Appendix F
Public Comments and Agency Response
DOI-BLM-WY-R000-2015-0001-EA

#	Comment By	Comment	Agency Response
1	Kelly Graham, Larsen Ranch Company	WY-1508-222 As the surface owner of this parcel, we would prefer that the parcel not be offered. Oil and gas development on this parcel would have many negative effects on our property. This area is critical to our livestock grazing operation. We graze this area lightly in the early summer as we move to higher elevations for summer grazing. We purposely limit our use of the available forage during the growing season, because it is critical winter pasture. Disturbance to this area necessary to build roads, drilling locations, and other facilities for oil and gas production would cause a significant loss of native forage, which would require us to replace the lost forage with some other type of feed, which would require additional expense to our business. We would also be negatively impacted due to the increased human activity and road traffic. Whenever there is a new road, there will be more people driving on it, which will increase the risk of injury to our livestock due to careless driving/speeding, more garbage being thrown out, more trespass opportunities, more chance of noxious weed infestations, gates being left open, etc. I would also like to mention that any roads or drilling locations in this parcel would require a great deal of gravel to make them passable, particularly in wet conditions. I would also like to point out that this area is very important to wildlife. This is important elk winter range. It also supports pronghorn, mule deer, sage grouse, numerous hawks, eagles and other birds. Due to the abundance of game animals, this is prime habitat for coyotes, wolves, black bears, and grizzly bears. This is only a short list of the detrimental effects that selling the lease for this parcel would have on our ranching operation and the area wildlife. Please consider not offering this parcel.	Thank you for your comments. Parcel WY-1508-222 T. 46 N., R. 100 W., 06th PM, WY, sec. 5, Lot 3; S1/2NW1/4, SW1/4. This parcel has been issued an oil and gas lease three (3) times between 1979 and 1999, and adjoins an active oil and gas unit. Serial Patent 1046420 was issued 5/13/1931, under the authority of the December 29, 1916: Homestead Entry-Stock Raising (39 Stat. 862), reserving to the United States all coal and other minerals, and the rights to construct ditches and canals. The EA, under Alternative 3, recommends deferral of Parcel WY-1508-222 for this lease sale based on management actions being analyzed in the Bighorn Basin RMP and Draft EIS. The management actions being analyzed are for Wildlife Seasonal Protections for maintenance and operations, and Grizzly Bear habitat, as was disclosed in the EA.

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2	Group of Individuals	Parcel WY 1508-237 lies within greater sage-grouse general habitat and is within a four-mile buffer of an occupied lek.	The BLM Wyoming State Office conducted screening for Greater Sage-Grouse per BLM WY guidance (IM WY-2012-019), consistent with national policy. The parcels meeting criteria for core habitat and manageability using the Fluid Mineral Leasing Screen were identified for deferral on this basis. Parcels not meeting the criteria were offered for sale. Parcel WY-1508-237 is not located within Sage Grouse core area, version 3. A stipulation has been added to the parcel addressing Greater Sage Grouse as well as migratory birds and raptors. Portions of this parcel also lie within an existing lease that is currently held by production and the other portion of this parcel is contiguous to the same producing lease.
3	Group of Individuals	Parcel WY 1508-237 provides seasonal range for bighorn sheep, elk, moose, mule deer, pronghorn antelope, mountain goat, and white-tailed deer. It is habitat for black and grizzly bear, wolves, mountain lion, bobcat, and red fox. A broad diversity of bird life is also present in the area. This parcel includes and is adjacent to public lands extremely important for hunting, fishing and recreation that includes hiking, biking, horseback riding, cross country skiing and snowshoeing. These are uses that depend on clean air, clean water and a healthy outdoor environment. These recreational activities bring important revenue to the area, the state of Wyoming and the region.	The Environmental Assessment (EA) identifies the resources and management actions for Parcel WY-1508-237. As a result, no resource conflicts have been identified which would provide justification for deferring the parcel. Further review of the resources needing mitigation through the application of lease stipulations, stipulations were attached to Parcel WY-1508-237 for managing visual resources, paleontological sites, and nesting Greater Sage Grouse, migratory birds and raptors. The BLM, in coordination with the Wyoming Game and Fish Department, identifies the location of this parcel as not being managed for critical habitat for bighorn sheep, elk, moose, mule deer, pronghorn antelope, mountain goat,

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			white-tailed deer, black and grizzly bears, wolves, mountain lion, bobcat, or red fox. Although recreational resources and uses are present and observed, this location is not managed for specific recreation objectives, rather, managed under other land use objectives. BLM recreation management objectives in the area are to meet basic recreation and resource stewardship needs to address user conflicts, public health and safety, and resource protection. If development should be proposed, the proposal will be analyzed in site specific NEPA documents, which shall addresses any further resource concerns.
4	Group of Individuals	Leasing of mineral resources should not occur where people live. WY 1508-237 includes privately held surface lands, including property in the Line Creek Wilderness Subdivision. The rural residential subdivision consists of 90 lots that vary in size and include approximately 54 landowners. Comments all common in emails from individuals: Jim & Molly Davis Dolores Andersen Maria Parthe Deborah Griffin	Parcel WY 1508-237 T. 58 N., R. 102 W., 06th PM, WY, sec. 30, SE1/4NW1/4, SE1/4SE1/4. This parcel area has been leased in whole or in part four (4) previous times between 1982-2007 and portions are completely surrounded by an existing lease that is held by production. Serial Patent 49-67-0004 was patented 8/29/1966, and Serial Patent 49-67-0015 was patented 1/20/1967, by the authority in Sale-Title 32 Chapter 7 (RS 2353 43 USC 672). The mineral estates of coal, oil, and gas, and the rights to construct ditches and canals, were reserved to the United States. The Line Creek Wilderness Subdivision was created as of September 8, 1971. Other private surface lands within

