

**Public Comments and Responses
February 2015 EA Comment Letter**

Commentor	Comment	Response
Flandreau Santee Sioux Tribe	We have no comment on the proposed undertaking	No response needed.
Comanche Nation Historic Preservation Office	<p>In response to your request, the above reference project has been reviewed by staff of this office to identify areas that may potentially contain prehistoric or historic archeological materials. The location of your project has been cross referenced with the Comanche Nation site files, where an indication of "No Properties" have been identified.</p> <p>This review is performed in order to locate, record, and preserve the Comanche Nation and State of (Wyoming) prehistoric and historic cultural heritage, in cooperation with State Historic Preservation Office.</p>	No response needed.
Town of Pine Haven (PH)	<p>This letter will serve as the official comment of the Town of Pine Haven, Wyoming to the Expression of Interest for lands located within the boundary of Keyhole State Park, T.50N, R. 67 W., Section 12: S2SW. Please do not hesitate to contact me or anyone in Town hall you require anything further from the Town of Pine Haven in this regard.</p> <p>It is our understanding that the construction of an oil well is proposed very near the southern boundary of Keyhole Reservoir. In fact, it is our understanding that the proposed well will actually sit within a half mile from the "high water mark" of the reservoir. In addition, the well will be clearly visible to traffic traveling on Wyoming Highway 113.</p> <p>The following comment is based upon these understandings. Town of Pine Haven disagrees with the draft EA</p>	The BLM has received Expressions of Interest and is responding to those with this lease sale. No well is currently proposed.
PH	The proposed development sits very close to the high water mark of the Keyhole Reservoir. Keyhole Reservoir sits within the Keyhole State Park. If the reservoir flooded, or if an unanticipated malfunction of the well were to occur, the proposed development could easily contaminate all or a portion of the reservoir. This, of course, would have a significant impact on public health and safety. Keyhole Reservoir is currently used by individuals in a multitude of ways including, but not limited to, swimming, boating, water sports and recreational fishing. The Reservoir is also the home to many different species of fish including Trout, Northern Pike and Walleye. Even an insubstantial contamination from the proposed development could substantially impact the reservoir, the ecosystem created within the reservoir and the lives of those individuals who use, enjoy or make their living on or near this reservoir.	Since development cannot be reasonably determined at the leasing stage, the impacts cannot realistically be analyzed at this time. At the time of APD development an analysis of these resources will be completed.
PH	The proposed development would substantially impact the aesthetic value of the property within the Town of Pine Haven, Wyoming. This, in turn, would affect the Town's future grown and tourism income. There are only two ways of entering into the Town of Pine Haven. One of those ways would take individuals directly past this proposed oil well. The Town of Pine Haven is located directly next to Keyhole Reservoir at the edge of the Black Hills. Aside from its close proximity to the reservoir, the Town of Pine Haven prides itself on the beauty that comes with being a "timbered community." An oil well at one of the entrances to this community will undoubtedly detract future investors and visitors. Although no formal poll has been taken, the Town Council believes that most, if not all, residents of the Town of Pine Haven will be strongly opposed to the proposed oil and gas development. The Town of Pine Haven would anticipate any such development to be strongly contested by its residents.	Since development cannot be reasonably determined at the leasing stage, the impacts cannot realistically be analyzed at this time. At the time of APD development an analysis of these resources will be completed.
PH	The foregoing constitutes only a summary of the Town's position in this regard. In short, the Town of Pine Haven firmly believes that the potential detriment to its community and to the Keyhole State Park far outweighs any potential benefit that may be derived by opening this parcel of land to lease. The Town of Pine Haven is adamantly opposed to this action and respectfully requests that the BLM and BOR reject any expression of interest for this	No response needed.
PH	Thank you for allowing the Town of Pine Haven to comment on this matter. We are happy to expand further on any of the issues raised by this letter.	No response needed.
Bureau of Reclamation Dakota Area Office (BR)	Yes, the Bureau of Reclamation, Dakota Area Office, retains surface jurisdiction on the above lands. Reclamation has no objection to the leasing of lands indicated as Reclamation administered surface. We require the attached special stipulation (GP-135), the standard stipulation (Form 3109-1), NEPA, NHPA, and ESA on this land.	These two stipulations will be added to parcel 110. A copy is attached at the end of these comments/responses.
BR	Compliance with the provisions of the National Environmental Policy Act will be accomplished in accordance with Agreement W.O. 194, executed March 25, 1983, between Reclamation and the Bureau of Land Management. We will provide consultation and/or assistance as required by Section 6, Item P, of the Agreement.	No response needed.

Wyoming State Parks and Cultural Resources (WSP)	Thank you for giving the Department of State Parks and Cultural Resources the opportunity to comment on lease parcel WY-1502-110 located at T.50 N, R. 67 W. Sec. 12: S2SW, for oil and gas development. I respectfully request a meeting with you and/or the appropriate parties to discuss this lease parcel and Keyhole State Park.	No response needed.
WSP	The nominated parcel is located within the boundary of Keyhole State Park which is administered and managed by the Department. The Bureau of Reclamation is the surface owner and has requested that several stipulations be applied to parcel WY-1502-110. I concur with those stipulations and request that they be applied to any development should the parcel be offered for lease. I also request that Bureau of Land Management include me or my designated staff in any stipulation discussions and/or meetings should parcel WY -1502-110 be leased.	Two Bureau of Reclamation stipulations will be added to parcel 110. A copy is attached at the end of these comments/responses.
WSP	Boating, swimming, fishing and wildlife viewing are important activities at Keyhole State Park. The proposed parcel is located very near the reservoir which may have impacts to these important recreational activities. Please keep us apprised as this project moves forward and contact me with any concerns or questions.	No response needed.
Rocky Mountain Wild (RMW)	Thank you for the opportunity to comment on the High Plains District's February 2015 Competitive Oil and Gas Lease Sale Environmental Assessment [hereinafter, "Draft EA"]. Attachment 1 is Rocky Mountain Wild's GIS screen which indicates environmental impacts that will stem from this action. Please review this spreadsheet and analyze the issues presented in the Final EA.	No response needed.
RMW	We would like to start by thanking BLM for deferring many parcels within sage-grouse core habitat. Following the agency guidance will help to facilitate recovery of this species. The EA states that "parcels meeting criteria for core habitat and manageability using the Fluid Mineral Leasing Screen were identified for deferral..." EA at 3. We believe parcels designated as Preliminary General Habitat (PGH) should meet this definition and be deferred as well. GPH are areas that have been identified as important to the life cycle of the sage-grouse. Until RMP amendments are finalized, BLM should be preserving all sage-grouse habitat. Further, some parcels that our internal GIS screen indicate are within Preliminary Priority Habitat (PPH) have been recommended for leasing. These parcels should also be removed from the lease sale.	The Sage-grouse leasing screen was followed from IM 2012-019. The parcels in High Plains District listed did not meet the screening criteria and therefore were offered for sale. Please see EA pages 3-5.
RMW	Parcels 50, 143, and 145, are within Greater Sage-Grouse Preliminary Priority Habitat (PPH) derived from Wyoming WGFD 2010 data. Under Instruction Memorandum No. WY-2010-013, lands falling within sage grouse Core Areas that are primarily under BLM ownership and are not extensively leased should not be offered for oil and gas leasing. Leasing of these parcels is justified by stating that they "do not intersect any occupied sage-grouse 0.6 mile lek buffer..." (EA attachment 1). However, as outlined below, leasing outside of this 0.6 mile lek buffer will still greatly impact the sage-grouse populations. Given the pendency of the Sage Grouse Plan Amendment EIS, and the perilous status of the sage grouse with regard to Endangered Species listing, these lands should all be deferred from leasing pending an outcome of the RMP amendments.	The Sage-grouse leasing screen was followed from IM 2012-019. The parcels in High Plains District listed did not meet the screening criteria and therefore were offered for sale. Please see EA pages 3-5.
