# Appendix G
# Public Comments and Agency Response

| # | Comment | Response |
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| 1 | Wyoming Outdoor Council (WOC) Comment: Considering such a large block of contiguous leases does not constitute a reasonable alternative, and therefore this proposal should not have been considered in the National Environmental Policy Act (NEPA) analysis underlying this lease sale. This proposal should have been rejected on its face as an unreasonable alternative not warranting consideration in a NEPA analysis. | In accordance with the Federal Oil and Gas Leasing Reform Act of 1987, an entity may nominate parcels to be considered for sale. All parcels nominated are adjudicated and any which are located on lands closed to leasing, already leased, or are not Federal mineral estate are brought forward for analysis.<br>Analysis of the parcels in a NEPA document considered each individual nominated parcel separately regardless of the number of parcels. The number of parcels or whether the parcels are in a block of contiguous lands does not constitute an unreasonable alternative. Each individual parcel is properly stipulated in compliance with existing land use plans or deferred if there is either new unanalyzed information available or prejudices ongoing land use planning efforts. |
| 2 | WOC Comment: We are concerned that in one lease sale the BLM is proposing to offer lease parcels from six out of the ten Field Offices in the State and two out of three Districts. This approach fails to comply with the provisions in IM 2012-117, which directs the BLM to create a more balanced schedule of offerings, partly to ensure there is time for needed analyses. | Review of lease parcels was completed in accordance with the Wyoming Leasing Reform Plan, as implemented by the Wyoming BLM State Office in accordance with Washington Office IM 2010-117. The plan implements the requirement of the Mineral Leasing Act of 1920 by conducting a minimum of four (4) lease sales per year and identifies the BLM District Office's schedule for parcel reviews. |
| 3 | WOC Comment: Parcels WY-1208-391 and -392. These parcels would be extremely close to and perhaps within the Absaroka Front Management Area and as such we think management should be reflected in the stipulations attached to the parcels. | Parcel 1208-391 and 1208-392 are not located within the boundaries of the Absaroka Front Management Area as defined in the Bighorn Basin Draft RMP revision. |
| 4 | WOC Comment: Parcels WY-1208-391 and -392. These parcels are in close proximity to the Nez Perce national historic Trail and would be within the 5 mile buffer and perhaps the 3 mile buffer for the trail. The parcels should be stipulated accordingly. | Parcels 1208-391 and -392 are being partially deferred due to changes in management with the Draft EIS for the Bighorn Basing RMP. The portions of the parcels that are deferred are located within the 3 mile buffer national Historic Trails. |
| 5 | WOC Comment: Parcels WY-1208-391 and -392. These parcels would be within the Absaroka-Beartooth Front management area that WOC and others have suggested be made unavailable for future leasing in the revised Bighorn Basin RMP. | Parcels 1208-391 and -392 are not located with the Absaroka Front Management Area and therefore are not deferred for those reasons. Suggestions of management that are not addressed in RMPs are not considered a management prescription that can be implemented. |
| 6 | WOC Comment: Parcels WY-1208-103, -132, | Parcel 103 was partially deferred and remaining |

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| | and -152. These parcels could fall within proposed Expanded Green Mountain Area of Critical Environmental Concern (ACEC) and could be subject to new NSO, CSU or other protective stipulations. | acreage stipulated.<br>Parcel 132 – entire lease has NSO because within original ACEC.<br>152 – Not within proposed Expanded Green Mtn ACEC<br>The parcels would have no additional stipulations under the RMP Revision. |
| 7 | WOC Comment: Parcels WY-1208-103, -132, and -152. These parcels could fall within the Heritage Tourism and Recreation Corridor 5 mile buffer and be subject to the provisions that apply to that resource under the terms of the proposed Lander RMP. | Parcels are not within the proposed Heritage Tourism and Recreation Corridor.<br>The parcels would have no additional stipulations under the RMP Revision. |
| 8 | Greater Yellowstone Coalition (GYC) Comment: Parcels WY-1208-391 and -393. These parcels are located in the proposed Absaroka Front management Area identified in the Bighorn Basin RMP as administratively unavailable for mineral leasing. It would be inappropriate and premature to offer these parcels for lease. | See response to comment #3 concerning Parcel 1208-391. Parcel 1208-393 also is not located with the Absaroka Front Management Area but is recommended to be deferred in its entirety due to cultural resources concerns and proposed management prescriptions found in the BB Draft RMP records 5020, 5021, and 7188. |