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			the subdivision may have been patented under various authorities or laws. Should a lease be issued and should eventual operations be proposed, in accordance with regulations found in Onshore Oil and Gas Order Number 1, Approval of Operations, the BLM will invite the private surface owner to participate in the onsite inspection as soon as the operator has identified a potential area of development. Where the surface is privately owned, the operator is required to provide BLM a certification of Surface Access Agreement or provide an adequate bond. The operator must make a good faith effort to notify the private surface owner before entry and make a good faith effort to obtain a Surface Access Agreement from the surface owner. As required, when private surface owners are involved, regulations found in Onshore Oil and Gas Order Number 1 allows the owner to apprise the operator of any unusual conditions on the lease area, seasonal restrictions, and a determination of potential areas of conflict.
5	Jim & Molly Davis	Please consider as well, the downstream water users in a decision to develop this lease and think what a disaster the pollution of this recourse would cause.	Development cannot be reasonably determined at the leasing stage, nor can impacts realistically be analyzed at this time. If development should be proposed, a full analysis of these resources will be completed at that time and proper mitigation measures applied to protect water resources. If mitigation cannot be reasonably applied, further analysis is required through the National Environmental Policy Act (NEPA).

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6	Dolores Andersen	I am write to you in support of the deferral of parcel WY-1508-237, currently being considered for August, 2015 sale. If this sale is allowed to go forward ecosystems will be threatened, and wild life and endangered species harmed. The proposed sale will impact current recreational uses of the land and waterways, and have negative effects on water users. The proposed use of the parcel after the sale will greatly effect the current use of the land and water in a destructive way. As you know your agency has legal responsibilities relative to use of land and water. In support of these argumenst for deferral of the sale of parcel WY-1508-237 please note that: In light of these facts please deferral the sale of WY-1508-237 until each of these issues is properly addressed or defer the sale indefinitely. Thank you for your kind attention to this matter.	Exploration and development operations (such as construction, drilling, and production activities) are not authorized through the BLM's leasing decision described in the proposed action and alternatives, though such operations may eventually be undertaken on the parcel. Development cannot be reasonably determined at the leasing stage, nor can impacts realistically be analyzed at this time. If development should be proposed, a full analysis of these resources will be completed at that time.
7	Deborah Griffin	These lands should be protected from oil and gas development. The public has a right to demand the protection of wildlife, clean air and responsible land management. The large oil companies deplete the resources and take the money out of state. As a citizen I would like to register my concern and objection to these activities.	Thank you for your comments.
8	Roxane Weikel	I support deferral of BLM parcel WY-1508-237 currently being considered for August 2015 sale for many reasons. One reason is that the parcel includes and is adjacent to public lands that are extremely important to recreation -- which brings important revenue to the State of Wyoming and the region.	The Environmental Assessment at Chapter 3.3.7 addresses the management actions and affected environment for recreational resources and classifies designations. While Chapter 4.6.8 identifies impacts to recreation, visual resources, and special designations through the leasing process under Alternative 3. Any identified conflicts with designated recreational management decisions have been appropriately addressed in accordance with land use

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			planning. The location of Parcel WY-1508-237 was not identified as having these conflicts.
9	Bonnie Martinell	I am downstream from the proposed BLM lease in Northern Wyo. We irrigate our organic orchard with water out of the Clarks Fork river which originates in this area. This lease could have potential for extreme damage in this valley which is all irrigated farm ground. This farm ground depends on the Clarks Fork River for its existence. WE have enough contamination from Elk Basin we don't need additional damage. Please consider to not lease this area or at the least put restrictions on their lease that will protect the area. Thank you.	Development cannot be reasonably determined at the leasing stage, nor can impacts realistically be analyzed at this time. If development should be proposed, a full analysis of these resources will be completed at that time, including impacts to water. Concerning water resources, please refer to the Wyoming Oil and Gas Conservation Commission (WOGCC) Rules found in Chapter 3, Section 46, Groundwater Baseline Sampling, Analysis and Monitoring, which states: All operators are required to submit a groundwater baseline sampling, analysis and monitoring plan with an Application for Permit to Drill or Deepen a Well (Form 1). The groundwater monitoring program will consist of initial baseline water sampling and testing followed by a series of subsequent sampling and testing after setting the production casing or liner. Along with the requirements of the WOGCC, BLM regulations require protection and isolation of all oil, gas, and fresh water bearing zones, which is incorporated into the well bore design when reviewing Applications for Permit to Drill.
10	Kristeen Keup	I write as a concerned neighbor and a native Montanan. I support deferral of parcel WY-1508-237, considered for August 2015 sale. My primary concern is that America, even the world, needs to move from the archaic mindset of destroying the earth for temporary energy to alternative self-sustaining long term energy sources. 54 landowners live on/or privately hold surface lands (90 lots). PEOPLE live here and are directly affected by your	Thank you for your comments. The Environmental Assessment (EA) addresses related resources in and around the proposed parcels identified in the EA. With that information, the objective is to manage resources and uses while maintaining other land use objectives. This requires a balanced approach to resource

