP/EIS – prepared after the 1978-80 wilderness inventory – did not reanalyze the wilderness characteristics of lands that were passed over for wilderness study area status. Rather, the plans and accompanying NEPA analyses merely adopted the conclusion that lands not identified as WSAs did not contain wilderness characteristics.

Lease parcels UT 172, UT 173, UT 174, and UT 175 are located in the Coal Canyon WIA (Moab office) and parcels UT 211 and UT 213 are located in the Flume Canyon WIA. See Map – Colorado River Area Lease Parcels (attached as Exhibit 3). The BLM compiled a comprehensive case file to support its findings that these two WIAs have wilderness characteristics, including numerous aerial and on-the-ground photographs, as well as a detailed narrative with accompanying source materials and SUWA incorporates these documents, located in the Utah State office, by reference to this protest. Based on the candid statements in these wilderness files that the 1998 Wilderness Inventory provided significant new information that has not been analyzed in existing NEPA documentation, it is clear that these six parcels must be removed from the May sale list. BLM's failure to do so is a clear violation of NEPA because: (a) the 1998 wilderness inventory is undeniably new information, as BLM itself admits; (b) the 1988 wilderness inventory meets the textbook definition of what constitutes "significant" information;³ and (c) the sale of non-NSO leases constitutes an irreversible and irretrievable commitment of resources and thus requires a pre-leasing EIS.

³ See Hughes River, 81 F.3d at 443 (“[T]he new [information] must present a seriously different picture of the environmental impact of the proposed project from what was previously envisioned.”) (citations omitted) (emphasis in original).

Moreover, BLM cannot credibly claim that it has ever taken a hard look at the impact that oil and gas development would have on the wilderness characteristics of the WIAs because the wilderness case files all post-date the 1985 Grand RMP/EIS. At the time that document was prepared the BLM did not know that these areas contained wilderness quality lands. Hence it could contain not the type of site specific information about the wilderness characteristics of the Coal Canyon and Flume Canyon, WIAs that was provided in the BLM's own 1998 wilderness inventory evaluation, nor could it analyze the impacts of energy development on those characteristics. In sum, BLM's wilderness inventory evaluation constitutes precisely the type of significant new information that requires additional environmental analysis before BLM approves the irreversible commitment of resources – the May 2005 lease sale.

Citizen Proposed Wilderness

The BLM's Price, Moab, and Monticello field offices arbitrarily determined that it was appropriate to lease the following 14 parcels, all of which are located in proposed wilderness areas: UT 144, UT 145, and UT 149 (Desolation Canyon unit); UT 152, UT 153, UT 154, UT 155 (Lost Springs Wash unit); UT 178 and UT 180 (Diamond Mountain unit); UT 201 and UT 202 (Dome Plateau unit); UT 209 (Hideout Canyon RPD) and, UT 244 and UT 246 (Monument Canyon unit). See Map – Price River Area Lease Parcels (attached as Exhibit 4); Map – Colorado River Area Lease Parcels (attached as Exhibit 3); and, Map – Manti La-Sal Area Lease Parcels (attached as Exhibit 5). SUWA has provided new and significant information to the BLM regarding the wilderness characteristics of the Hideout Canyon (UT 209) and Lost Springs Wash (UT 152, UT 153, UT 154, UT 155) proposed wilderness units and BLM has determined that

there is a “reasonable probability” that these units has or “may have” wilderness characteristics.⁴

The information SUWA provided to the BLM concerning the wilderness character of the Hideout Canyon and Lost Spring Wash units constitutes “new and significant” information – something BLM inasmuch admitted when it concluded that the area “may have” wilderness character – and the BLM must prepare a supplemental NEPA analysis to evaluate this information before leasing these parcels. A decision by BLM to “lease first, plan later” will violate NEPA.

B. Leasing the Contested Parcels Violates the NHPA.⁵

1. BLM Failed to Identify that the Parowan Gap Region May Be Leased

As BLM knows, parcels UT 061, UT 062, UT 063, UT 064, UT 065, and UT 066 in the Cedar City field office’s “Iron County block” of leases are within the Parowan Gap region and include the Gap itself. *See* Map – Cedar City Area Lease Parcels (Parowan Gap) (attached as Exhibit 6). The Parowan Gap, listed on the National Register of Historic Places, is described by the State of Utah as “a nationally recognized extravaganza of petroglyphs – a superb gallery of Native American rock art.” http://www.utah.com/playgrounds/parowan_gap.htm. The nearby valleys also contain many associated cultural sites, including solar markers or cairns, linked to the Gap.

There is no mention whatsoever of the Parowan Gap or its important resources in the

⁴ Though SUWA submitted new and significant information about the Lost Springs Wash proposed wilderness unit to the Price field office, SUWA understands that this information was only evaluated after April 2003 and thus after the settlement agreement between the State of Utah and Interior Secretary Norton. Regardless, the Price office has recognized that the Lost Springs Wash unit is likely to have wilderness character.

⁵ To the extent that BLM’s recently issued Instruction Memorandum 2005-003 Cultural Resources and Tribal Consultation for Fluid Mineral Leasing, Oct. 5, 2004, is inconsistent with the Interior Board of Land Appeals’ decision in *Southern Utah Wilderness Alliance*, 164 IBLA 1 (2004), the BLM must comply with the IBLA’s interpretation of the agency’s duties under the NHPA. *See* 43 C.F.R. § 4.1(b)(3).

Cedar City DNA. Indeed, without a detailed knowledge of how Utah BLM conducts its oil and gas lease sales, an interested member of the public would have no idea that the Cedar City field office was proposing to lease the entire Parowan Gap region. Further, in the box marked “cultural resources” in the DNA’s “Interdisciplinary Team Analysis Record Checklist” there is no text in the “review comments” to indicate any particular area or resources. There is also no indication that the Cedar City staff performed a Class 1 file search or contacted the Utah SHPO prior to deciding to proceed with leasing these parcels. Without a doubt, leases UT 061, UT 062, UT 063, UT 064, UT 065, and UT 066 must be withdrawn from the May 2005 sale pending additional NHPA and NEPA analysis and consultation with Native American tribes, SHPO, and the public.⁶

2. Additional NHPA Violations

The BLM is violating § 106 of the NHPA, 16 U.S.C. § 470(f) and its implementing regulations, 36 C.F.R. §§ 800 et seq., by failing to adequately consult with SHPO, Native American tribes, and members of the interested public regarding the effects of leasing all the protested parcels. Such consultation must take place before the BLM makes an irreversible and irretrievable commitment of resources – in other words before the May 2005 lease sale. See Southern Utah Wilderness Alliance, 164 IBLA 1, 21-28 (2004).