RMW	We request that all parcels listed above be deferred from the lease sale pending analysis of whether large-block unleased parcels inside Core Areas are being leased, pursuant to the 2010 Interior Department leasing IM. BLM should do its best to keep largely unleased areas of public land in Core Areas unleased, regardless of mineral ownership patterns. Wyoming sage-grouse populations are some of the largest left in the nation and were relatively stable until the last decade, when sage-grouse populations experienced major declines range-wide. The Wyoming Game and Fish Department reported that since 1952, there has been a 20% decline in the overall Wyoming sage-grouse population, with some fragmented populations declining more than 80%; one of WGFD's biologists reported a 40% statewide decline over the last 20 years. Since these figures were published, grouse populations have continued to decline. These declines are attributable at least in part to habitat loss due to mining and energy development and associated roads, and to habitat fragmentation due to roads and well fields. Oil and gas development poses perhaps the greatest threat to sage-grouse viability in the region. The area within 2 to 3 miles of a sage-grouse lek is crucial to both the breeding activities and nesting success of local sage-grouse populations; in addition, lands within 5 miles of the lek are important to nesting birds.. In a study near Pinedale, sage-grouse from disturbed leks where gas development occurred within 3 km of the lek site showed lower nesting rates (and hence lower reproduction), traveled farther to nest, and selected greater shrub cover than grouse from undisturbed leks. According to this study, impacts of oil and gas development to sage-grouse include (1) direct habitat loss from new construction, (2) increased human activity and pumping noise causing displacement, (3) increased legal and illegal harvest, (4) direct mortality associated with reserve pits, and (5) lowered water tables resulting in herbaceous vegetation loss. These impacts have not been thoroughly evaluated with full NEPA analysis.	The Sage-grouse leasing screen was followed from IM 2012-019. The parcels in High Plains District listed did not meet the screening criteria and therefore were offered for sale. Please see EA pages 3-5.

RMW	<p>Because leks sites are used traditionally year after year and represent selection for optimal breeding and nesting habitat, it is crucially important to protect the area surrounding lek sites from impacts. In his University of Wyoming dissertation on the impacts of oil and gas development on sage grouse, Matthew Holloran stated, “current development stipulations are inadequate to maintain greater sage-grouse breeding populations in natural gas fields.” (Notably, these exact stipulations are being applied by BLM in this lease sale for non-Core Area sage grouse habitat parcels). The area within 2 or 3 miles of a sage-grouse lek is crucial to both the breeding activities and nesting success of local sage-grouse populations. Dr. Clait Braun, the world’s most eminent expert on sage-grouse, has recommended NSO buffers of 3 miles from lek sites, based on the uncertainty of protecting sage-grouse nesting habitat with smaller buffers. Thus, the prohibition of surface disturbance within 3 miles of a sage-grouse lek is the absolute minimum starting point for sage-grouse conservation.</p>	<p>Beyond the scope of this document. Oil and gas stipulations are developed at the RMP. They cannot be changed unless done at that level.</p>
RMW	<p>Other important findings on the negative impacts of oil and gas operations on sage-grouse and their implications for the species are contained in three studies recently accepted for publication. Sage-grouse mitigation measures have been demonstrated to be ineffective at maintaining this species at pre-development levels in the face of oil and gas development by Holloran (2005) and Naugle et al. (2006). Naugle found an 85% decline of sage-grouse populations in the Powder River Basin of northeastern Wyoming since the onset of coalbed methane development there. BLM has repeatedly failed to provide any analysis, through field experiments or literature reviews, examining the effectiveness of the standard quarter-mile buffers where disturbance would be “avoided.” There is substantial new information in recent studies to warrant supplemental NEPA analysis of the impacts of oil and gas development to sage-grouse. It is incumbent upon BLM to consider the most recent scientific evidence regarding the status of this species and to develop mitigation measures which will ensure the species is not moved toward listing under the Endangered Species Act. It is clear from the scientific evidence that the current protections are inadequate and are contributing to the further decline of the bird’s populations. This information constitutes significant new information that requires amendment of the Resource Management Plans before additional oil and gas leasing can</p>	<p>Beyond the scope of this document. Oil and gas stipulations are developed at the RMP. They cannot be changed unless done at that level.</p>
RMW	<p>RMW recommends against the sale of any lease parcels which contain sage-grouse leks, nesting habitat, breeding habitat, wintering habitat and brood-rearing habitat. We request that these parcels be withdrawn from the lease sale. Failing withdrawal of the parcels, parcel-by-parcel NEPA analysis should occur, and NSO stipulations must be placed on all lease parcels with sage-grouse leks. In addition, three-mile buffers must be placed around all leks. It is critical that these stipulations be attached at the leasing stage, when BLM has the maximum authority to restrict activities on these crucial habitats for the protection of the species, and that no exceptions to the stipulations be granted. BLM’s failure to do so will permit oil and gas development activities which will contribute to declining sage-grouse populations and ultimately listing by the U.S. Fish and Wildlife Service as a threatened or endangered species, in violation of BLM’s duty to take all actions necessary to prevent listing.</p>	<p>Beyond the scope of this document. Oil and gas stipulations are developed at the RMP. They cannot be changed unless done at that level.</p>
RMW	<p>Recommendation: BLM should avoid leasing parcels in greater sage-grouse priority habitat. This leasing will negatively impact this species creating further need for Endangered Species Act listing. Now is the time to take serious action to preserve this species before it is too late.</p>	<p>The Sage-grouse leasing screen was followed from IM 2012-019. The parcels in High Plains District listed did not meet the screening criteria and therefore were offered for sale. Please see EA pages 3-5.</p>
RMW	<p>In addition, many parcels are within designated Preliminary General Habitat (PGH) under the Wyoming Sage-grouse RMP Amendment DEIS preferred alternative including Parcels 4, 10, 11, 12, 13, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 30, 31, 32, 33, 34, 35, 39, 40, 41, 44, 45, 46, 47, 48, 49, 55, 56, 57, 58, 59, 60, 61, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 100, 101, 102, 103, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 161, 162, 165, 166, 167, 168, 170, 171, 172, 173, 174, 175, 176, 177, 181, 182, 183, 184, 185, 186, 188, 189, and 190, according to our lease screens. All portions of these parcels falling within PGH should be deferred as well, in order to retain the decision space for “no leasing” or No Surface Occupancy for Preliminary General Habitats under the sage grouse-related RMP revisions and amendments currently underway, which provide the only legally sufficient EIS underpinning to allow leasing in the habitat of a Candidate Species.</p>	<p>The Sage-grouse leasing screen was followed from IM 2012-019. The parcels in High Plains District listed did not meet the screening criteria and therefore were offered for sale. Please see EA pages 3-5.</p>