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		decision. ANIMALS live here. It is habitat, breeding ground, seasonal range and within a four mile buffer. TOURISM and locals require clean air and water and a healthy environment for outdoor activities specific to our area. Please adjust the mindset to healthy alternatives and put a stop to destruction of our earth for short term profit of the few at the expense of the rest of us. Thank you for listening and considering my point of view. Peace. Understanding. Light. Namaste, Kristeen M. Keup	management.
11	Catherine Lynch	I am a Carbon County and Yellowstone County property owner in Montana. What happens upstream of my properties are of great concern to me, as you may imagine. And as you are also aware, the Beartooth Front in Montana is also under threat of mineral leasing and development. Therefore I am writing to you to let you know that I support the deferral of parcel WY-1508-237, currently being considered for August, 2015 sale.	Thank you for your comments. The Environmental Assessment (EA) identifies the resources and management actions for Parcel WY-1508-237. As a result, no resource conflicts have been identified which would provide justification for deferring the parcel. Further review of the resources needing mitigation through the application of lease stipulations, stipulations were attached to Parcel WY-1508-237 for managing visual resources, paleontological sites, and nesting Greater Sage Grouse, migratory birds and raptors.
12	Catherine Lynch	This parcel is important habitat for many animal species and is within the 4-mile buffer of an occupied greater sage-grouse lek. The parcel is also adjacent to public lands that provide revenue to the state. These lands are used by local residents as well as tourists for year round recreation, for hunting and fishing, hiking, horseback riding, and skiing.	First, the BLM Wyoming State Office conducted screening for Greater Sage-Grouse per BLM WY guidance (IM WY-2012-019), consistent with national policy. The parcels meeting criteria for core habitat and manageability using the Fluid Mineral Leasing Screen were identified for deferral on this basis. Parcels not meeting the criteria were offered for sale. Parcel WY-1508-237 is not located within Sage Grouse Core Area, Version 3. The Environmental Assessment (EA) identifies the resources

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			and management actions for Parcel WY-1508-237. As a result, no resource conflicts have been identified which would provide justification for deferring the parcel. Further review of the resources needing mitigation through the application of lease stipulations, stipulations were attached to Parcel WY-1508-237 for managing visual resources, paleontological sites, and nesting Greater Sage Grouse, migratory birds and raptors. Although recreational resources and uses are present and observed, this location is not managed for specific recreation objectives, rather, managed under other land use objectives. BLM recreation management objectives in the area are to meet basic recreation and resource stewardship needs to address user conflicts, public health and safety, and resource protection.
13	Catherine Lynch	WY1508-237 includes privately held surface lands, including property in the Line Creek Wilderness Subdivision. I feel it is very detrimental to the health, safety and well-being of the residents in that area should the leasing of the mineral resources occur where they live. It is also upstream from my property in Belfry, Montana. Any problems with the development of the minerals, including but not limited to spills, will cause a threat to our water supply, release toxic fumes that will drift our way and generally NOT improve our lives.	Parcel WY 1508-237 T. 58 N., R. 102 W., 06th PM, WY, sec. 30, SE1/4NW1/4, SE1/4SE1/4. This parcel area has been leased in whole or in part four (4) previous times between the years 1982-2007 and portion of the parcel are completely within the bounds of an existing lease that is held by production. Serial Patent 49-67-0004 was patented 8/29/1966, and Serial Patent 49-67-0015 was patented 1/20/1967, by the authority in Sale-Title 32 Chapter 7 (RS 2353 43 USC 672). The mineral estates of coal, oil, and gas, and the rights to construct ditches and canals, were reserved to the United

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			States. The Line Creek Wilderness Subdivision was created as of September 8, 1971. Other private surface lands within the subdivision may have been patented under various authorities or laws. Exploration and development operations (such as construction, drilling, and production activities) are not authorized through the BLM's leasing decision, though such operations may eventually be undertaken on the parcel. Development cannot be reasonably determined at the leasing stage, nor can impacts realistically be analyzed at this time. If development should be proposed, a full analysis of these resources will be completed at that time.
14	KayBee Masis	I support the deferral of parcel WY-1508-237, currently being considered for August, 2015 sale. As a resident of Yellowstone County, Montana, and a recreational user of these public lands, I am concerned about the possible degradation of air quality, and water quality from oil and gas drilling.	Thank you for your comments. Development cannot be reasonably determined at the leasing stage, nor can impacts realistically be analyzed at this time. If development should be proposed, a full analysis of these resources will be completed and mitigated at that time.
15	Pete Dronkers	I am a property owner with land located just a few miles away from two parcels under consideration for leasing. The lease appears to cover two parcels under one lease number: WY 1508-237, located near Clark and across road 1 AB from many households who already know the devastation that oil and gas development can bring. Indeed, this was the site of the major Windsor Energy well blowout that led to the evacuation of most of Clark, where groundwater contamination remains a concern.	Thank you for your comments. Please note: The Windsor 25-3 well is private surface and private minerals, and not under the authority of Federal oil and gas leasing or development. Development cannot be reasonably determined at the leasing stage, nor can impacts realistically be analyzed at this time. If development should be proposed, a full analysis of these