As Utah BLM has recognized for some time, the sale of an oil and gas lease is the point of “irreversible and irretrievable” commitment and is therefore an “undertaking” under the NHPA. See BLM Manual H-1624-1, Planning for Fluid Mineral Resources,

⁶ Because the Cedar City field office will soon begin a new land use planning process, the BLM should defer leasing in the Parowan Gap region until this interdisciplinary process and public involvement and input on these crucial planning decisions is complete.

Chapter I(B)(2); see also 36 C.F.R. § 800.16(y); Montana Wilderness Assoc. v. Fry, 310 F. Supp. 2d 1127, 1152-53 (D. Mont. 2004); Southern Utah Wilderness Alliance, 164 IBLA at 21-28. The NHPA's implementing regulations further confirm that the "[t]ransfer, lease, or sale of property out of federal ownership and control without adequate and legally enforceable restrictions or conditions to ensure long-term preservation of the property's historic significance" constitutes an "adverse effect" on historic properties. Id. § 800.5(a)(2)(vii) (emphasis added). See 65 Fed. Reg. 77689, 77720 (Dec. 12, 2000) (Protection of Historic Properties – Final Rule; Revision of Current Regulations) (discussing intent of § 800.5(a)(2)(iii)).

The NHPA requires BLM to "determine and document the area of potential effects, as defined in [36 C.F.R.] § 800.16(d)," identify historic properties, and to affirmatively seek out information from the SHPO, Native American tribes, consulting parties, and other individuals and organizations likely to have information or concerns about the undertaking's potential effects on historic properties. 36 C.F.R. § 800.4(a). See Southern Utah Wilderness Alliance, 164 IBLA at 23-24 (quoting Fry, 310 F. Supp.2d at 1152-53). The NHPA further states that BLM shall utilize the information gathered from the source listed above and in consultation with at a minimum the SHPO, Native American tribes, and consulting parties "identify historic properties within the area of potential affect." Id. § 800.4(b). See id. § 800.04(b)(1) (discussing the "level of effort" required in the identification process as a "reasonable and good faith effort to carry out appropriate identification efforts").

Brief conversations with, or form letters to, tribal councils or leaders regarding the potential effects of oil and gas leasing and development are insufficient to meet BLM's

duty under the NHPA to make a “reasonable and good faith effort” to seek information from Native American tribes. See Pueblo of Sandia v. United States, 50 F.3d 856 (10th Cir. 1995). To the extent that the Fillmore, Richfield, Price, Cedar City, Moab and Monticello field offices undertook limited efforts to involve Native American tribes, these efforts were inadequate because the form letters, legal descriptions, and maps do not inform the various Native American tribes as to the full nature of this undertaking (i.e., that once a parcel is sold without NSO stipulations, the agency must permit some level of surface disturbance on the leases lands).

In addition, the DNA process violates the NHPA and Protocol § IV.C., which states that “BLM will seek and consider the views of the public when carrying out the actions under terms of this Protocol.”⁷ As BLM’s DNA forms plainly state, the DNA process is an “internal decision process” and thus there is no opportunity for the public to participate in the identification of known eligible or potentially eligible historic properties. Permitting public participation only at the “protest stage,” or arguing that the time period for seeking public input ended when BLM completed its dated resource management plans, is not equivalent to encouraging participation in an open NEPA process, and BLM should withdraw the 63 parcels in the Fillmore, Richfield, Price, Cedar City, Moab and Monticello field offices that are the subject of this protest.

C. Leasing the Contested Parcels Violates the ESA

The BLM did not consult with the U.S. Fish and Wildlife Service (FWS) about the impacts of oil and gas leasing and development when it prepared the following EARs

⁷ Because the National Programmatic Agreement – which the Protocol is tiered from – was signed in 1997, well before the current NHPA regulations were put in place, it is questionable whether either document remains valid. This further reinforces the need for BLM to fully comply with the NHPA’s Section 106 process.

and MFPs – documents that today still guide leasing decisions in parts of the Cedar City, Richfield, and Price field offices:

- Pinyon MFP (Cedar City District EAR)
- Price River MFP (Price EAR)
- Mountain Valley MFP (Richfield and Fillmore EARs).

As the court in Montana Wilderness Assoc. v. Fry stated, “[t]he issue is whether the [land use planning documents and their accompanying NEPA analyses] sufficiently considered oil and gas development to contemplate possible effects on threatened or endangered species from the sale of the leases herein.” 310 F. Supp. 2d 1127, 1149 (D. Mont. 2004). See Wyoming Outdoor Council, 153 IBLA at 388-89; see also Conner v. Burford, 848 F.2d 1441, 1453 (9th Cir. 1988). Here, the BLM’s outdated MFPs and their even more antiquated EARs do not contain the required level of “analysis of the effects of oil and gas production on any species,” and thus a decision to sell and issue the challenged leases in these three field offices will violate the ESA. Montana Wilderness, 310 F. Supp. 2d at 1150.

In addition, there is no record that the Price and Richfield offices have informally consulted with the FWS regarding the May 2005 lease sale, though the FWS’s February 2005 letter to the Utah State office identified potential threatened and endangered species within several of the parcels proposed for sale.

REQUEST FOR RELIEF

SUWA requests the following appropriate relief: (1) the withdrawal of the 63 protested parcels from the May 2005 Competitive Oil and Gas Lease Sale until such time as the agency has complied with NEPA, the NHPA, and the ESA or, in the alternative (2)

*Southern Utah Wilderness Alliance et al. Protest
Re: May 2005 Oil and Gas Lease Sale*

withdrawal of the 63 protested parcels until such time as the BLM attaches no-surface occupancy stipulations to all protested parcels.

This protest is brought by and through the undersigned legal counsel on behalf of the Southern Utah Wilderness Alliance, the Natural Resources Defense Council, The Wilderness Society, the Sierra Club and the Grand Canyon Trust. Members and staff of these organizations reside, work, recreate, or regularly visit the areas to be impacted by the proposed lease sale and therefore have an interest in, and will be affected and impacted by, the proposed action.