| 9 | GYC Comment: As a matter of practice, the BLM should avoid leasing parcels in the Worland and Lander Field Offices until the Bighorn Basin and Wind River RMPs are revised. | As a matter of practice, the BLM follows the Council on Environmental Quality Regulations, 40 CFR 1506, that state until an agency issues a record of decision as provided in Section 1505.2, no action concerning the proposal shall be taken which would (1) have an adverse environmental impact; or (2) limit the choice of reasonable alternatives. Therefore, parcels were reviewed utilizing existing RMP resource prescriptions and then reviewed in accordance with ongoing RMP alternatives to ensure BLM is in compliance with the above stated CEQ regulations. If a management action does not limit the choice of reasonable alternatives, the action may be taken. Guidance is also derived from BLM Washington Office IM-2004-110 Change 1. |
| 10 | GYC Comment: Parcels WY-1208-391 and -393. These parcels exist with overlapping wildlife crucial ranges and the conservation of habitat for species should be supersede oil and gas development interests and the parcels should not be offered for sale. | The portion of parcel WY-1208-391 that is being recommended for sale under Alternative 3 was properly stipulated for big game winter range with a timing limitation stipulation. The portion of the parcel recommended for partial deferral is due to the proximity to historic trails and the proposed change in management prescriptions proposed in the Draft Bighorn Basin RMP.<br>Parcel WY-1208-393 was properly stipulated for |

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| | | big game winter range when analyzed in Alternative 2 of the document and was deferred in whole as analyzed under Alternative 3 due to proximity to historic trails and the proposed change in management prescriptions proposed in the Draft Bighorn Basin RMP. |
| 11 | GYC Comment: With parcels WY-1208-391 and -393 exist within greater sage-grouse key habitat area and LBM should defer these parcels until a new greater sage-grouse conservation strategy is finalized. | Parcels WY-1208-391 and -393 are not located within Greater Sage Grouse core areas. This is identified under Appendix D of the document. |
| 12 | GYC Comment: Parcel WY1208-391, which is proposed to be partially deferred under Alternative 3 of the EA, the partially deferred parcel should be fully deferred. | Parcel WY-1208-391 was partially deferred due to proximity to historic trails and the proposed change in management prescriptions proposed in the Draft Bighorn Basin RMP. The portion of the parcel deferred lies within the proposed 3 miles where setting is an important aspect of the integrity for the site (RMP record #5020) and also lies within avoidance of surface disturbing activity within 3 miles of the trails (RMP record #7188). The portion of the parcel recommended for sale is located outside the 3 mile buffer of the trail. |
| 13 | GYC Comment: Parcels WY-1208-391 and -393. These parcels lie within close proximity to the Nez Perce National Historic Trail and should abandon the sale of the parcels. | Please see response to comment number 12 for response to considerations for parcel deferral due to historic trails. |
| 14 | Trout Unlimited (TU) Comment: Parcels WY-1208-388, -389, and -390 through -394. Yellowstone River cutthroat trout and their habitat components are present, or adjacent in the lease parcels. TU supports Alternative 2 with the recommendation of attaching a lease stipulation with a 0.25 mile NSO for all parcels with streams with native and wild trout fisheries. | Instituting half mile wide NSO buffers for CRCT and BCT watersheds is a RMP level decision and is beyond the scope of this EA. We acknowledge that any potential affects to streams containing Bonneville or Colorado River cutthroat trout would be further reduced by increasing the riparian buffer to ½ mile. While the Dillon RMP (BLM Montana) does impose a ½ CSU buffer for Westside cutthroat trout and the Beaverhead-Deer Lodge National Forest LUP sets buffers of ½ to 1 mile for arctic grayling, they do not provide supporting rationale as why these expanded buffers are needed or why lesser buffers are not adequate. Additionally, we could not find documentation that the 500-foot riparian buffer used BLM-Wyoming's RMPs does not provide adequate protection for fishes. |
| 15 | TU Comment: LFO parcels need to be evaluated for fisheries, specifically the parcels near the Sweetwater River. | Comment considered. Additional text has been added to Chapter 3, Affected Environment and Chapter 4, Alternative 2 and 3 to address fisheries |