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		I have a water well drilled into the same alluvial aquifer that any new wells would also be drilled into. I'm extremely concerned that additional oil and gas development -- and fracking in particular -- will remain a major concern for the long term viability of my property. Any damage to the water quality of my well water means that my life's investment will be rendered essentially worthless with little or no recourse for me. Until the following stipulations can be met, I am urging BLM to defer the lease sale immediately, with the ultimate goal of removing from consideration entirely any future lease sales that threaten people's principal investment: their land, home, and the water that makes it all inhabitable. I am aware of too many cases of groundwater contamination, air contamination, and surface degradation for me to believe that under current laws and regulations, land and property owners are adequately safeguarded from the many things that can -- and often do -- go wrong with oil and gas drilling and production. I urge BLM to defer the lease sale until:	resources will be completed and mitigated at that time. Please refer to the Wyoming Oil and Gas Conservation Commission (WOGCC) Rules found in Chapter 3, Section 46, Groundwater Baseline Sampling, Analysis and Monitoring, which states: All operators are required to submit a groundwater baseline sampling, analysis and monitoring plan with an Application for Permit to Drill or Deepen a Well (Form 1). The groundwater monitoring program will consist of initial baseline water sampling and testing followed by a series of subsequent sampling and testing after setting the production casing or liner. Along with the requirements of the WOGCC, BLM regulations require protection and isolation of all oil, gas, and fresh water bearing zones, which is incorporated into the well bore design when reviewing Applications for Permit to Drill.
16	Pete Dronkers	1.) any landowner relying on the same aquifer that drilling could impact and within a seven mile radius of a given lease sale, should be entitled to full baseline water testing at industry or BLM expense prior to any development, as a condition of leasing. This should include the full suite of analytes and contaminants known to cause degradation of groundwater quality from oil and gas facilities.	Thank you for your comments. Federal Oil & gas leasing stipulations are developed at the RMP level and the requirement for base line testing for water wells are tied to the review conducted at the development stage. Please refer to the Wyoming Oil and Gas Conservation Commission (WOGCC) Rules found in Chapter 3, Section 46, Groundwater Baseline Sampling, Analysis and

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			Monitoring, which states: All operators are required to submit a groundwater baseline sampling, analysis and monitoring plan with an Application for Permit to Drill or Deepen a Well (Form 1). The groundwater monitoring program will consist of initial baseline water sampling and testing followed by a series of subsequent sampling and testing after setting the production casing or liner. Along with the requirements of the WOGCC, BLM regulations require protection and isolation of all oil, gas, and fresh water bearing zones, which is incorporated into the well bore design when reviewing Applications for Permit to Drill.
17	Pete Dronkers	2.) BLM can defend its leasing decision by showing that the decision accurately reflects the predominant sentiment of the local community as demonstrated by the number of affected individuals and groups that oppose it. I have found that too many times, leasing decisions are made in ways that benefit oil and gas companies and industry trade groups first, even when the majority of local community members -- those who ultimately bear the adverse impacts -- are staunchly opposed. This is unacceptable.	Thank you for your comments during the leasing EA development process.
18	Pete Dronkers	3.) Post-drilling groundwater monitoring should be required on scientifically defensible intervals. This way, if industry contaminates a groundwater resource, it can be proven, using the baseline tests to do so. This way, there will be no question about who is responsible when communities are heavily impacted.	Thank you for your comments. Please refer to response to comment #16.
19	Pete Dronkers	4.) As a condition of approval to the lease sale, BLM should require that the oil and gas companies post bonds equal to the amount of real estate value that would be lost of a widespread groundwater contamination event occurs. For example, if 100	Bonds are not part of the leasing process, but rather found in 43 CFR Subpart 3104, Bonds. Prior to the approval of any leasehold operation, an adequate bond shall be posted for the operation. These bonds are reviewed for adequacy in

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		households face a 50% reduction in the value of their property, the oil and gas company should be able to compensate without question this same lost value to all affected stakeholders.	accordance with guidance found in Washington Office Instruction Memorandum 2013-151, Oil and Gas Bond Adequacy Reviews.
20	Pete Dronkers	5.) Recreation, wildlife, and visual impacts should be analyzed in the EA in a way unique to the area, rather than programmatic approaches to these studies.	Recreation, wildlife, and visual resources are analyzed in Resource Management Plans and subsequently reviewed again through the development of the leasing EA. Appropriate RMP management actions that design lease stipulations are applied to individual parcels as appropriate to the site specific resources identified. If development of a lease is proposed, the action will be further analyzed in site specific NEPA documents, which shall address these resource concerns. Any management actions for particular landscapes shall be first addressed through the Land Use Planning process.
21	Pete Dronkers	6.) Air quality monitoring should be performed in any area deemed a risk to nearby residents. The protocols for such should be established by health experts familiar with these impacts. Toxic air emissions pose an immense risk to nearby communities both during well completion and production.	Air quality resources are analyzed in Resource Management Plans and subsequently reviewed again through the development of the leasing EA. Appropriate RMP management actions that design lease stipulations are applied to individual parcels as appropriate. If development of a lease is proposed, the action will be further analyzed in site specific NEPA documents, which shall address these resource concerns. Any management actions for particular landscapes shall be first addressed through the Land Use Planning process.
22	Pete Dronkers	7.) The lease sale EA must consider the new guidance for climate change released by the White House Council on Environmental Quality. This will include the global impacts of the downstream	Climate change has been addressed in the EA in sections 3.3.1, 4.4.2, 4.5.9, and 4.6.2.