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EXHIBIT 1



U.S. Department of the Interior
Bureau of Land Management

Report to the Congress

February 2000



Land Use Planning for Sustainable Resource Decisions



Report of the Congress
Land Use Planning for Sustainable Resource Decisions

This report responds to a request in the House Report from the Committee on Appropriations on the 2000 DOI Appropriations Bill. The Committee specifically requested that the Bureau "submit as part of its fiscal year 2001 budget request the results of its ongoing analysis and review into the required level of land use planning and NEPA review actions the Bureau will have to undertake in order to correct identified deficiencies in these areas". The Committee also requested the Bureau to "include in its request the level of funds and other resources that would be required to address these problem

Executive Summary

Land Use Plans (LUPs) and planning decisions are the basis for every action the Bureau of Land Management (BLM) takes and serve as its primary tool for building consensus and providing the public a voice in BLM's land and resource management programs. Without adequate and up-to-date plans, the BLM's planning decisions cannot ensure the integrity and sustainability of the lands nor assure their use and enjoyment by the public in an environment of increasing legal and public scrutiny.

BLM has been preparing land use plans since the 1960s and today has 162 plans covering most of the 264 million acres of public lands, (see attachment A). Some of the BLM's plans are current, but others date as far back as the mid-1970s and do not adequately meet the requirements of the National Environmental Policy Act (NEPA) or current BLM program requirements. Most LUPs lie in the mid-range category of "aging" plans that are in need of updating to reflect current conditions and statutory requirements. In addition, many of the BLM's NEPA documents also must be updated.

The inadequacy of the BLM's aging and outdated LUPs and NEPA documents has left the Bureau ill-prepared to address areas with vulnerable, sensitive or at-risk resource values and increasingly exposed to litigation. Many of the BLM's LUPs and associated NEPA documents do not address critical habitats for threatened or endangered species or noxious weed invasions revealed in recent science and resource assessments, nor do they address new or amended mandates, such as those providing new point source water quality standards. The effects of these deficiencies are also being felt in BLM's energy and minerals programs that make a significant contribution to the Nation's critical needs for coal and oil and gas, while providing the States and the U.S. Treasury with over one billion dollars annually in royalties, rentals, and bonus payments.

On a broader scale, the unprecedented expansion of urban areas, urban encroachment into previously rural areas, and the wildland-urban interface have resulted from dramatic demographics changes in the Western U.S. These changes have led to conflicting land uses and cultural values as well as increased risk to humans and public property from natural events, such as fire, that were not anticipated or addressed in the BLM's aging plans. Most plans were developed with the intent to guide management for a 10 to 15 year period, and did not forecast the dramatic and accelerated changes occurring in the West. Clearly, what is needed are updated plans that are adaptable to changing conditions and demands.

EXHIBIT 2

UTAH

*Wilderness
Inventory*

1999



U.S. Department of the Interior • Bureau of Land Management

Introduction

History

For more than 20 years, debate has raged over the identification and management of certain public lands in the State of Utah, and whether some areas should have been designated for wilderness study as part of the original inventory process required by the 1976 Federal Land Policy and Management Policy Act (FLPMA).

FLPMA sets forth the basic principles and procedures the federal Bureau of Land Management (BLM) must follow in the management of public lands. Following its enactment, BLM initiated a wilderness inventory of public lands to determine areas with wilderness characteristics, as defined by the 1964 Wilderness Act.

There were three stages in that process: an initial inventory to select lands for further consideration; the identification of lands with wilderness characteristics; and recommendations for Congressional designation or release based on "suitability" and "manageability," as judged by BLM and the Administration at the time.

Changes that the BLM (improperly) omitted qualifying areas in the original inventory led to protests and appeals, hearings before Congress, legislative proposals to protect the disputed areas, and the most intractable controversy over any resource inventory since the passage of FLPMA.

During this time, Utah wilderness became the subject of national debate, with members of both parties attempting to pass legislation to resolve the issue. Despite many years and numerous efforts, none have yet succeeded. In a June 1996 letter to Representative James Hansen of Utah, Chairman of the Public Lands Subcommittee of the House Resources Committee, Interior Secretary Bruce Babbitt observed that "an important reason for this stalemate is that the various interests involved are so far apart on the threshold, fundamental issue of how much BLM land has wilderness characteristics in the state."

Accordingly, the Secretary directed that a six-month administrative field review of the lands in question be conducted to assess conditions on the ground two decades after the first inventories began. In the same letter to Representative Hansen, the Secretary reported that the team undertaking the review was "explicitly instructed to apply the same legal criteria that were used in the original inventory, and to consider each area on its own merits, solely to determine whether it has wilderness characteristics. The team will have no particular acreage target to meet; the chips will fall where they may."

The inventory team began gathering information in July 1996, and field work was initiated in September 1996. In October 1996, the State of Utah, the Utah State Institutional Trust Lands Administration, and the Utah Association of Counties filed suit in federal district court in Utah, challenging the Secretary's authority to conduct the re-inventory. In November 1996, the federal district court issued a temporary restraining order barring further work on the inventory. The United States complied with the injunction but appealed the decision to the Tenth Circuit Court of Appeals. In March 1998, the Tenth Circuit reversed the district court on all claims relating to the inventory.

In deciding the case, the Court referred to the "plain language" of Section 201 of FLPMA, which says:

"The Secretary shall prepare and maintain on a continuing basis an inventory of all public lands and their resource and other values (including, but not limited to, outdoor recreation and scenic values), giving priority to areas of critical environmental concern. This inventory shall be kept current so as to reflect changes in conditions and to identify new and emerging resource and other values. The preparation and maintenance of such inventory or the identification of such areas shall not of itself change or prevent change of the management or use of public lands."

On June 19, 1998, the injunction was lifted and the inventory team was asked to reassemble, finish the field work and write the following report:

Secretarial Direction

As Secretary Babbitt wrote to the Senate Appropriations Committee in 1996, "This is a narrowly focused exercise directed at a unique problem: the extraordinary 20-year-old Utah wilderness inventory controversy." The Secretary's instructions to the BLM were to "focus on the conditions on the disputed ground today, and to obtain the most professional, objective, and accurate report possible so we can put the inventory questions to rest and move on." He asked the BLM to assemble a team of experienced, career professionals and directed them to apply the same legal criteria used in the earlier inventory and the same definition of wilderness contained in the 1964 Wilderness Act.