RMW	<p>Many of these parcels are located within 4 miles of one or more active sage-grouse leks. The lands within 4 miles of active leks are typically used for nesting, a sensitive life history period when sage grouse are sensitive to disturbance from oil and gas drilling and production activities. The current standard sage grouse stipulations that apply outside Core Areas are biologically inadequate, and their effectiveness has not been established by BLM. Indeed, scientific studies demonstrate that these mitigation measures fail to maintain sage grouse populations in the face of full-field development, and significant impacts in terms of displacement of sage grouse from otherwise suitable habitat as well as significant population declines have been documented. BLM should not issue these sage grouse parcels unless a rigorous set of stipulations, far stronger than those provided in the EA (such as NSO stipulations), are applied to the parcels. This should include either the following combination:</p> <ul style="list-style-type: none"> -2-mile No Surface Occupancy buffers surrounding leks; -3-mile Timing Limitation Stipulations surrounding leks during the breeding and nesting season prohibiting not just construction and drilling activities but also production-related vehicle traffic and human presence; -No overhead powerlines within 5 miles of leks, <p>or at minimum new Timing Limitation Stipulations that extend 3 miles from the lek and restrict production-related activities in addition to drilling and construction, as has been proposed by BLM under the Lander RMP DEIS (Record 4095), paired with a prohibition on overhead power lines within 5 miles of leks. If these stipulations are implemented together with even stronger measures for Core and Connectivity Areas, the BLM could make a credible case that impacts from leasing would not result in significant impacts.</p>	<p>The Sage-grouse leasing screen was followed from IM 2012-019. The parcels in High Plains District listed did not meet the screening criteria and therefore were offered for sale. Please see EA pages 3-5.</p> <p>Beyond the scope of this document. Oil and gas stipulations are developed at the RMP. They cannot be changed unless done at that level.</p>
RMW	<p>Because leks sites are used traditionally year after year and represent selection for optimal breeding and nesting habitat, it is crucially important to protect the area surrounding lek sites from impacts. In his University of Wyoming dissertation on the impacts of oil and gas development on sage grouse, Matthew Holloran stated, "current development stipulations are inadequate to maintain greater sage grouse breeding populations in natural gas fields." (Notably, these exact stipulations are being applied by BLM in this lease sale for non-Core Area sage grouse habitat parcels). The area within 2 or 3 miles of a sage grouse lek is crucial to both the breeding activities and nesting success of local sage grouse populations. Dr. Clait Braun, the world's most eminent expert on sage grouse, has recommended NSO buffers of 3 miles from lek sites, based on the uncertainty of protecting sage grouse nesting habitat with smaller buffers. Thus, the prohibition of surface disturbance within 3 miles of a sage grouse lek is the absolute minimum starting point for sage grouse conservation.</p>	<p>Beyond the scope of this document. Oil and gas stipulations are developed at the RMP. They cannot be changed unless done at that level.</p>
RMW	<p>Other important findings on the negative impacts of oil and gas operations on sage grouse and their implications for the species are contained in three studies recently accepted for publication. Sage grouse mitigation measures have been demonstrated to be ineffective at maintaining this species at pre-development levels in the face of oil and gas development by Holloran (2005) and Naugle et al. (2006). This study found an 85% decline of sage grouse populations in the Powder River Basin of northeastern Wyoming since the onset of coalbed methane development there. BLM has repeatedly failed to provide any analysis, through field experiments or literature reviews, examining the effectiveness of the standard quarter-mile buffers where disturbance would be "avoided." There is substantial new information in recent studies to warrant supplemental NEPA analysis of the impacts of oil and gas development to sage grouse. It is incumbent upon BLM to consider the most recent scientific evidence regarding the status of this species and to develop mitigation measures which will ensure the species is not moved toward listing under the Endangered Species Act. It is clear from the scientific evidence that the current protections are inadequate and are contributing to the further decline of the bird's populations. This information constitutes significant new information that requires amendment of the Resource Management Plans before additional oil and gas leasing can</p>	<p>Beyond the scope of this document. Oil and gas stipulations are developed at the RMP. They cannot be changed unless done at that level.</p>
RMW	<p>Wyoming Game and Fish Department biologists have reached a consensus that the Timing Limitation Stipulations proposed for sage grouse in this lease sale are ineffective in the face of standard oil and gas development practices. These stipulations have likewise been condemned as inadequate by the U.S. Fish and Wildlife Service and renowned sage grouse expert Dr. Clait Braun. The BLM itself has been forced to admit that "New information from monitoring and studies indicate that current RMP decisions/actions may move the species toward listing...conflicts with current BLM decision to implement BLM's sensitive species policy" and "New information and science indicate 1985 RMP Decisions, as amended, may not be adequate for sage grouse." Continued application of stipulations known to be ineffective in the face of strong evidence that they do not work, and continuing to drive the sage grouse toward ESA listing in violation of BLM Sensitive Species policy, is arbitrary and capricious and an abuse of discretion under the Administrative Procedures Act.</p>	<p>See EA pages 9-12 (Section 1.6) for a discussion of development in relation to leasing. Since development cannot be reasonably determined at the leasing stage, the impacts cannot realistically be analyzed at this time. At the time of APD development an analysis of these resources will be completed.</p> <p>Oil and gas stipulations are developed at the RMP. They cannot be changed unless done at that level.</p> <p>The Wyoming Game and Fish as part of the State of Wyoming is a cooperating agency in all planning processes and decisions. They continue to be involved in these leasing processes as well.</p>

RMW	<p>The restrictions contained in IM No. WY-2012-019 come nowhere close to offering sufficient on-the-ground protection to sage grouse leks. Within Core Areas, the IM allows surface disturbing activity and surface occupancy just six tenths (0.6) of a mile from “the radius of the perimeter of occupied sage-grouse leks,” a far cry from the science-based 4-mile buffer recommended by the BLM’s own National Technical Team. By acreage, a 0.6-mile buffer encompasses less than 4% of the nesting habitat contained within the 4-mile buffer recommended by agency experts, and therefore does essentially nothing to protect sensitive nesting habitats. Even less protective, restrictions outside Core or Connectivity Areas allow surface disturbing activities and surface occupancy as close as one quarter (0.25) of a mile from leks. BLM has too great an abundance of data to the contrary to continue with scientifically unsound stipulations as used in IM WY-2012-019 and the current Notice of Competitive Oil and Gas Lease Sale. This is especially clear in light of the U.S. Fish and Wildlife Service’s recent finding that listing the greater sage grouse as endangered or threatened under the Endangered Species Act is warranted, but precluded by other priorities. BLM should apply the recommendations of the National Technical Team instead, and in the meantime defer leasing until these recommendations can be formally adopted through the plan amendment/revision process. If the BLM and other federal agencies intend to keep the sage grouse from accelerating beyond other listing priorities, more protective measures, in adherence with the scientific recommendations of Holloran, Braun, and others, must be</p>	<p>Beyond the scope of this document. Oil and gas stipulations are developed at the RMP. They cannot be changed unless done at that level.</p>
RMW	<p>The vague stipulations included in BLM’s Notice of Competitive Oil and Gas Lease Sale for particular parcels do little to clarify to the interested public or potential lessees what restrictions might actually apply to protect sage grouse populations. For example, for some parcels, BLM imposes a Timing Limitation Stipulation and a Controlled Surface Use Stipulation. Such acceptable plans for mitigation of anticipated impacts must be prepared prior to issuing the lease in order to give the public full opportunity to comment, and to abide by the Department of Interior’s stated new policy to complete site-specific environmental review at the leasing stage, not the APD stage. Without site-specific review and opportunity for comment, neither the public nor potential lessees can clearly gauge how restrictive or lax “acceptable plans for mitigation” might be, and whether they comply with federal laws, regulations, and agency guidelines and policies. Thus, absent such review, the leases should not issue at all.</p>	<p>See EA pages 9-12 (Section 1.6) for a discussion of development in relation to leasing. Since development cannot be reasonably determined at the leasing stage, the impacts cannot realistically be analyzed at this time. At the time of APD development an analysis of these resources will be completed.</p> <p>Oil and gas stipulations are developed at the RMP. They cannot be changed unless done at that level.</p>