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		combustion of the produced resource as well as fugitive emissions, particularly methane.	If development should occur, proposals shall be analyzed in site specific NEPA documents, which shall addresses resource concerns.
23	Pete Dronkers	8.) The BLM give ample consideration to the creation of a Master Leasing Plan that would create a more intelligent planning framework for development and consider the detailed input from local community members.	All parcels were reviewed against the Master Leasing Plan (MLP) requirements in WO IM 2010-117 and the approved BLM Wyoming Leasing Reform Implementation Plan. Reference Chapter 4.6.8 of the EA.
24	Pete Dronkers	I believe the time has come for BLM -- as the stewards of our cherished public lands and our mineral resources, to be more rigorous regarding lease sale stipulations and conditions of approval -- especially where known impacts have already occurred, where people are concerned about their livelihoods and financial investments, and where history has shown that local communities are usually the ones with the most to lose regarding these types of major decisions that BLM must make.	Thank you for your comments. Oil & gas leasing stipulations are developed at the RMP level. A request for additional stipulations goes beyond the scope of this document. If development should occur, proposals shall be analyzed in site specific NEPA documents, which shall addresses resource concerns, including implementation of site specific Conditions of Approval.
25	Dave Sutton	BLM parcel WY-1408-149 Please protect the clarks fork river, ranchers/farmers and surrounding groundwater and wildlife by not allowing any drilling on the beartooth front, just like they did on the rocky mtn front south of glacier natl park.	Thank you for your comments. Parcels proposed within the WRBBD did not have a parcel numbered BLM parcel WY-1408-149. Areas open or closed to oil & gas leasing are determined at the RMP level. A request for additional closure goes beyond the scope of this document.
26	Gretchen and Scot Hutton	My husband and I would like to summit comments regarding the Oil and Gas Lease Sale WY 1508-237. Please add our comments to the ones that would ask for deferral of the lease sale of this property. Thank you for the due diligence in protecting and safe-guarding the natural resources under your watch.	Thank you for your comments.
27	Gretchen and Scot Hutton	POTENTIAL ACCESS If either of the two 40 acre parcels (SE of NW of 30, SE of SE of 30 of WY 1508-237) were to be	Thank you for your comments.

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		developed for drilling, surface land lots that we own in the Line Creek Subdivision are uniquely positioned to be likely access points. We make that unhappy speculation in observing the terrain and topography of that area. Having witnessed the development of the nearby (within view) Bennett Creek Well Pad and the Crosby Well Pad, we are well aware of the lasting changes and land disruption that occurs. Those two sites were accessed mainly by County Road 1AB. Accessing these two potential sites would require disruption of a much larger magnitude, plowing though native grasses and land heretofore undisturbed by anything more than the gentle grazing of wildlife and occasional cattle. This, in itself, is a precious resource of more value to many of us than the marketable one potentially lying deep beneath the surface.	See page 1-5, Chapter 1.6, for a discussion of development in relation to leasing. It is unknown whether a particular parcel will be sold and a lease issued. It is also unknown when, where, or if future well sites, roads, and facilities might be proposed. Detailed site-specific analysis of activities associated with any particular parcel would occur when a lease holder submits an APD or other application for surface-disturbing activities on the Federal lease. Please note the Bennett Creek and Crosby wells are located on either private or State lands, with private or State managed minerals, and are not under the authority of Federal oil and gas leasing. In accordance with Onshore Oil and Gas Order Number 1, Approval of Operations, the operator of a proposed action is responsible for making access arrangements with appropriate Surface Managing Agency or private surface owner. Any proposed action would require private owners involvement and a Surface Access Agreement.
28	Gretchen and Scot Hutton	POTENTIAL CONTAMINATION RISKS The Crosby Well 25-3 gas well blow out in 2006 is well documented at WDEQ. We are well aware that any less commitment on the part of WDEQ and Windsor Energy Group to address this contamination and the continuing monitoring of it would be disastrous for all of us. Those of us in the area who have the enduring risks and concerns regarding that contamination are naturally wary of another potential source marching into the neighborhood. We are already vigilant about the monitoring and remediation of the contaminant	Thank you for your comments. If development should occur, proposals shall be analyzed in site specific NEPA documents, which shall address and mitigate resource concerns. Please note: the Crosby 25-3 well is private surface and private minerals, and not under the authority of Federal oil and gas leasing.

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		that came downward and toward us from the blowout to the west. It is formidable to consider the risks and suspicions that another from the north could also come downward and toward us with its full range of compromising impacts. Please hear these deep concerns	
29	Gretchen and Scot Hutton	IMPACT ON WILDLIFE I am aware that other neighbors will submit comments regarding the local wildlife. With them, we affirm an appreciation for and stewardship of living in a sensitive wilderness buffer along the Shoshone National Forest. I would like to add that in our twelve years of observing wildlife in the Line Creek area, notable this winter has been the obvious presence of bald eagle(s). Also, there have been reported sightings of bighorn sheep up the draw and toward the property SE of NW of 30. If so, there is an extra agony if habitat for these creatures is carelessly regarded.	Thank you for your comments. The Environmental Assessment (EA) identifies the resources and management actions for Parcel WY-1508-237. As a result, no resource conflicts have been identified which would provide justification for deferring the parcel. Further review of the resources needing mitigation through the application of lease stipulations, stipulations were attached to Parcel WY-1508-237 for managing visual resources, paleontological sites, and nesting Greater Sage Grouse, migratory birds and raptors. The BLM, in coordination with the Wyoming Game and Fish Department, identifies the location of this parcel as not being managed for other wildlife critical habitat. If development should occur, proposals shall be analyzed in site specific NEPA documents, which shall addresses resource concerns.
30	Gretchen and Scot Hutton	In conclusion, we ask you to recognize that developing the oil and gas resource in these remote areas makes it the one resource that in order to be tapped, it imposes pollutants with all sorts of negative impacts on ALL the other natural resources.	Thank you for your comments.
31	Line Creek	Please accept the following comments regarding the above-	Thank you for your comments.