The Secretary asked the team to review the written public record on the subject of Utah wilderness, including information and materials generated by both the state and federal government during the past 20 years. The team was then to undertake a comprehensive "ground-truthing" field review, using proposed legislation before

Congress (H.R. 4200 and H.R. 4671) to identify the areas for examination. Conditions on the ground would determine whether the boundaries of the inventory must exactly follow those specified in the proposed legislation or were adjusted based on the presence or absence of wilderness characteristics.

From the outset, the Secretary gave clear instruction that the process would be strictly limited to the administrative identification of lands with wilderness characteristics based on established legal definitions. The team would not make recommendations regarding legislative designation of wilderness areas or the creation of new wilderness study areas. Because FLPMA provides that only Congress can designate existing wilderness study areas created as a result of the initial inventory (only two have), the legislative team was also instructed not to create lands within wilderness study areas.

No public hearings or meetings were held during this phase. The BLM was directed to complete the administrative inventory and field review, and to report the results to the Secretary. Secretary Babbitt said that after the report is made public he would consider initiating a legislative Environmental Impact Statement and an FLPMA Section 201 planning process that could lead to recommendations for Congress. In his comments on the status of certain lands studied during the inventory process:

If those steps are taken, the Secretary promised the opportunity for public input in any resulting process. Until then, the BLM was explicitly instructed not to change the management of any lands within the inventory areas based on the results of this survey. The Court of Appeals noted this clear direction when it ruled that the BLM could proceed with an internal staff inventory prior to any public hearings held as part of a section 201 planning process.

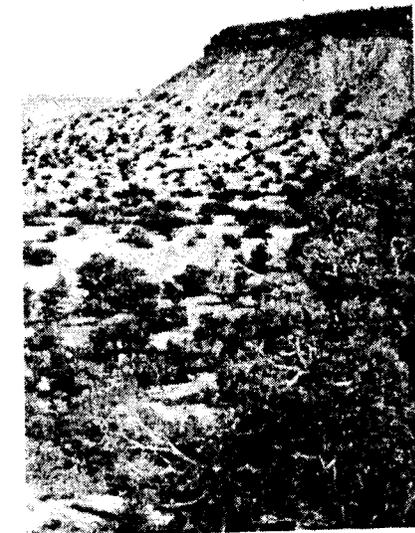
Inventory Team

In keeping with the Secretary's direction, and that the inventory is a professional exercise with no predetermined outcome, when its business the BLM assembled a team of career professionals to conduct the review. Both Amber, of our only Associate State Director at that time, was asked by the Director of the BLM to head the inventory effort.

At the request of the state BLM office in Utah, the team traded a staff to draw on expertise throughout the Bureau, with approximately half of the team staffed with Utah BLM personnel and the other half with BLM team from other states.



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The mix of Utah and non-Utah personnel was designed to minimize the impact of the review effort on ongoing workloads in local BLM offices while providing a fresh, objective examination of the areas whose wilderness characteristics were in question.

The exercise brought together a combination of BLM's most experienced wilderness professionals (many from outside Utah) with those having extensive field experience in Utah (primarily from existing Utah BLM staff). Many of the team members had participated in the earlier Utah inventory and/or in earlier wilderness inventories in other states. All told, the inventory team had many decades of experience in wilderness issues throughout the West. Team members and contributors to this report are listed in the Appendix (see pages A2 and A3).

While a number of BLM personnel worked on the project between 1996 and 1998, team did task-specific work, such as historical document review, aerial photography analysis, field study, review of findings, and writing, editing, and publishing of the report. All team members served on a part-time basis, as needed; the inventory exercise had no full-time staff.

The team ceased all work when the district court issued the injunction in November 1996. In June 1998, when the court injunction against proceeding with the inventory was lifted, the Director appointed Larry Hamilton, State BLM Director in Montana, to oversee the resumption and conclusion of the report to the Secretary. He and Bob Abbey, who had since become State BLM Director in Nevada, worked closely together to assure a seamless transition and assure that both State Directors had confidence in the inventory team and the report.

Methodology

The Wilderness Act defines wilderness as an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions, and which:

- (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable;
- (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation;
- (3) has at least five thousand acres of land or is of sufficient size as to make practicable its preservation and use in an unimpaired condition; and
- (4) may also contain ecological, geological, or other features of scientific, educational, scenic, or historical value.

These criteria, commonly referred to as naturalness, outstanding opportunities, size, and supplemental values, directed this inventory as well as all previous BLM wilderness inventories. A more detailed description of these criteria is included in the Appendix (see page A1).

The BLM reviewed the 1978 wilderness inventory handbook and the three organic act directives that guided the earlier inventory, and combined them into a single guidance document. Because the purpose of this reinventory was limited simply to documenting on-the-ground conditions regarding the presence or absence of wilderness characteristics, it

was possible to eliminate several steps from the previous process.

For example, the earlier handbook included many planning steps, such as the public review and comment needed to amend land use plans. Because the reinventory did not determine whether any area should be recommended to Congress for wilderness designation, made into a wilderness study area, or subject to any other management regime, no procedures for these steps were needed and none were included.

Two other modifications to the earlier guidance were made, one of which tended to increase, and the other to decrease, the acreage inventoried. First, in the earlier inventory, boundaries were drawn to avoid state lands, which had the effect in some cases of eliminating intermingled public lands from wilderness inventory. Boundaries in the reinventory were not drawn to avoid state lands. This was done for several reasons, including the fact that recent Utah wilderness bills introduced by both parties have included state lands, and that the State of Utah has expressed its interest in exchanging any state lands included within designated wilderness. The decision to include, rather than avoid, state lands within the boundaries of inventory units had the effect of adding public land areas and acreage to the inventory units.

Second, the earlier inventory guidance allowed lands with a substantially noticeable human imprint to be identified as having wilderness characteristics where these imprints could be reduced either by natural processes or by hand labor to a level judged to be substantially unnoticeable. In this just-completed inventory, however, areas determined to have substantially noticeable human imprints were categorized as lacking wilderness characteristics, regardless of the potential

for reducing that imprint in the future. This had the effect of removing areas and acreage from consideration. For example, where impacts might be rehabilitated but did not appear natural in their current condition, the area with the impacts was excluded from the boundary of the inventory unit.