RMW	<p>BLM has the scientific information needed to recognize that any use of these parcels will result in further population declines, propelling the sage grouse ahead of other “priorities” on the ESA “candidate list.” Again, it is in all interested parties favor (conservation groups, potential lessees, BLM and other federal agencies) for BLM to determine specific “modifications” prior to issuing leases, such as NSO restrictions. If the BLM fails to do so through site-specific environmental review before the APD stage, the agency will violate the “jeopardy” prohibition in the Endangered Species Act and will not adhere to the directive of Secretary Salazar and the Department of Interior’s announced leasing reforms.</p>	<p>Beyond the scope of this document. Oil and gas stipulations are developed at the RMP. They cannot be changed unless done at that level.</p>
RMW	<p>We recommend against the sale of any lease parcels which contain sage grouse leks, nesting habitat, breeding habitat, wintering habitat and brood-rearing habitat. We request that these parcels be withdrawn from the lease sale. Failing withdrawal of the parcels, parcel-by-parcel NEPA analysis should occur (we have seen no evidence of this in the November 2014 Leasing EA), and NSO stipulations must be placed on all lease parcels with sage grouse leks. In addition, three-mile buffers must be placed around all leks. It is critical that these stipulations be attached at the leasing stage, when BLM has the maximum authority to restrict activities on these crucial habitats for the protection of the species, and that no exceptions to the stipulations be granted. BLM’s failure to do so will permit oil and gas development activities which will contribute to declining sage grouse populations and ultimately listing by the U.S. Fish and Wildlife Service as a threatened or endangered species, in violation of BLM’s duty to take all actions necessary to prevent listing under its Sensitive Species Manual.</p>	<p>Beyond the scope of this document. Oil and gas stipulations are developed at the RMP. They cannot be changed unless done at that level.</p>
RMW	<p>In 2010, the greater sage grouse became a Candidate Species under the Endangered Species Act, and a final listing determination is due by court order in September of 2016. These facts constitute significant new information that has not been addressed in programmatic NEPA analysis for any of the Resource Management Plans that support the Wyoming November 2014 oil and gas lease sale. In addition, numerous scientific studies have been published indicating that BLM mitigation measures in these plans are insufficient and will not prevent significant impacts to sage grouse, and these studies also constitute significant new information not addressed in RMP decisionmaking. Finally, in 2013 the U.S. Fish and Wildlife Service identified Priority Areas for Conservation, and BLM subsequently identified Preliminary Priority Habitats and Preliminary General Habitats in its RMP Amendment Draft EIS, which also constitute significant new information, potentially significant impacts to which have yet to be</p>	<p>The Sage-grouse leasing screen was followed from IM 2012-019. The parcels in High Plains District listed did not meet the screening criteria and therefore were offered for sale. Please see EA pages 3-5.</p>
RMW	<p>We remain concerned that development activities on the sage grouse parcels noted above will result in significant impacts to sage grouse occupying these parcels and/or the habitats nearby, and the BLM’s programmatic NEPA underlying this lease sale does not adequately address these significant impacts in light of new information. Therefore, the requisite NEPA analysis to support the leasing of the sage grouse parcels listed above in the absence of an Environmental Impact Statement does not exist.</p>	<p>The Sage-grouse leasing screen was followed from IM 2012-019. The parcels in High Plains District listed did not meet the screening criteria and therefore were offered for sale. Please see EA pages 3-5.</p>

RMW	<p>Importantly, significant new information has arisen since the Environmental Impact Statements for Resource Management Plans underlying this lease sale were approved. This significant new information includes the addition of the greater sage-grouse to the Candidate Species list through a 2010 USFWS Final Rule, the issuance of a BLM National Technical Team report recommending sage grouse protections in 2011, the issuance of new BLM sage grouse conservation and planning policies, and the publication of a major body of peer-reviewed science on the impacts of oil and gas development and recommendations for management of oil and gas drilling and production to minimize impacts to sage grouse during the breeding, nesting, and brood-rearing seasons (A subset of which is referenced in these comments). The impacts of industrial noise have been newly discovered and described in the scientific literature. The impacts of placing wellpads, roads, and other infrastructure within several miles of leks and within nesting and wintering habitats have been shown to be significant to sage grouse populations. All of this new information indicates that significant impacts are likely to occur to sage grouse inhabiting both Core Areas and Preliminary General Habitat outside Core Areas should leases offered in the February 2015 auction be sold and developed. BLM is therefore legally precluded from issuing fluid mineral leases in Preliminary Priority Habitat, Preliminary General Habitat, or within 4 miles of active leks until a full-scale Environmental Impacts Statement (i.e., the Wyoming Greater Sage-Grouse RMP Amendment EIS is completed) because potentially significant impacts of oil and gas leasing have never been analyzed in an EIS in light of the aforementioned significant new information. In addition, we are concerned that the issuance of these leases will foreclose the option of “no leasing” in these areas and/or scientifically adequate lease stipulations, as are under consideration in one or more alternatives under the sage-grouse plan amendment process, a separate legal issue. For both of these reasons, BLM must defer all parcels in Core Areas, Preliminary General Habitats, and within 4 miles of active sage-grouse leks, until the completion of the</p>	<p>The Sage-grouse leasing screen was followed from IM 2012-019. The parcels in High Plains District listed did not meet the screening criteria and therefore were offered for sale. Please see EA pages 3-5.</p>
RMW	<p>Recommendation: BLM should defer all parcels in PGH or at a minimum add stipulations aimed at protecting the important sage-grouse habitat on these parcels.</p>	<p>The Sage-grouse leasing screen was followed from IM 2012-019. The parcels in High Plains District listed did not meet the screening criteria and therefore were offered for sale. Please see EA pages 3-5.</p> <p>Beyond the scope of this document. Oil and gas stipulations are developed at the RMP. They cannot be changed unless done at that level.</p>
RMW	<p>The Draft EA contains only three alternatives: a “proposed action” alternative, a “no action” alternative, and a “Offer all Parcels” alternative. This range of alternatives is not consistent with the National Environmental Policy Act (NEPA), however, which requires BLM to “[r]igorously explore and objectively evaluate all reasonable alternatives” to proposed federal actions. 40 C.F.R. § 1502.14(a). Nor does it comply with Instruction Memorandum (IM) 2010-117, which directs BLM to develop “alternatives to the proposed action that may address unresolved resource conflicts.” IM 2010-117 at III.E; see also BLM NEPA Handbook at 6.6.1 (recommending that for “externally generated” actions, such as leasing proposed by the oil and gas industry, BLM evaluate a “proposed action” alternative, a “no action” alternative and an alternative that includes “changes BLM makes to the proponent’s proposal.”). Thus, in the Final EA, BLM must consider “alternatives to the proposed action that may address unresolved resource conflicts.” Many other field offices are evaluating such alternatives in leasing EAs, and are typically designating one of those alternatives as the agency’s “preferred” alternative. See 40 C.F.R. § 1502.14(e) (requiring BLM to identify a “preferred alternative” in NEPA documents). BLM should do the same</p>	<p>The Sage-grouse leasing screen was followed from IM 2012-019. The parcels in High Plains District listed did not meet the screening criteria and therefore were offered for sale. Please see EA pages 3-5.</p> <p>Concerning the alternatives, the broad range of full lease to the no action provides a wide enough range that would include deferring all leasing in Sage-grouse Core Areas.</p>