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	Residents	referenced environmental assessment (EA) that the Bureau of Land Management (BLM) has prepared. We ask that Parcel WY 1508-237, located on the Absaroka-Beartooth Front be deferred. This parcel lies within a landscape important for wildlife. It is within greater sage-grouse general habitat and is within a four-mile buffer of an occupied lek. The area also provides seasonal range for bighorn sheep, elk, moose, mule deer, pronghorn antelope, mountain goat, and white-tailed deer. It is habitat for black and grizzly bear, wolves, mountain lion, bobcat, and red fox. A broad diversity of bird life is also present in the area. This parcel includes and is adjacent to public lands extremely important for hunting, fishing and recreation that includes hiking, biking, horseback riding, cross country skiing and snowshoeing. These are uses that depend on clean air, clean water and a healthy outdoor environment. These recreational activities bring important revenue to the area, the state of Wyoming and the region.	First, the BLM Wyoming State Office conducted screening for Greater Sage-Grouse per BLM WY guidance (IM WY-2012-019), consistent with national policy. The parcels meeting criteria for core habitat and manageability using the Fluid Mineral Leasing Screen were identified for deferral on this basis. Parcels not meeting the criteria were offered for sale. Parcel WY-1508-237 is not located within Sage Grouse Core Area, Version 3. The Environmental Assessment (EA) identifies the resources and management actions for Parcel WY-1508-237. As a result, no resource conflicts have been identified which would provide justification for deferring the parcel. Further review of the resources needing mitigation through the application of lease stipulations, stipulations were attached to Parcel WY-1508-237 for managing visual resources, paleontological sites, and nesting Greater Sage Grouse, migratory birds and raptors. The BLM, in coordination with the Wyoming Game and Fish Department, identifies the location of this parcel as not being managed for critical habitat for bighorn sheep, elk, moose, mule deer, pronghorn antelope, mountain goat, white-tailed deer, black and grizzly bears, wolves, mountain lion, bobcat, or red fox. This location is also not managed for specific recreation activities other than casual use. If development should be proposed, the proposal will be analyzed in site specific NEPA documents, which shall

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			addresses any further resource concerns.
32	Line Creek Residents	In addition, Parcel WY 1508-237 includes privately held surface, including property in the Line Creek Wilderness Subdivision. The rural residential subdivision consists of 90 lots that vary in size and include approximately 54 landowners.	Thank you for your comments. Reference Comment Response Number 4 regarding patents. Should a lease be issued and should eventual operations be proposed, in accordance with regulations found in Onshore Oil and Gas Order Number 1, Approval of Operations, the BLM will invite the private surface owner to participate in the onsite inspection as soon as the operator has identified a potential area of development. Where the surface is privately owned, the operator is required to provide BLM a certification of Surface Access Agreement or provide an adequate bond. The operator must make a good faith effort to notify the private surface owner before entry and make a good faith effort to obtain a Surface Access Agreement from the surface owner. As required, when private surface owners are involved, regulations found in Onshore Oil and Gas Order Number 1 allows the owner to apprise the operator of any unusual conditions on the lease area and a determination of potential areas of conflict.
33	Line Creek Residents	The Line Creek Subdivision is a community that has already been seriously impacted by oil and gas development. Although the development consists of only two pads with six wells, the impacts to the community have been huge. Contamination issues, deterioration of community and quality of life, along with serious	Thank you for your comments. If development should occur, proposals shall be analyzed in site specific NEPA documents, which shall addresses resource concerns.

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		health issues continue to plague residents. Since 1999, the community has been subject to impacts from oil and gas development that include toxic air emissions, light pollution, noise pollution, dust, leaks, spills, inadequately remediated pits, and disposal of waste on private property. The most serious, to date, was Windsor Energy Group's Crosby 25-3 gas well blow out in 2006. The Crosby blowout released what the Wyoming Department of Environmental Quality (WDEQ) identifies as the worst case emissions of 97 tons of Volatile Organic Compounds, 11 tons of Hazardous Air Pollutants, which is over 2 tons of BTEX—(Benzene, Toluene, Ethyl Benzene, Xylene), 101 tons of methane and 43 tons of ethane. During the blowout, twenty-five households in the subdivision were evacuated for three days. Windsor Energy attempted to evaluate and control the situation for over four hours before alerting residents, putting them in extreme danger. Luckily, there was no explosion or fire. In addition to the initial disaster and toxic air emissions, the Crosby 25-3 blowout resulted in groundwater contamination, contaminated private drinking water wells and continues to be the site of an ongoing monitoring project. Over 100 monitor wells, 25 private drinking water wells, six springs that flow into Line Creek and four sites on the creek have been monitored for over nine years. Monitored natural attenuation was approved by the State as a preferred remedial alternative for the shallow alluvial aquifer, and although a pilot project for remediation alternatives of the deeper aquifer has been conducted, remediation has not taken place. Almost ten years later, the contamination is still not	Please note: the Crosby 25-3 well is private surface and private minerals, and not under the authority of Federal oil and gas leasing.