Beyond the comprehensive historical document review, the specific steps taken to conduct the inventory included the following:

- The boundaries of the areas proposed for wilderness designation in legislation before Congress (H.R. 1500 and H.R. 1743) and the BLM WSA boundaries were first transferred to aerial photographs.
- Trained aerial photography interpreters reviewed each photograph and marked them to identify any and all potential surface disturbances.
- Potential surface disturbance information was transferred from the aerial photographs to large-scale (7.5-minute) orthophoto and topographic maps.
- The aerial photographs and orthophoto and topographic maps generated in the first three steps were gathered into individual inventory case files and given to an inventory team.
- Available information on each inventory unit was gathered and reviewed.
- Each inventory unit was visited and surveyed on the ground. Field checks were made using helicopter flights, driving boundary roads and ways within the units, and hiking to remote locations. All surface disturbances were examined. The inventory team was equipped with Global Positioning System (GPS) units, which use satellite technology to determine precise locations on the ground. The GPS equipment, in concert with current maps and aerial photographs, allowed the team to quickly and accurately document the location of all surface disturbances, roads and ways, and photo points.
- The presence of roads or ways associated with each inventory unit was documented on field maps, road/way analysis forms, and photographs. This documentation was placed in each case file.
- The presence or absence of other surface disturbances was documented on field maps and photographed. This documentation was placed in the case file.
- Each case file was reviewed by the field team, the team leader, and in some cases the project leader, and a preliminary finding of the presence and/or absence of wilderness characteristics was made.
- A draft Wilderness Inventory Evaluation was written for each inventory unit; and the Permanent Documentation File was completed.



BULLFROG CREEK—Bullfrog Creek Canyon, Glen Canyon National Recreation Area in the background.

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- Trained aerial photography interpreters reviewed each photograph and marked them to identify any and all potential surface disturbances.
- Potential surface disturbance information was transferred from the aerial photographs to large-scale (7.5-minute) orthophoto and topographic maps.
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- The presence of roads or ways associated with each inventory unit was documented on field maps, roadway analysis forms, and photographs. This documentation was placed in each case file.
- The presence or absence of other surface disturbances was documented on field maps and photographed. This documentation was placed in the case file.
- Each case file was reviewed by the field team, the team leader, and in some cases the project leader, and a preliminary finding of the presence and/or absence of wilderness characteristics was made.
- A draft Wilderness Inventory Evaluation was written for each inventory unit and the Permanent Documentation File was completed.

- The project leader reviewed Wilderness Inventory Evaluations and made a final decision on findings.

Presentation of Findings

Inventory Products. This inventory produced two specific products: (1) this 1999 Utah Wilderness Inventory Report to the Secretary, and (2) a Permanent Documentation File for each inventory unit.

1. This Report to the Secretary contains overall results of the wilderness inventory and summaries of the data gathered for each inventory unit, including:

Inventory Unit Acres—Acreage totals for the area inventoried, acreage found to possess wilderness characteristics, and acreage found to lack wilderness characteristics. When an area contiguous to the inventory unit has wilderness characteristics (either an existing BLM Wilderness Study Area, other agency designated wilderness, or an area administratively endorsed for wilderness by another agency), this is noted on the acreage table.

Unit Description—A summary of the inventory unit, including its general location, major features, general topography and vegetation, and current and past uses.

Wilderness Characteristics—A general summary of the wilderness values found as defined by the Wilderness Act of 1964: size, naturalness, solitude or a primitive and unconfined type of recreation, and supplemental values.

Inventory Unit Map—A map showing the inventoried areas, Wilderness Study Areas that are contiguous or within the general area are identified and shown, as are lands managed by other agencies. Areas with or without wilderness characteristics within the inventory units are also shown.

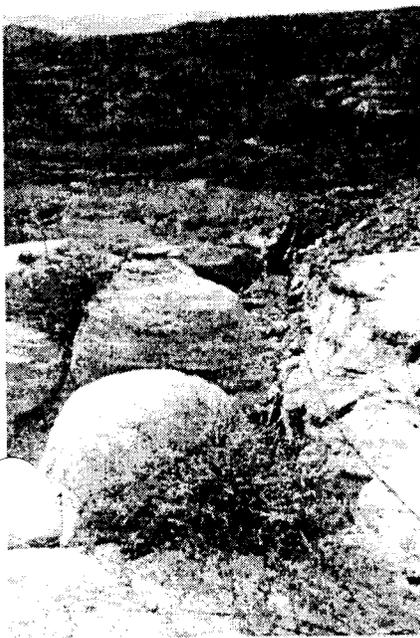
Maps in this document represent inventory unit and WSA boundaries to the degree of accuracy available at a small scale. For detailed information, official maps at a larger scale are filed in each Permanent Documentation File.

2. The Permanent Documentation File is a case file established for each inventory unit. These case files contain the information gathered in the inventory, including a 7-30 page Wilderness Inventory Evaluation, roadway forms, various topographic maps, photographs and photoflags, aerial photographs, and miscellaneous information.

Organization of this Report. This report groups inventory units into seven geographic regions:

1. Northwest Region, includes the northern portion of Utah's West Desert.
2. West Central Region, includes the southern portion of Utah's West Desert.
3. Southwest Region, includes the vicinities of Zion National Park, Cedar City, and St. George.
4. South Central Region, includes the Grand Staircase-Escalante National Monument and areas west of Capitol Reef National Park.
5. East Central Region, includes the San Rafael Swell and Henry Mountains areas.
6. Southeast Region, includes the Canyonlands country.
7. Northeast Region, includes the Book Cliffs and Dinosaur National Monument areas.

The general location and extent of these regions in relation to the entire State of Utah are shown on the accompanying Regional Groups map. Individual inventory units within each region are listed in the Table of Contents and are also grouped within the document by regions.