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| | | in review of the Lander Field parcel review. |
| 16 | National Trust for Historic Preservation (NTHP) Comment: Strongly supports the BLM's Alternative 3 and its deferral of parcels that contain nationally significant cultural resources. | Comment acknowledged; no response required. |
| 17 | Contex Energy Company (Contex) Comment: Of the 42 parcels Contex nominated parcels, BLM should include the 33 deferred parcels in Alternative 3 and offer them for lease at the August 2012 Lease Sale.<br>Parcels identified in the comment are parcels 1208-175, -176, -177, 178, -179, -180, -181, -182, 219, -220, -221, -222, -223, -224, -225, -226, -227, -228, -229, -230, -259, -260, -261, -262, -263, -264, -265, -266, -267, -268, -284, -285, -286, -287, -288, -289, -290, -291, -292, -324, and -396. | Alternative 3 is recommended as the preferred since considerations are required when decisions to lease are made during ongoing land use planning efforts. These land use planning efforts include, for this document, the Lander Field Office and Bighorn Basin Draft RMPs. In accordance with Council of Environmental Quality regulations at 40 CFR 1506 as well as guidance from Washington Office Instruction Memorandum 2004-110, Change 1, the analysis of the parcels using the NEPA process adequately defines that BLM is preserving the decision space of the ongoing land use planning efforts in all three Field Offices of the Wind River Bighorn Basin District. |
| 18 | Contex Comment: Leasing all parcels is consistent with the Mineral Leasing Act. | The Mineral Leasing Act of 1920, as amended, and in accordance with 43 CFR 3107 regulations, the Secretary has the final authority and discretion to decide to issue a lease. Since issuance of a lease is a discretionary action delegated to the Wyoming BLM State Director, leasing all parcels nominated is not consistent nor meets the intent of the Mineral Leasing Act of 1920. |
| 19 | Contex Comment: BLM's rationale for deferral is not consistent with BLM policy, Federal law and court decisions. BLM's deferral of the 33 parcels is not supported by BLM's own leasing policy or the record provided in the WRBHB EA. FLPMA & NEPA do not require deferral of leasing during RMP updates. | In accordance with Council on Environmental Quality Regulations, 40 CFR 1506, until an agency issues a record of decision as provided in Section 1505.2, no action concerning the proposal shall be taken which would (1) have an adverse environmental impact; or (2) limit the choice of reasonable alternatives. Therefore, parcels were reviewed utilizing existing RMP resource prescriptions and then reviewed in accordance with ongoing RMP alternatives to ensure BLM is in compliance with the above stated CEQ regulations. |
| 20 | Contex Comment: Contex respectfully requests that BLM amend the Alternatives in the August 2012 WR/BHB EA so that the 33 deferred parcels are included in Alternative 3. | Please see response to comment number 18 concerning the discretionary action of issuance of leases.<br>With that discretion, BLM is also required to consider ongoing land use plans and CEQ regulations addressed in the response to comment number 19. |

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| 21 | Western Resource Advocates (WRA) Comment: Request that BLM defers all Core Population Area parcels. Parcels WY-1208-094, -095, -219, -221, -286, and -287 should be deferred. Partially deferred parcels -388, -103, -153, and -187 should be entirely deferred. | Cody Field Office Parcel WY-1208-388 is partially deferred with the acreage within the Core area boundary deferred and the remainder acreage outside Core adequately stipulated and recommended for sale.<br><br>Lander Field Office Parcels WY-1208-094, -095, -103, -153, -187 are within Core but did not meet the sage-grouse screen in accordance with IM WY 2012-019. Stipulations placed on lease are adequate protection.<br><br>Worland Field Office Parcels WY-1208-219, -221, -286, -287 are within Core, but are not suitable sage-grouse habitat, and they meet the criteria described below in the recent Sage-grouse IM WY 2012-019, "unsuitable habitats including those associated with disturbances occurring within the DDCT area may be excluded in the disturbance calculations" and will not count towards the 5% cap. |
| 22 | WRA Comment: BLM's analysis of the lease parcels is inadequate because it was not revisited to consider the scientific recommendations of the BLM's Sage-grouse National Technical Team. | BLMs analysis of the lease parcels is adequate since the current implementation guidance for Greater Sage Grouse found in WY IM 2012-019 were followed. Once the BLM Wyoming adopts recommendations from the technical team, new guidance will be issued and implemented. |