RMW	<p>BLM National Guidance requires an analysis of additional alternatives anytime “unresolved resource conflicts” exist. IM 2010-117.E; see also 40 C.F.R. § 1502.14(e), (f) (requiring the identification of “appropriate mitigation measures not already included in the proposed action or alternatives” in NEPA documents). This requirement applies even when a plan amendment is not under consideration, because, as explained in IM 2010-117, not all measures that address “unresolved resource conflicts” trigger a plan amendment, including deferring or modifying the boundaries of proposed lease parcels. See IM 2010-117 at III.C.2, III.F. Thus, under IM 2010-117 and NEPA, BLM is required to consider alternatives to addresses “unresolved resource conflicts” in leasing EAs.</p>	<p>The Sage-grouse leasing screen was followed from IM 2012-019. The parcels in High Plains District listed did not meet the screening criteria and therefore were offered for sale. Please see EA pages 3-5.</p> <p>Concerning the alternatives, the broad range of full lease to the no action provides a wide enough range that would include deferring all leasing in Sage-grouse Core Areas.</p>
RMW	<p>Recommendation: In the Final EA, BLM should evaluate a “conservation alternative” that would present a leasing option most suitable to protecting the important environmental values present on these parcels. This alternative should analyze not leasing any parcels that overlap with sage-grouse habitat. Analysis of this alternative would allow BLM to determine the impact to development that would be presented if environmental conservation were maximized.</p>	<p>The Sage-grouse leasing screen was followed from IM 2012-019. The parcels in High Plains District listed did not meet the screening criteria and therefore were offered for sale. Please see EA pages 3-5.</p> <p>Concerning the alternatives, the broad range of full lease to the no action provides a wide enough range that would include deferring all leasing in Sage-grouse Core Areas.</p>

RMW	<p>BLM has failed to analyze the cumulative impacts of hydraulic fracturing. The EA states that:</p> <p>Without a discrete development proposal, the use of hydraulic fracturing in the oil and gas development process cannot be predicted. However, this EA incorporates by reference, in its entirety, a Hydraulic Fracturing White Paper included in Appendix G. This document provides a general discussion of the hydraulic fracturing process and issues associated with its use.</p> <p>EA at 13. Around 90 percent have used hydraulic fracking to get more gas flowing, according to the drilling industry.</p>	<p>Hydraulic Fracturing is a development action that does not necessarily impact surface resources. It may impact water resources, but that is under the purview of the State of Wyoming and therefore would be under their permitting authority. Hydraulic fracturing is not "new". Fracturing dates from its first use in 1947. Since 1949 about 2.5 million wells received hydraulic fracturing, permitting the economic recovery of 9 billion barrels of oil and 700 Trillion Standard Cubic Feet (Tscf) of gas in the US alone.</p> <p>Hydraulic Fracturing is a specific development scenario that will be analyzed at the appropriate APD or project stage with the necessary site specific NEPA document. See pages 11-13 (Section 1.6) for a discussion of development in relations to leasing. Since development cannot be reasonably determined at the leasing stage, the impacts cannot realistically be analyzed at this time. At the time of APD development an analysis of these resources will be completed.</p>
RMW	<p>At a minimum, “the agency’s [Environmental Assessment] must give a realistic evaluation of the total impacts and cannot isolate a proposed project, viewing it in a vacuum.” Grand Canyon Trust v. F.A.A., 290 F.3d 339, 342 (D.C. Cir. 2002). More specifically, “an environmental impact statement must analyze not only the direct impacts of a proposed action, but also the indirect and cumulative impacts.” Utahns for Better Transp. v. U.S. Dep’t of Transp., 305 F.3d 1152, 1172 (10th Cir. 2002) (citing Custer County Action Assoc. v. Garvey, 256 F.3d 1024, 1035 (10th Cir. 2001)) (internal quotation omitted); see also 40 C.F.R. § 1509.25(a)(2) (2009) (scope of EIS is influenced by cumulative actions and impact); Greenpeace v. Nat’l Marine Fisheries Serv., 80 F. Supp. 2d 1137, 1149 (W.D. Wash. 2000) (management plans were unlawful for failing to consider cumulative impacts on species). Conner v. Burford holds that the inability at the lease sale stage to fully ascertain effects of development “is not a justification for failing to estimate what those effects might be.” Conner v. Burford, 848 F.2d 1441 (9th Cir. 1988); see also Methow Valley Citizens Council, 490 U.S. 332 (1989).</p>	<p>No response needed.</p>
RMW	<p>Cumulative impact is defined as “the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time.” 40 C.F.R. § 1508.7 (2009). The Tenth Circuit recently noted that the BLM’s own Handbook for Fluid Mineral Resources recognizes that “BLM has a statutory responsibility under NEPA to analyze and document the direct, indirect and cumulative impacts of past, present and reasonably foreseeable future actions resulting from Federally authorized fluid minerals activities.” Pennaco Energy Inc., v. U.S. Dep’t of Interior, 377 F.3d 1147, 1160 (10th Cir. 2004).</p>	<p>No response needed.</p>
RMW	<p>None of the NEPA documents to which the leasing is tied address the significant new information now available on the status of the greater sage-grouse, hydraulic fracturing and other rare and imperiled species. 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 effect of [its] planned action, even after a proposal has received initial approval.’” Friends of the Clearwater v. Dombeck, 222 F.3d 552, 557 (9th Cir. 2000) (quoting Marsh v. Or. Natural Res. Council, 490 U.S. 360, 374 (1989)).</p>	<p>Hydraulic Fracturing is a development action that does not necessarily impact surface resources. It may impact water resources, but that is under the purview of the State of Wyoming and therefore would be under their permitting authority. Hydraulic fracturing is not "new". Fracturing dates from its first use in 1947. Since 1949 about 2.5 million wells received hydraulic fracturing, permitting the economic recovery of 9 billion barrels of oil and 700 Trillion Standard Cubic Feet (Tscf) of gas in the US alone.</p> <p>Hydraulic Fracturing is a specific development scenario that will be analyzed at the appropriate APD or project stage with the necessary site specific NEPA document. See pages 11-13 (Section 1.6) for a discussion of development in relations to leasing. Since development cannot be reasonably determined at the leasing stage, the impacts cannot realistically be analyzed at this time. At the time of APD development an analysis of these resources will be completed.</p> <p>The Sage-grouse leasing screen was followed from IM 2012-019. The parcels in High Plains District listed did not meet the screening criteria and therefore were offered for sale. Please see EA pages 3-5.</p>

RMW	In order to satisfy the “hard look” requirement, the BLM must supplement its existing environmental analyses when new circumstances “raise significant new information relevant to environmental concerns . . .” Portland Audubon Soc’y v. Babbitt, 998 F.2d 705, 708 (9th Cir. 2000). Agencies are required to “prepare supplements to either draft or final environmental impacts 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) (2009). The Supreme Court has held that a supplemental EIS must be prepared if “new information is sufficient to show that the remaining action will ‘affect the quality of the human environment’ in a significant manner or to a significant extent not already considered . . .” Marsh v. Or. Natural Res. Council, 490 U.S. 390, 374 (1989); see 42 U.S.C. § 4332(2)(C) (2009). In a recent Utah case, the court held that the “Utah BLM ignored significant new information when it decided to lease the sixteen parcels at issue without first conducting a supplemental NEPA analysis.” So. Utah Wilderness Alliance v. Norton, 457 F. Supp. 2d 1253, 1267 (D. Utah 2006). The analysis relied upon failed to reflect significant new information regarding the wilderness characteristics of the parcels at issue. Id. Further, in Center for Native Ecosystem), the Interior Board of Land Appeals held that once the BLM has identified existing NEPA documents, it is the responsibility of the relevant field office reviewers to determine whether there were “significant new circumstances or information relevant to environmental concerns and bearing on the proposed action or its impacts.” Center for Native Ecosystems, 170 IBLA 331, 346 (2006) (“CNE 1”).	No response needed.