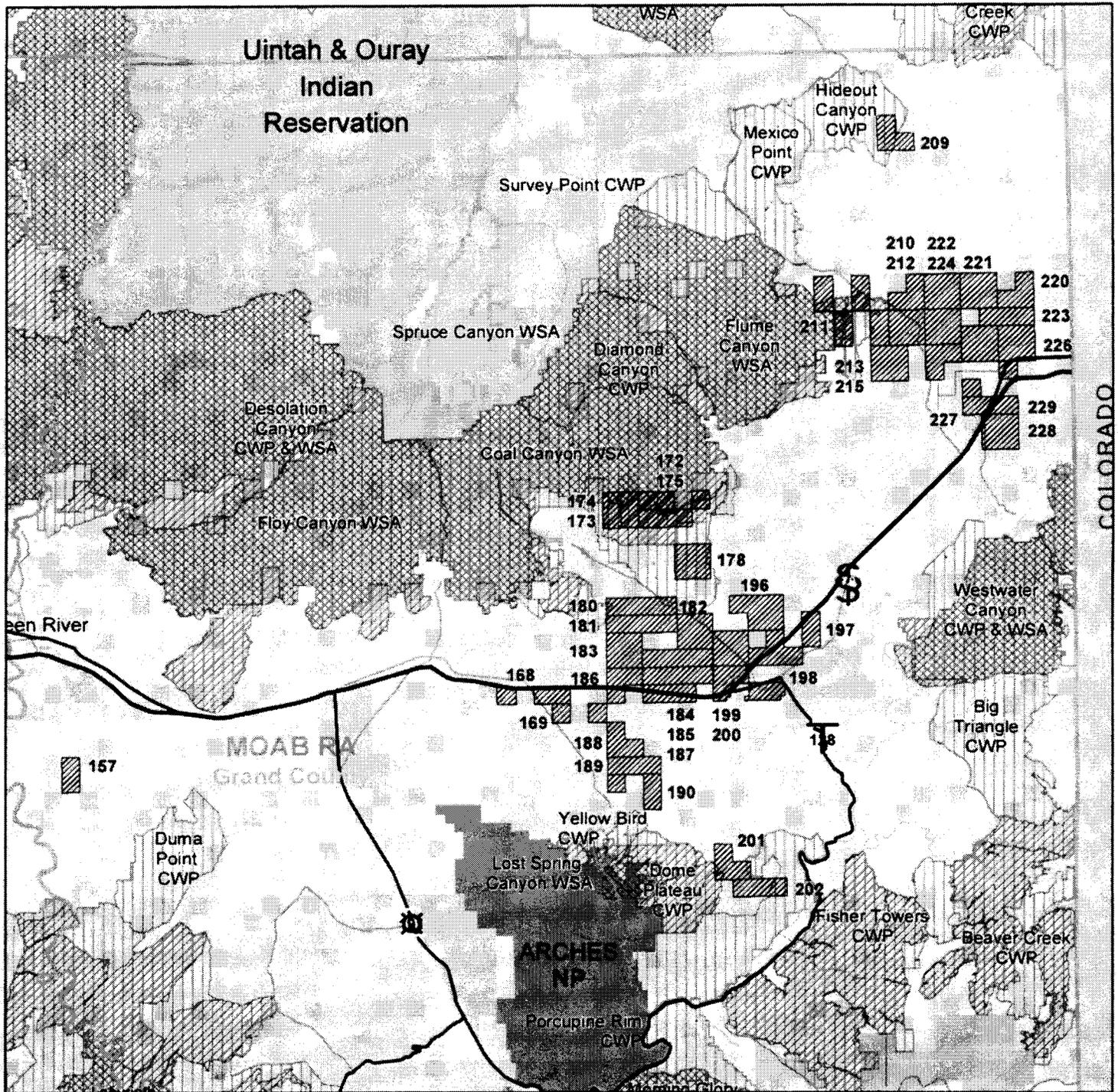


round.



STUDY CASE PEAKS—View of the inventory unit in the foreground to the rim of North Escalante Canyons ISA; Boulder Mountain on the far horizon.

EXHIBIT 3



Colorado River Area Lease Parcels

Federal Lease Sale - Utah BLM, May 17, 2005

Legend

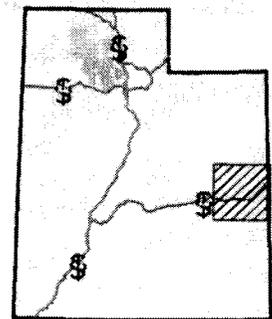
Lease Parcels (generalized to PLSS section)

Land Management & Administration

- | | | |
|----------------------------|-------------------------|-------------------------------|
| Bureau of Land Management | Indian Reservation/Land | Designated Wilderness |
| Bureau of Reclamation | State Park & Rec Area | BLM WSA |
| Department of Defense | State Wildlife Area | Area w/ Wilderness Character* |
| National Park Service | Other State | Citizens' Wilderness Proposal |
| USDA Forest Service | Water | USFS Roadless Area |
| US Fish & Wildlife Service | Other | |

*1998 BLM Wilderness Characteristics Inventory

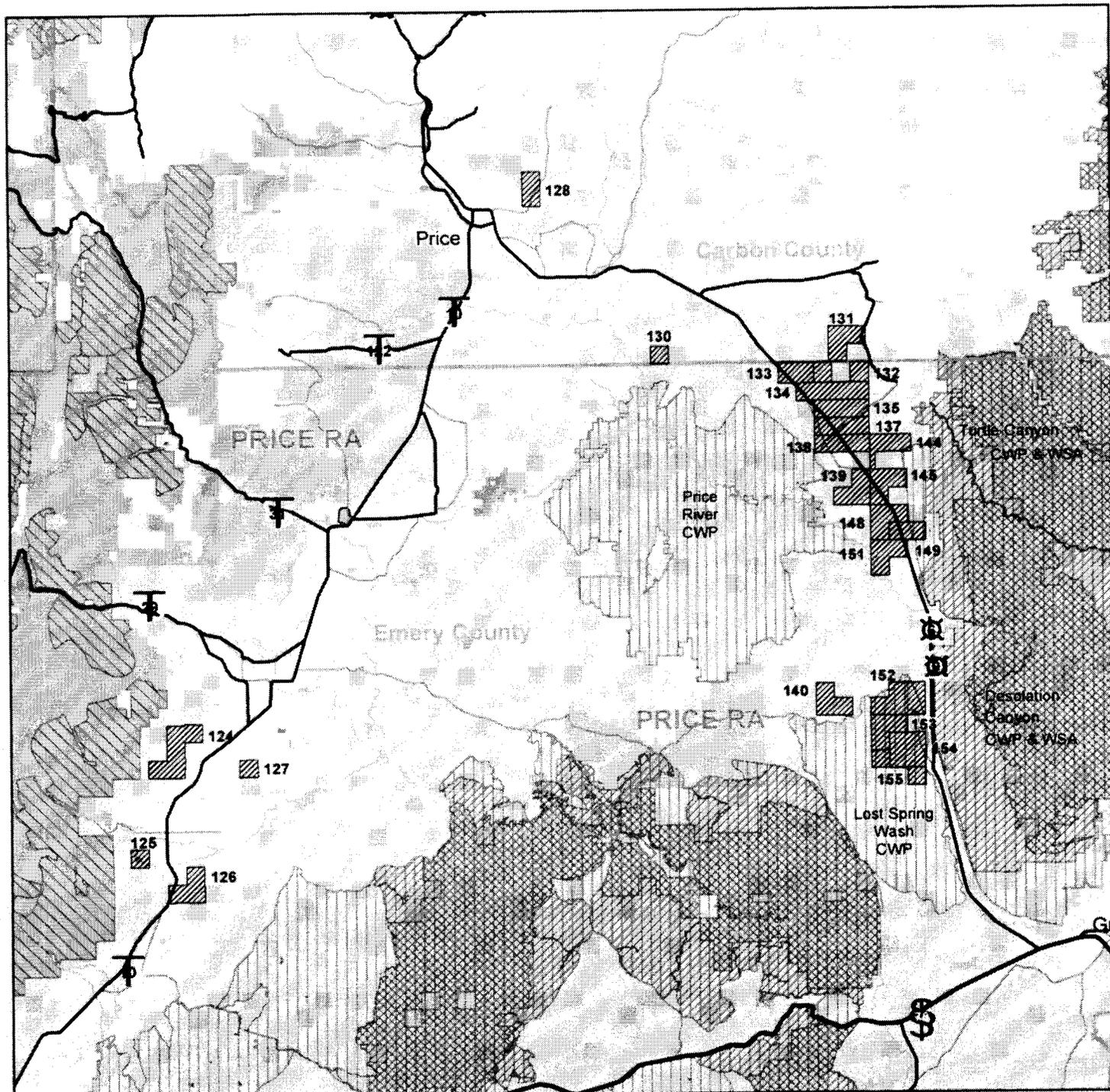
Data Sources: BLM, NRDC, SITLA, USDA-FS, UT-AGRC, WUP