| 23 | WRA Comment: The Purpose and Need of the EA should incorporate essential legal and policy mandates, rather than focusing almost exclusively on overstating the case for leasing oil and gas. | Chapter 1, Section 1.3, Purpose and Need, has been modified to incorporate a broader description of various mandates. |
| 24 | WRA Comment: Adopt Alternative 3, modified to protect the Core Area parcels not currently recommended for deferral in the alternative, and those Core Area parcels that overlap Important Bird Areas. | Current parcel screening for Greater Sage Grouse Core areas follows current guidance found in WY IM 2012-019. Those parcels found to be in areas that include acreage 0.6 miles from leks or have no active leases within 11 square miles are recommended for deferral in accordance with the guidance. |
| 25 | Wyoming Wilderness Association (WWA) Comment: Defer Parcel 268, it is located within the Little Dry Creek LWC. | Parcel 1208-268 is partially located within the Little Dry Creek LWC and the acreage within the LWC is recommended for deferral until such time the Bighorn Basin Draft RMP is approved. |
| 26 | WWA Comment: Defer Parcel 325, Tract 107B (40.61 acres), it is located within the Little Dry Creek LWC. | Parcel 1208-325 is partially within the Little Dry Creek LWC as analyzed in the Bighorn Basin Draft RMP. The portion of the parcel located |

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| | | within the boundaries of the LWC was appropriately deferred, the remaining acreage outside the LWC boundary was adequately stipulated and is recommended for sale. |
| 27 | WWA Comment: Eliminate Parcel WY-1208-394 from sale. This parcel is located in the 7.4 mile Clarks Fork of the Yellowstone River Wild and Scenic River eligible segment. | Parcel 1208-394 was deferred in whole as analyzed in Alternative 3 of the document due to its proximity to the wild and scenic river as analyzed in the Bighorn Basin Draft RMP. |
| 28 | WWA Comment: Remove parcel 221 and 396 from the lease sale. These parcels are located within close proximity to the 21,560 acre Cedar Mountain WSA and deferral is essential in order to maintain characteristics of the WSA. | Parcels 1208-221 and -396 are located in BLM-administered public lands managed under multiple uses, not managed for non-impairment, as mandated for lands managed within the Cedar Mountain WSA. Impacts to wilderness characteristics present in Cedar Mountain WSA are analyzed in Alternative 2. Alternative 3 analyzed the impacts of deferring partial parcels due to VRM Class II objectives currently being analyzed in the Bighorn Basin RMP Revision. Checked the leases to ensure that they do not fall within the WSA or the LWC. Partial parcels WY-1208-221 and WY-1208-396 are deferred due to VRM Class II objectives. |
| 29 | WWA Comment: We recommend that the BLM defer, until RMP completion, the following parcels located in identified Lands with Wilderness Characteristics: WY-1208-259, -260, -261, -262, -263, -267, -285, -286, -287, -288, -289, and -290. | BLM analyzed the deferral of those parcels in Alt 2, Table 2.2. Checked the lease parcels against the LWC inventory, and confirm that these listed parcels fall within LWC boundaries: WY-1208-259, -260, -261, -262, -263, -267, -285, -286, -287, -288, -289, and -290. |
| 30 | Wyoming Wildlife Federation (WWF) Comment: Parcels-1208-094, -095, -102 thru -174, -181, -182, -183 thru -218, -219, -221 thru -264, -266, -267, -269 thru -388, and -390 thru 394. (280 parcels). Request the above parcels be withdrawn from the August 2012 competitive oil and gas lease sale while the lands they occupy have Resource Management Plans currently in revision. Leasing these parcels reduces decision space for the RMPs. | All parcels commented on with the exception of the 32 whole and partial parcels recommended for sale under Alternative 3 are recommended for deferral.<br>All parcels are reviewed in accordance with Council on Environmental Quality Regulations, 40 CFR 1506, which state that until an agency issues a record of decision as provided in Section 1505.2, no action concerning the proposal shall be taken which would (1) have an adverse environmental impact; or (2) limit the choice of reasonable alternatives. Therefore, parcels were reviewed utilizing existing RMP resource prescriptions and then reviewed in accordance with ongoing RMP alternatives to ensure BLM is in compliance with the above stated CEQ regulations. |
| 31 | The Wilderness Society (TWS) Comment: We | Comment acknowledged, not response required. |

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| | stand fully behind the Draft EA's preferred alternative. That alternative is designed to preserve the current range of alternatives for the RMP revisions, protect the NHTs, LWCs and other important resource values. | |