RMW	Failure to consider the most up to date information about the effects and impacts of hydraulic fracturing is a violation of NEPA. The BLM “white paper” attached to the EA does not provide sufficient analysis of this issue or how it will impact the areas being leased. This terse description of the process and the failure to acknowledge that the majority of well in Wyoming are hydraulically fracked is arbitrary, capricious, and contrary to law. The Final EA must contain a thorough and forthcoming analysis of hydraulic fracturing and how it will impact the lease parcels, local water supply, wildlife, and any other impacts.	Hydraulic Fracturing is a development action that does not necessarily impact surface resources. It may impact water resources, but that is under the purview of the State of Wyoming and therefore would be under their permitting authority. Hydraulic fracturing is not "new". Fracturing dates from its first use in 1947. Since 1949 about 2.5 million wells received hydraulic fracturing, permitting the economic recovery of 9 billion barrels of oil and 700 Trillion Standard Cubic Feet (Tscf) of gas in the US alone. Hydraulic Fracturing is a specific development scenario that will be analyzed at the appropriate APD or project stage with the necessary site specific NEPA document. See pages 11-13 (Section 1.6) for a discussion of development in relations to leasing. Since development cannot be reasonably determined at the leasing stage, the impacts cannot realistically be analyzed at this time. At the time of APD development an analysis of these resources will be completed.
RMW	Please consider these comments submitted on behalf of Rocky Mountain Wild and WildEarth Guardians. Thank you again for the opportunity to comment on the Draft EA and for providing the public with a map and GIS shapefiles of the proposed lease parcels. Please feel free to contact us with any questions or concerns regarding this letter.	No response needed.
Western Energy Alliance	Western Energy Alliance wishes to express its support for Alternative C in the High Plains District leasing Environmental Assessment (EA) for the February 2015 oil and natural gas lease sale. We urge the Bureau of Land Management (BLM) to move forward in the process without any further deferrals of nominated parcels.	No response needed.
WEA	Western Energy Alliance represents over 480 companies engaged in all aspects of environmentally responsible exploration and production of oil and natural gas in Wyoming and across the West. The Alliance represents independent producers, the majority of which are small businesses with an average of fifteen employees.	No response needed.
WEA	Our industry plays an important role in the economic well-being of Wyoming, and the state’s production is a strong contributor toward American energy security. In Wyoming, oil and natural gas exploration and production supports nearly 25,000 high paying jobs with wages totaling nearly \$2 billion, an economic impact of over \$11 billion, and nearly \$3.5 billion in federal and state taxes. These revenues are used to fund infrastructure, education, and other vital services for communities.	No response needed.
WEA	BLM originally received Expressions of Interest (EOI) for 197 parcels totaling 236,478 federal mineral acres, of which all or part of 68 were deferred due to BLM’s determination of conflict with the Greater Sage-Grouse. Portions of another three were deferred due to conflicts with coal resources in accordance with Pennaco Energy Inc. v. United States Department of the Interior (377 F.3d 1147). 165 parcels totaling 188,486 federal mineral acres, or 80% of the original amount remain available for lease.	No response needed.
WEA	BLM’s preferred alternative, Alternative B, proposes to reduce the number of parcels further to 139, totaling 149,548 federal mineral acres until the Buffalo Resource Management Plan (RMP) revision is complete, and also for cultural resource concerns. In accordance with BLM Handbook H-1601-1, which establishes that existing land use plan decisions are authoritative until such time as an amendment or revision is finalized, these parcels should not be deferred solely for the purpose of waiting for the RMP to be complete.	As discussed on page 17 of the EA (Section 2.3 and Tables 2.3 and 2.4), these parcels were deferred because there are substantial differences between the current Buffalo RMP stipulations and those in the preferred alternative of the draft RMP. The differences could foreclose future decision options. As discussed on pages 19 and 20 of the EA (Section 2.4 and Table 2.5), Native American consultation must be completed before parcels in the Old Woman Creek Hills and Little Missouri Antelope Trap areas can be
WEA	Oil and natural gas companies must comply with multiple statutes protecting archaeological resources and other cultural sites. We believe these address the concerns regarding cultural resources, and respectfully request that parcels not be deferred accordingly.	As discussed on pages 19 and 20 of the EA (Section 2.4 and Table 2.5), Native American consultation must be completed before parcels in the Old Woman Creek Hills and Little Missouri Antelope Trap areas can be leased.

WEA	With regard to air quality considerations, we wish to make the observation that the act of leasing in and of itself will result in no impacts. There can be no assumption that a leased parcel will actually be developed, and therefore any attempts to quantify emissions are conjecture. If and when development of a lease is proposed, the Air Quality Division (AQD) of the Wyoming Department of Environmental Quality (WDEQ) stringently regulates air emissions per the Clean Air Act (CAA) with strict permitting requirements before development may actually take place. The Environmental Protection Agency (EPA) has further imposed additional requirements for reducing emissions resulting from oil and natural gas development. Industry has made great technological strides in reducing air impacts, and we hold that the requirements mandated through the WDEQ AQD and EPA more than adequately address potential air impacts.	No response needed.
WEA	The EA indicates that while the act of leasing will result in no direct impacts to water quality, subsequent development might result in long and short term impacts. Water is a vital resource in the arid West, and states, which have jurisdiction over water use, have a long history of and expertise in managing their water resources. Industry is required by the Clean Water Act (CAA), the Safe Drinking Water Act (SDWA), and state laws to undertake extensive measures to protect water quality. During the development phase, plans of operations incorporate comprehensive protections to prevent or immediately address the potential spill of contaminants that may impact surface water, and EPA rules require companies to develop Spill Prevention, Control, and Countermeasure (SPCC) plans. Roads and well pads are designed to minimize runoff and sediment buildup in waterways, and wellbore engineering includes multiple layers of steel and concrete to prevent any potential contaminants from escaping the borehole and communicating with groundwater resources. If the use of hydraulic fracturing is employed, companies take precautionary actions to ensure fluids remain in the borehole during fracturing operations and to safely contain and transport fluids from the well site. These precautions and best practices have proved their effectiveness as not one instance of groundwater contamination has been linked to hydraulic fracturing though it has been conducted in over 1.2 million wells in the U.S.	No response needed.
WEA	The EA discusses several wildlife and special status species that are present within a number of the proposed lease sale parcels, including raptors, big game, Greater Sage-Grouse, Sharp-Tailed Grouse, and Bald Eagle. For each there are protective stipulations running the gamut from Timing Limitations (TL) to Controlled Surface Use (CSU) to No Surface Occupancy (NSO). As mentioned previously, a large number of parcels have already been deferred due to Greater Sage-Grouse concerns, and many of those remaining carry stipulations for the further protection of the species. Due to these protective measures, we believe that potential impacts to wildlife can and will be effectively	No response needed.
WEA	As previously mentioned, the oil and natural gas industry creates a significant number of jobs in the State of Wyoming, and generates billions of dollars in revenue for local, state, and federal coffers. Energy produced domestically reduces the need to import energy from other nations, many of which are antagonistic to American interests, and often do not have the same level of environmental protections in place. Alternative C, which allows the most potential development, would likely have the greatest positive socioeconomic impact.	No response needed.