0 5 10 15

Scale in Miles

EXHIBIT 4



Price River Area Lease Parcels

Federal Lease Sale - Utah BLM, May 17, 2005

Legend

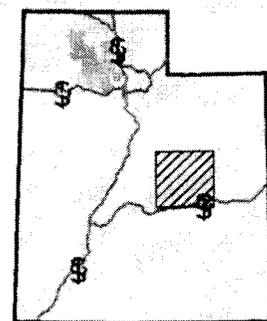
Lease Parcels (generalized to PLSS section)

Land Management & Administration

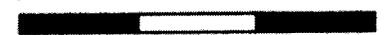
- | | | |
|----------------------------|-------------------------|-------------------------------|
| Bureau of Land Management | Indian Reservation/Land | Designated Wilderness |
| Bureau of Reclamation | State Park & Rec Area | BLM WSA |
| Department of Defense | State Wildlife Area | Area w/ Wilderness Character* |
| National Park Service | Other State | Citizens' Wilderness Proposal |
| USDA Forest Service | Water | USFS Roadless Area |
| US Fish & Wildlife Service | Other | |

*1998 BLM Wilderness Characteristics Inventory

Data Sources: BLM, NRDC, SITLA, USDA-FS, UT-AGRC, WUP

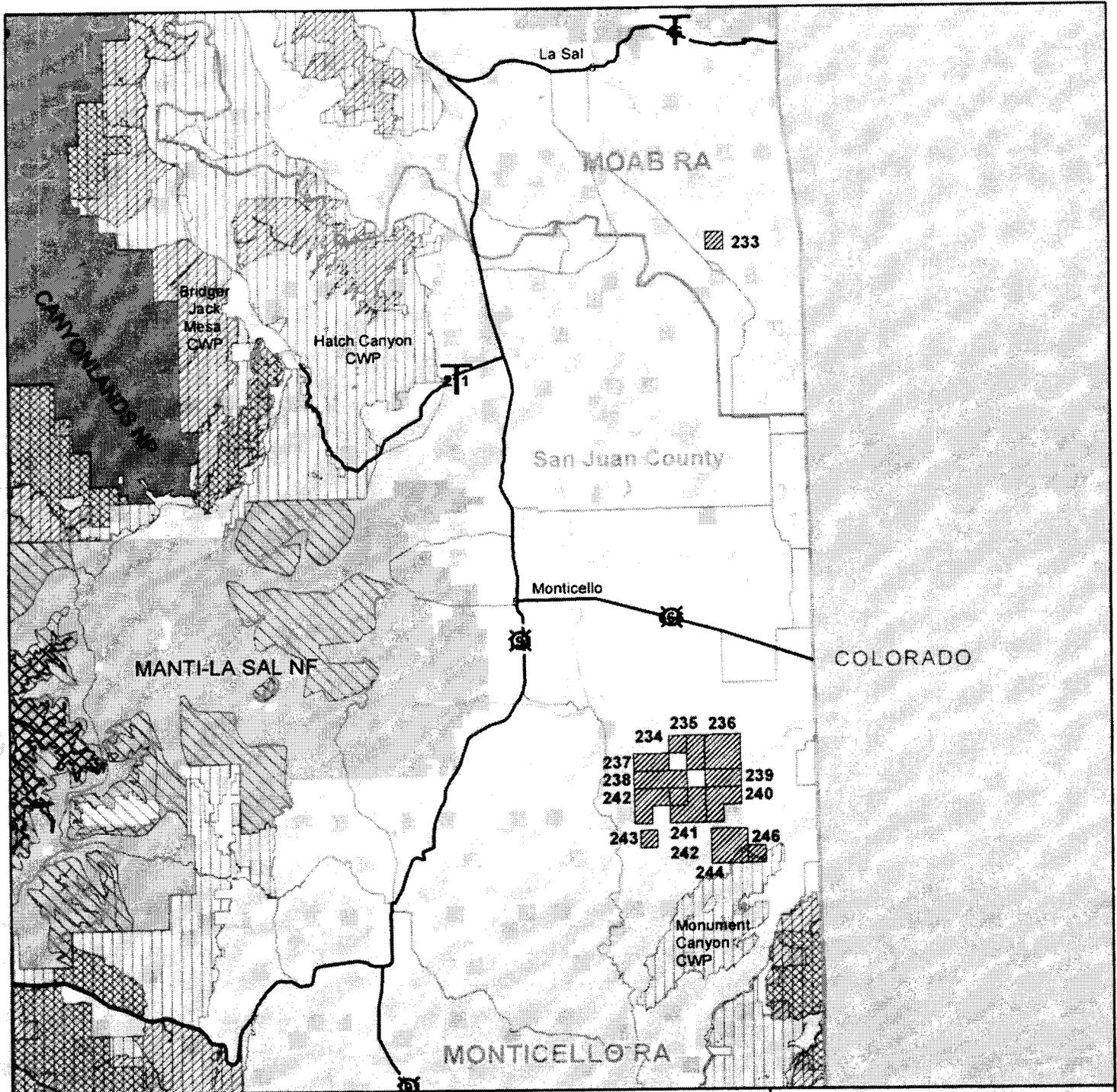


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Scale in Miles

EXHIBIT 5



Manti LaSal NF Area Lease Parcels (revised)