| 32 | Powder River Basin Resource Council (BRBRC) Comment: We find that the BLM has failed to address and disclose the environmental impacts which meet the definition of significance in context or intensity as described in 40 C.F.R. § 1508.27. We further find that those impacts have not been addressed in the respective EISs for the Resource Management Plans (RMPs) associated with these leases. Therefore, we conclude that an EIS is needed prior to issuance of these leases. | The document analyzes three alternatives with the selected alternative mitigating and minimizing impacts which provides sufficient analysis for determining point a finding of no significant impact (FONSI). By deferring parcels that would limit the choice of reasonable alternatives in the Lander Field Office and Bighorn Basin Draft RMPs, the result of the selected alternative is determined to have no significant impacts, therefore, an EIS is not required to take the recommended action. |
| 33 | PRBRC Comment: the EISs and the RMPs tiered to these EAs have not analyzed, addressed or disclosed the reasonably foreseeable environmental impacts associated with horizontal oil and gas wells and associated hydraulic fracking, water use and water disposal. | BLM cannot predict whether or not, or to what degree, development would occur on a given parcel. Nor can BLM determine what depth of wells may be drilled or what kind of well stimulation or hydraulic fracturing, if any would be needed. |
| 34 | PRBRC Comment: this BLM EA and the BLM RMPs it is tiered to, do not address the large volume of federal orphaned, abandoned and idle wells that have not been reclaimed and the resulting long term impacts to private property split estate owners and public lands. The BLM RMPs haven failed to address the cost of reclamation of oil and gas wells, the lack of federal bonding to cover reclamation and the failure of the BLM to ensure reclamation of disturbed and damaged lands due to BLM authorized oil and gas drilling. The BLM fails to address how BLM will ensure previous leased lands are reclaimed and BLM fails to disclose or account for oil and gas wells on those lands that have not been reclaimed prior to more leasing. Further, the BLM has no established funding mechanism to ensure reclamation of previously leased and drilled lands nor does BLM disclose, analyze or discuss the fact there is no funding mechanism for reclamation of land and plugging of wells from bankrupt companies. | Addressing any liabilities associated with idle and orphaned wells is outside the scope of the document. There are regulations and processes that address these potential liabilities and BLM has a funding process in place.<br>Any impacts to private property are addressed for the particular parcel in the analysis. The Leasing Reform Plan for BLM Wyoming requires contacting the private land owner of a split estate parcel for comments and input.<br>BLM is aware of any oil and gas wells that exist on a parcel nominated for sale. Any well in this classification either has a party to which liability is tied, or in the case of an orphaned well, the purchaser of the new parcels has the ability to assume the liability. If nether is available, BLM has processes and funding protocol in place to address the issue. Any parcel that does have an unplugged well within the boundaries will be identified in the document. No unplugged wells exist within the boundaries of the parcels analyzed.<br>These issues do not warrant analysis in the |

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| | | document. |
| 35 | PRBRC Comment: The proposed actions can also impact public health and safety through extensive air quality impacts and greenhouse gas emissions from oil and gas production that are not analyzed. | Analysis of air quality and greenhouse gas emissions from known sources is provided in the document. Since BLM cannot predict whether or not, or to what degree, development would occur on a given parcel, future actions that may that produce emissions would be analyzed once a site specific proposed action is received. |
| 36 | PRBRC Comment: This leasing action is related to coal leasing, underground coal gasification proposals and uranium leasing and mining proposals, enhanced CO2 oil and gas recovery and coal to gas bioconversion projects – there are cumulative significant impacts with these connected actions. None of these cumulative impacts are discussed in the EA. | Within the Wind River Bighorn Basin District, there are no coal leasing, underground coal gasification proposals or coal to gas bioconversion projects. There are some uranium projects and CO2 EOR projects. Adequate cumulative impacts were disclosed reflecting any reasonably foreseeable developments and impacts to air quality and greenhouse gases. |
| 37 | Diane Welsh Comment: I am against this lease sale taking place. I choose #1. Our wild animals's lives are worth more than making a buck on FEDERAL land... | Comment acknowledged; no response required. |