WEA	Oil and natural gas production has played a historically significant role in the culture and economic livelihood of the State of Wyoming, and it has been one of the few bright spots in an otherwise moribund economy. Domestic production, predominantly on state and private lands, has allowed the United States to claim the mantle as the world's top producer of oil and natural gas. Production from public lands has historically been an important part of the equation, and to meet the nation's energy needs and to continue to reduce our reliance on foreign sources it must continue to be so into the future. We urge BLM to move forward with Alternative C and refrain from deferring any	No response needed.
WEA	We appreciate the opportunity to comment, and should you have any questions, please do not hesitate to contact me.	No response needed.
National Park Service, Devils Tower National Monument (NPS)	The National Park Service (NPS) has reviewed the subject Environmental Assessment (EA). We noted during our review that the EA posted on the BLM website included only the body of the EA, and none of the appendices, thus affecting the thoroughness of the NPS's review. We also thought our review of the EA could have been improved if there was a link on the website to the final environmental impact statement for the Resource Management Plan.	All appendices to the EA are linked on the BLM's Competitive Lease Sale website. RMPs related to the lease sale parcels are available on the respective Field Office website, but are not directly linked on the Competitive Lease Sale website.
NPS	As described in Section 3.3.1.3, Visibility, six units of the National Park System are located within and surrounding the High Plains District, with Devils Tower National Monument (Devils Tower NM) being the only unit located within the District. Two NPS areas, Badlands and Wind Cave National Parks, located to the east of the Newcastle Field Office (FO) are designated Class I areas under the Clean Air Act. A large number of the 139 parcels evaluated under Alternative B, Proposed Action, or the 165 parcels evaluated under Alternative C, Offer All Parcels for Sale, are located within 8.5 to 28 miles of Devils Tower NM. The NPS is concerned with potential impacts from the implementation of operations subsequent to leasing these parcels on the air quality and air quality related values (AQRVs), visual resources and night skies at Devils Tower NM and other nearby units of the National Park System.	Since development cannot be reasonably determined at the leasing stage, the impacts cannot realistically be analyzed at this time. At the time of APD development an analysis of these resources will be completed. Air quality analysis is beyond the scope of this document and will be handled at the time if a landscape level project is initiated as agreed to in the referenced Air Quality MOU.

NPS	<p>According to the EA, the associated Newcastle Field Office Resource Management Plan (RMP), that was finalized in 2000, did not estimate a reasonably foreseeable development (RFD) for oil and gas in the field office. Without this, we cannot comment on the potential magnitude of impacts to units of the National Park System, nor can the potential impacts be adequately assessed. There is an apparent level of interest in developing oil and gas in this area indicated by the number of parcels that have been nominated and are now being offered. As a result, an update to the RFD estimate would be appropriate since there appears to be a substantial change in the anticipated level of development. We are concerned that the BLM is leasing these areas under an outdated plan without an adequate assessment of the impacts of oil and gas development that may occur subsequent to leasing these areas. In addition, a cumulative impact analysis on air quality needs to be undertaken in accordance with the multi-agency Air Quality Oil and Gas Memorandum of Understanding effective in June 2011.</p>	<p>Since development cannot be reasonably determined at the leasing stage, the impacts cannot realistically be analyzed at this time. At the time of APD development an analysis of these resources will be completed.</p> <p>Air quality analysis is beyond the scope of this document and will be handled at the time if a landscape level project is initiated as agreed to in the referenced Air Quality MOU.</p>
NPS	<p>Given this, we recommend that BLM either:</p> <p>(1) Defer leasing in the field office until an updated assessment can be completed under a Master Leasing Plan (MLP) or a revised or amended RMP, or;</p> <p>(2) Incorporate adequate stipulations in the leases that specifically protect park resources should the leases be developed.</p>	<p>These comments are discussed below.</p>
NPS	<p>In reference to option one, we believe that this situation may meet the criteria for completion of a MLP under Instruction Memorandum No. 2010-117. If extensive development should occur as a result of leasing these parcels, there may be impacts to the resources and values of units of the National Park System. Further, previous assumptions regarding the RFD may be outdated given the new level of interest in this region and the current analysis does not account for agreements reached under the multi-agency Air Quality Oil and Gas Memorandum of</p>	<p>MLPs were examined by the BLM in 2011 and none were found in the HPD.</p> <p>Since development cannot be reasonably determined at the leasing stage, the impacts cannot realistically be analyzed at this time. At the time of APD development an analysis of these resources will be completed.</p>
NPS	<p>In reference to option two, we note that the EA states: "Each FO made recommendations to the High Plains DO. These recommendations were reviewed, and where appropriate, stipulations were included or additional stipulations added . . ." (EA, page 3). If the District Office has determined it is appropriate to add stipulations that were not covered in the RMP, we recommend including stipulations to protect air and visual resources and night skies at nearby national parks, as discussed below. Ultimately, we believe that stipulations are the best way to address cumulative air resource impacts, as individual projects may not have a significant impact, but cumulatively, many "small" projects can cause substantial air resource degradation. We welcome the opportunity to discuss an air resource stipulation, as described below and/or appropriate mitigation with BLM directly or through an Interagency</p>	<p>This language could have been clearer. Stipulations were included or added, based on the respective RMPs. Oil and gas stipulations are developed at the RMP. They cannot be changed unless done at that level.</p> <p>Since development cannot be reasonably determined at the leasing stage, the impacts cannot realistically be analyzed at this time. At the time of APD development an analysis of these resources will be completed.</p> <p>Air quality analysis is beyond the scope of this document and will be handled at the time if a landscape level project is initiated as agreed to in the referenced Air Quality MOU.</p>
NPS	<p>As noted in the EA, counties located within the High Plains District are generally in attainment or unclassifiable status (with the exception of the City of Sheridan) for all state and national ambient air quality standards (NAAQS). However, in the five parks most likely to be impacted by pollutant emissions from oil and gas development within the Newcastle FO, the NPS considers current air quality conditions to be of moderate to significant concern for three air resource indicators rated by the NPS, ozone, deposition and visibility (see the Attachment). The NPS sets benchmark conditions for these areas consistent with statutory mandates, including Clean Air Act goals to "protect and enhance" air quality and AQRVs in units of the National Park System, as well as NPS Organic Act mandates to preserve these areas "unimpaired for the enjoyment of future generations." The NAAQS are health-based standards and are not designed to be protective of air pollution sensitive resources. The status of resource conditions for these parks is based on current estimated air quality conditions in conjunction with the sensitivity of resources in each park to air pollution effects (e.g., the presence of pollution sensitive vegetation). Air pollutant emissions that could result from oil and gas development in this region are a concern to the NPS.</p>	<p>Air quality analysis is beyond the scope of this document and will be handled at the time if a landscape level project is initiated as agreed to in the referenced Air Quality MOU.</p>
NPS	<p>The potential visual impacts to the landscape setting of Devils Tower NM are not identified. The Affected Environment section does not adequately describe the existing landscape including views from Devils Tower NM and an Environmental Consequences section is completely absent. Several parcels are within the background distance zone as defined in the Visual Resource Management (VRM) System and, though somewhat distant, extensive development in those areas could affect the scenic views of currently undisturbed landscape from Devils</p>	<p>No response needed.</p>

NPS	The lighting and air pollution associated with implementing oil and gas operations subsequent to leasing these parcels has the potential to adversely impact the naturally dark skies of Devils Tower NM. Sky glow, also known as artificial sky glow, light domes, or fugitive light, is the brightening of the night sky from human-caused light scattered in the atmosphere. This glow can greatly detract from the overall darkness of the night sky and can inhibit people's ability to view celestial objects in the night sky. Air pollution also diminishes the brilliance of the night sky. The disruptions of the natural cycles of light and dark have detrimental effects on wildlife. In a remote and dark environment, impacts can be detected at distances over 100 miles. The NPS Night Skies collected baseline data at Devils Tower NM in 2006. This data showed a light pollution ratio (LPR) of .13, which translates to a night sky that is only 13% brighter than a natural sky (free of artificial light). With a sky this dark, any additional artificial light added to the environment has the potential to adversely affect the cultural and biological resources of the park, as well as the visitor experience. Twenty-six (26) American Indian tribes hold ethnographic affiliation with Devils Tower NM and consider Devils Tower to be a Traditional Cultural Property (TCP). In the American Indian community, sky gods or spirits serve an important role. Therefore, the protection of night skies is an integral	Since development cannot be reasonably determined at the leasing stage, the impacts cannot realistically be analyzed at this time. At the time of APD development an analysis of these resources will be completed.