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		remediated. The many important resources along the Beartooth Front should not be sacrificed for the development of one. The oil and gas development in this area has produced small amounts of oil and gas that have resulted in low revenues. However, the development has created immeasurable damage to the environment that has cost millions of dollars to investigate and monitor. The development has not only fracked the sub-surface geology and hydrology, it has fractured the community. It has created a toxic environment and destroyed the health and well being of people who are forced to live with it.	
34	Line Creek Residents	To allow further leasing, permitting or drilling in this area, already under such heavy impact, is unconscionable. The environment and the people who live along the Beartooth Front must be protected from any further oil and gas exploration or development. Deferral of Parcel WY 1508-237 is necessary to protect both	Areas open for oil & gas leasing are developed at the RMP level. A request to restrict leasing in this area goes beyond the scope of this document.
35	Line Creek Residents	It is our understanding that all private surface owners were not contacted about the leasing of this mineral parcel. Until such due notice can be given to all surface owners, the parcel must be deferred. The BLM Handbook on "Competitive Leases," updated in 2013, is clear that this notice is an essential step during preparation of the oil and gas lease sale environmental assessment (H-3120-1 "Competitive Leases," p.13). Before leasing a parcel, as the environmental assessment is being developed, the BLM must determine the impacts of the proposed action on the quality of the human environment. This is of heightened importance for split-estate parcels when the agency	Parcel WY-1508-237 consists of 80 acres (SE1/4NW1/4 and SE1/4SE1/4 of section 30, T. 58 N., R. 102 W.). All private landowners of SE1/4NW1/4 and SE1/4 SE1/4 of section 30, T. 58 N., R. 102 W. were notified before the end of the public comment period, and given the opportunity to comment.

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		must take into account the views of the surface owners. Because due notice of the lease nomination was not made to all landowners affected by WY 1508-237, their views have been unable to be incorporated in the EA and this parcel must be deferred until that situation can be rectified.	
36	Line Creek Residents	Thank you for accepting our comments. We respectfully ask that you take them into consideration and recognize the importance of deferring Parcel WY 1508-237. Signed by Deborah K. Thomas, Line Creek Resident And Identified as Participants: John C. Mitchell, Line Creek Resident Sands Dickson, Line Creek Resident John Linebaugh, Line Creek Resident James A. Sonderman, Line Creek Resident James E. Melton, Line Creek Resident Dick Bilodeau, Line Creek Resident Pete Dronkers, Area Resident Christina Denney, Chair, Clark Resource Council John Fenton, Board Director, Shale Test Bruce Baizel, Earthworks Carbon County Resource Council Jenny Harbine, Earthjustice Amanda Jashan, Natural Resources Defense Council	Thank you for your comments.
37	Environmental Protection Agency (EPA)	Thank you for the opportunity to review and comment on the Draft Environmental Assessment (EA) prepared by the Bureau of Land Management (BLM) Wind River/Bighorn Basin District (WRBBD) for the August 2015 competitive oil and gas lease sale. The WRBBD has prepared its Draft EA to analyze the	Thank you for your comments.

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		potential effects of offering 77 nominated lease parcels in the Cody, Worland and Lander Field Offices in Wyoming for competitive oil and gas lease sale. This Draft EA is tiered to the 1998 Grass Creek Resource Management Plan (RMP), 1988 Washakie RMP, 1990 Cody RMP and 2014 Lander RMP. A consolidated planning effort is underway to revise the Land Use Plans for the Cody and Worland Field Offices, known as the "Bighorn Basin" RMP revision. The Bighorn Basin Draft Environmental Impact Statement (EIS) is currently undergoing revision, and the Final EIS and Record of Decision have not yet been published. In addition, an implementation plan under the Lander RMP for the Beaver Rim Master Leasing Plan (MLP) is under development. The Draft EA considers three alternatives: • Alternative 1 -No Action • Alternative 2- Proposed Action. A Sage Grouse Screen was applied for Greater Sage-Grouse per BLM WY guidance (IM WY-2012-019). Four whole parcels and portions of 11 parcels were deferred based on the Screen, leaving 62 full parcels and portions of 11 parcels to be offered, for a total of 87,749.96 acres • Alternative 3- Modified and Deferred. In addition to the Sage Grouse Screen, 21 full and 7 partial parcels were deferred due to other resource conflicts or protection measures addressed in the current approved RMPs or being analyzed in the ongoing Bighorn Basin EIS, or due to overlap with the Beaver Rim MLP. This leaves 38 whole parcels and 14 partial parcels totaling 57,313.16 acres for sale.	

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		The deferred parcels are removed from leasing until a Record of Decision is issued for the Bighorn Basin RMP or until the implementation plan for the Beaver Rim MLP is finalized. The Draft EA does not identify a Preferred Alternative. The EPA supports Alternative 3, which would defer parcels until a final decision is made on the Bighorn Basin RMP, Beaver Rim MLP, and related proposed oil and gas leasing stipulations to protect a variety of resources.	
38	EPA	Based on our review of the Draft EA, we recommend including additional information in the Final EA to ensure a more complete analysis of whether significant impacts on public health or the environment could result from leasing and potential development of the parcels. Specifically, we recommend that the Final EA includes the following information: 1. An estimate of the maximum number of wells likely to be supported by the leases, based on reasonably foreseeable development (RFD) projections. The RFD may be expressed as a range (e.g., low, medium, high). Existing RFD scenarios from the Lander and Bighorn Basin RMPs can be used to estimate the number of wells. 2. An estimate of the additional total surface disturbance expected to occur on the lease parcels proposed for sale. We recommend estimating the potential surface disturbance for the RFD using information from the Lander and Bighorn Basin RMPs. Estimated surface disturbance acreages are important for determining impacts to many resources including wildlife and water quality. 3. An emissions inventory of criteria air pollutants and volatile organic compound emissions for the nominated parcels' full RFD projection. We suggest estimating these emissions by using	The EA tiers to the Resource Management Plans, which contain much of the recommended information. Reference EA page 1-5, 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, should a lease be issued and should actual operations be proposed, an analysis of these resources will be completed and appropriate mitigation measures under the authority of the BLM will be developed and implemented. These parcels were not identified as overlying any sensitive water resources such as recharge zones and/or sole source aquifers.