Federal Lease Sale - Utah BLM, May 17, 2005

Legend

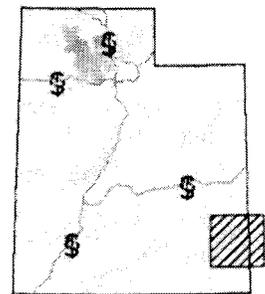
Lease Parcels (generalized to PLSS section)

Land Management & Administration

- | | |
|----------------------------|-------------------------|
| Bureau of Land Management | Indian Reservation/Land |
| Bureau of Reclamation | State Park & Rec Area |
| Department of Defense | State Wildlife Area |
| National Park Service | Other State |
| USDA Forest Service | Water |
| US Fish & Wildlife Service | Other |

- | |
|-------------------------------|
| Designated Wilderness |
| BLM WSA |
| Area w/ Wilderness Character* |
| Citizens' Wilderness Proposal |
| USFS Roadless Area |

*1998 BLM Wilderness Characteristics Inventory

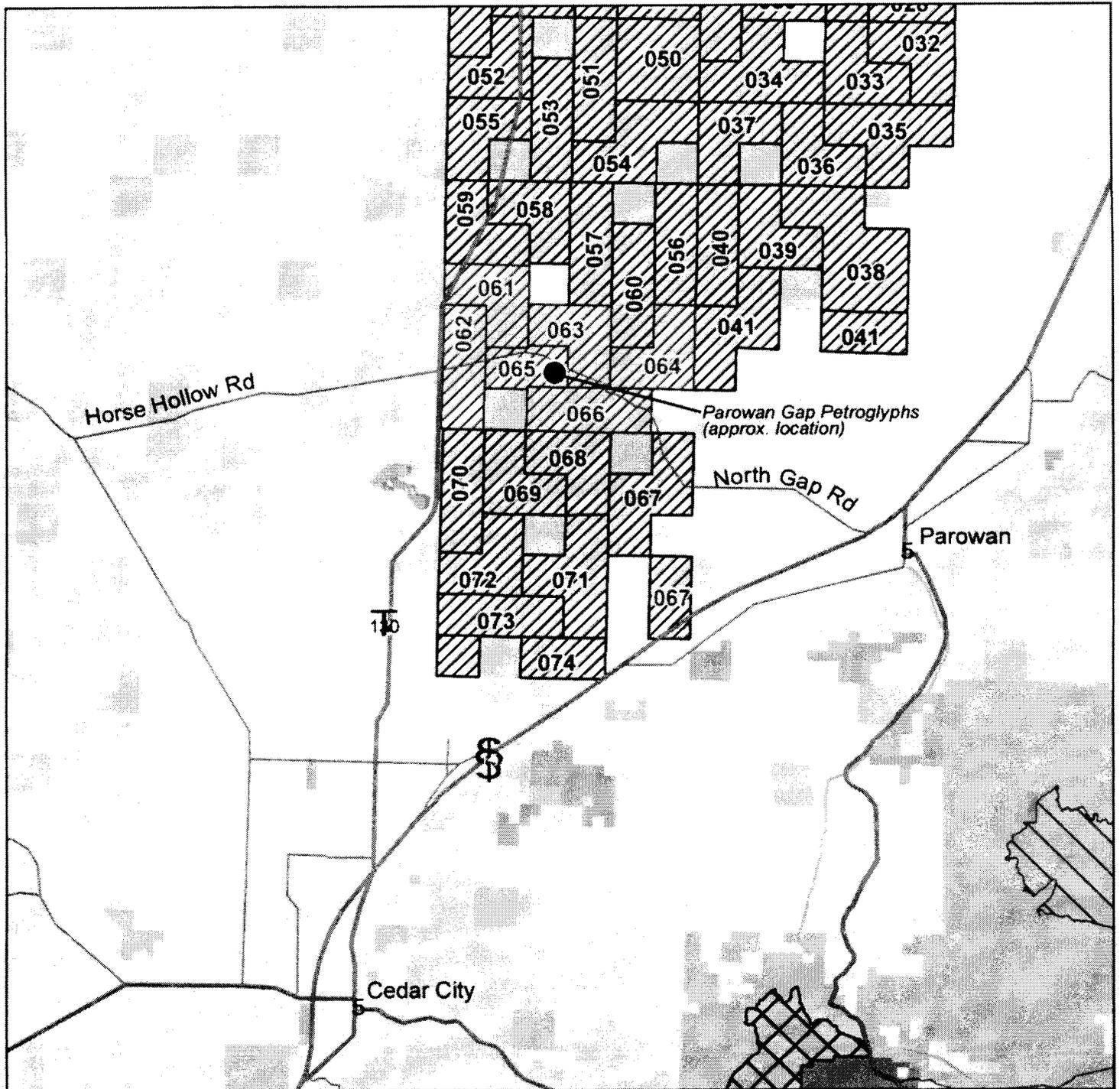


0 5 10 15

Scale in Miles

Data Sources: BLM, NRDC, SITLA, USDA-FS, UT-AGRC, WUP

EXHIBIT 6



Cedar City Area Lease Parcels (Parowan Gap)
 Federal Lease Sale - Utah BLM, May 17, 2005

Lease Parcels*
 Lease Parcels in the Parowan Gap Petroglyphs area*
 *generalized to PLSS section

Land Management & Administration

- | | | |
|----------------------------|-------------------------|-------------------------------|
| Bureau of Land Management | Indian Reservation/Land | Designated Wilderness |
| Bureau of Reclamation | State Park & Rec Area | BLM WSA |
| Department of Defense | State Wildlife Area | Area w/ Wilderness Character* |
| National Park Service | Other State | Citizens' Wilderness Proposal |
| USDA Forest Service | Water | USFS Roadless Area |
| US Fish & Wildlife Service | Other | |

*1998 BLM Wilderness Characteristics Inventory

Data Sources: BLM, NRDC, SITLA, USDA-FS, UT-AGRC, WUP