NPS	In the event that the bureau proceeds with this lease sale, the NPS requests that the BLM include the following stipulation to protect air and visual resources: Projects and permitted uses implemented under this lease will comply with all applicable National Ambient Air Quality Standards and ensure Air Quality Related Values and scenic views are protected in nearby National Park Service areas. The best air quality control technology and mitigations necessary to achieve air quality objectives and management actions in the RMP will be applied, as identified through air quality modeling analyses in subsequent planning documents, and in consultation with affected agencies, including the NPS and the WY DAQ. The NPS also requests that measures be required to mitigate impacts to scenic views.	Oil and gas stipulations are developed at the RMP. They cannot be changed unless done at that level.
NPS	Mitigations may include, but are not limited to the Best Management Practices (BMPs) described in Section 4.3.1.4, Mitigation Measures for Air Resources. Further, the NPS recommends the incorporation of the following general lighting principles as BMPs at the APD approval stage: <ul style="list-style-type: none"> • Light only where needed • Light only when it is needed • Shield lights and direct them downward • Select lamps with warmer colors (less blue light) • Use the minimum amount of light necessary • Select the most energy efficient lamps and fixtures 	No response needed.
NPS	The application of these stipulations and BMPs will help to minimize impacting air quality, scenic views, and night skies at Devils Tower NM and other nearby units of the National Park System.	No response needed.
NPS	Thank you for the opportunity to review this EA and make recommendations germane to the proposed lease sale.	No response needed.
Wyoming Outdoor Council (WOC)	Please accept these comments from the Wyoming Outdoor Council on the above referenced environmental assessment (EA) that is being prepared by the Bureau of Land Management (BLM). The Wyoming Outdoor Council is the state's oldest independent conservation organization. We've worked for more than four decades to protect Wyoming's environment and quality of life for future generations.	No response needed.
WOC	We are concerned by the proposed sale of approximately ninety-five oil and gas lease parcels in Crook and portions of eastern Campbell Counties. These parcels would primarily be located in the Newcastle Field Office although some may be located in the Buffalo Field Office. A review of the current level of federal oil and gas leasing shows this area is generally only lightly leased at this time, a rarity in the Powder River Basin. The BLM should maintain this light level of leasing in this area. It should do this to ensure that it meets its multiple use management obligations. With so much of the Powder River Basin already heavily leased, some areas should be free of this encumbrance and potential environmental threat. Relieving this area of the threat of development from oil and gas leases would be consistent with both the definition of "multiple use" in the Federal Land Policy and Management Act and with BLM's oil and gas leasing reform instruction memorandum (IM 2010-117). We therefore urge the BLM to remove these parcels from the pending February 2015 oil and gas lease sale.	Section 103(c) of the Federal Land Policy and Management Act of 1976, as amended (FLPMA), states, "The term "multiple use" means the management of the public lands and their various resource values so that they are utilized in the combination that will best meet the present and future needs of the American people; making the most judicious use of the land for some or all of these resources or related services over areas large enough to provide sufficient latitude for periodic adjustments in use to conform to changing needs and conditions; the use of some land for less than all of the resources; a combination of balanced and diverse resource uses that takes into account the long-term needs of future generations for renewable and non-renewable resources, including, but not limited to, recreation, range, timber, minerals, watershed, wildlife and fish, and natural scenic, scientific and historical values; and harmonious and coordinated management of the various resources without permanent impairment of the productivity of the land and the quality of the environment with consideration being given to the relative values of the resources and not necessarily to the combination of uses that will give the greatest economic return or the greatest unit output." Section 202 of the FLPMA directs the Secretary of the Interior, with public involvement and consistent with the terms and conditions of the Act, to develop, maintain, and, when appropriate, revise land use plans which provide by tracts or areas for the use of the public lands. The FLPMA's multiple use mandate is carried out primarily through the lands use planning process. The proposed action and alternatives are in conformance with the RMP for the affected public lands proposed for lease sale.

WOC	Fortunately nearly half of these parcels would have one level or another of sale deferral, in whole or in part, associated with them. Deferrals from lease sale would be put in place to protect resources such as Greater sage-grouse and the Little Missouri Antelope Trap Sacred Site. A number of parcels would simply be deleted from the lease sale. We support these actions because they will help ensure this lightly leased area remains unleased, and we encourage application of deferrals or deletions to this entire suite of lease parcels. The State Director could and should exercise his discretion to remove these parcels from the February 2015 oil and gas lease sale.	No response needed.
WOC	Finally, on May 27, 2014 the Wyoming Outdoor Council submitted comments on the lease sale EA for the November 2014 lease sale in the High Desert District. In those comments we raised concerns about the potential impacts of hydraulic fracturing on twenty-four parcels in the Adobe Town area of the Rawlins Field Office. A copy of those comments is included here and those comments are incorporated into these comments by this reference. In response to those comments the BLM did not change its plans to offer these parcels for sale, however, it did state on several occasions that as a result of our comments additional information and updates on fracking had been added to the EA and to the finding of no significant impact (FONSI). See http://www.blm.gov/pgdata/etc/medialib/blm/wy/information/NEP A/og/2014/1 Inov/ver3 .Par.59625.File.dat/v2 APPF.pdf . It appears to us that these were rather significant additions especially to the uncertain and unique impacts section of the FONSI and to section 4.2.9 of the EA, which deals with environmental impacts to ground and surface waters. There appear to be improved commitments for mitigation at the APD stage. We would like to urge the BLM to ensure that this improved language relative to hydraulic fracturing is maintained in the EA and FONSI for the February, 2015 lease sale.	<p>Hydraulic Fracturing is a development action that does not necessarily impact surface resources. It may impact water resources, but that is under the purview of the State of Wyoming and therefore would be under their permitting authority. Hydraulic fracturing is not "new". Fracturing dates from its first use in 1947. Since 1949 about 2.5 million wells received hydraulic fracturing, permitting the economic recovery of 9 billion barrels of oil and 700 Trillion Standard Cubic Feet (Tscf) of gas in the US alone.</p> <p>Hydraulic Fracturing is a specific development scenario that will be analyzed at the appropriate APD or project stage with the necessary site specific NEPA document. See pages 11-13 (Section 1.6) for a discussion of development in relations to leasing. Since development cannot be reasonably determined at the leasing stage, the impacts cannot realistically be analyzed at this time. At the time of APD development an analysis of these resources will be completed.</p>
WOC	Thank you for considering these comments.	No response needed.