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		information from the emissions inventory and RFD included in the Lander and Bighorn Basin RMPs (e.g., tons per well). 4. Based on the nominated parcels full RFD and emissions inventory, an assessment of potential direct, indirect and cumulative air quality impacts associated with oil and gas development supported by the lease sale. After evaluation of the RFD and emissions inventory, if BLM determines that no air quality modeling is needed, the EPA recommends that the EA include a qualitative narrative analysis of impacts to air quality and air quality related values. In addition, the Lander RMP included an Air Resources Management Plan to guide future air analyses under the RMP and to prevent adverse impacts to air resources. It is our understanding that a similar plan will be included in the Final EIS for the Bighorn RMP. As part of the analysis of potential air quality impacts, we recommend that the EA discuss these plans 5. An analysis of whether any of the lease parcels that will be offered for sale contain sensitive aquifers or drinking water protection zones for public water supplies. In our NEPA review comments for both the Lander RMP and Bighorn Basin RMP, the EPA recommended the use of specific stipulations to protect sensitive drinking water resources. We understand that stipulations are still under consideration for the Bighorn Basin RMP. Although the only stipulation included in the Lander RMP to protect drinking water resources was for sole source aquifers, commitments were included to "Enter into agreements with state and local governments as they develop source water and wellhead protection plans that detail specific provisions to protect drinking water sources and the quality of surface water and groundwater" (Record #1033), and "Prioritize the	

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		identification of Sole Source Aquifers and groundwater recharge areas. Avoid surface-disturbing activities with potential to contaminate groundwater in identified or inferred groundwater recharge areas" (Record #1044). If any of the proposed lease parcels contain sensitive aquifers, groundwater recharge areas or drinking water protection zones, we recommend that: (1) those parcels or portions of parcels be deferred if they are located in the Bighorn RMP area, or (2) a Lease Notice be applied including the language from the RMP if they are in the Lander RMP area.	
39	EPA	Thank you for the opportunity to comment on this Draft EA. If further explanation of our comments is desired, please contact me at (303) 312-6704, or contact Molly Vaughan, lead NEPA reviewer for this project, at (907) 271-1215 or by email at vaughan.molly@epa.gov. signed: Philip S. Strobe, Acting Director, NEPA Compliance and Review Program, Office of Ecosystems Protection and Remediation	Thank you for your comments.
40	Trout Unlimited	Please accept the following comments on behalf of Trout Unlimited (TU) to the Wyoming BLM August 2015 Competitive Oil and Gas Lease Sale for the Wind River/Bighorn Basin District Office Parcels and related Environmental Assessment (EA). We appreciate this opportunity to review and offer our comments and recommendations. As written, TU supports Alternative 3 in the EA as it provides the most protections as defined in both the Bighorn Basin Draft RMP and the Lander RMP.	Thank you for your comments.
41	Trout Unlimited	Our concerns are centered on the offering of lease Parcels WY1508-228, 230, and 233, all located in the Cody Field Office. Further clarification is needed with respect to lease Parcels 238,	Cody Parcels 228 and 238 were identified for full deferral, and parcels 230 and 233 were identified for partial deferral, based on management actions being analyzed in the Bighorn

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		also located in the Cody Field Office, and Parcels 212 and 213, located in the Lander Field Office. These Parcels are located within or adjacent to coldwater streams that contain trout fisheries and habitat, including important Yellowstone cutthroat trout, that could be impacted should these lease Parcels be developed. In general, all Parcels with flowing water are of concern due to increased sedimentation and habitat degradation from surface disturbance and potential contamination associated with development. Finally, other Parcels offered but potentially deferred need some clarification based on differences in the EA, Appendix A and D. A few concerns arose after reviewing the EA and are addressed below.	Basin RMP, Draft EIS. Parcel 228 is recommended for full deferral based on current RMP analysis to change visual resource management and Sage Grouse core area. Parcel 238 is recommended for full deferral due to current RMP analysis for the Carter Mountain Lands with Wilderness Characteristics, change visual resource management and Sage Grouse core area. Parcel 230 is recommended for full deferral due to current RMP analysis for changes to cultural site management and Sage Grouse core area. Parcel 233 is partially deferred due to Sage Grouse core area. None of the four subject parcels were identified for management of Native Yellowstone Cutthroat habitat. Lander Parcels 212 and 213 have been identified in "Appendix A, Parcels with Stipulations", to include stipulations which include No Surface Occupancy (NSO) for the entire lease. In addition, the BLM, in conjunction with the Wyoming Game and Fish Department, has not classified the Sweetwater River as Native Yellowstone Cutthroat habitat.
42	Trout Unlimited	Trout Unlimited is a private, non-profit conservation organization that has more than 153,000 members nationwide dedicated to conserving, protecting and restoring North America's trout fisheries and their watersheds. Statewide, Wyoming TU has more than 1,600 members and 11 chapters, including chapters in Lander and Cody. These volunteer members actively utilize and enjoy the resources of the many rivers, lakes and watersheds located in Wyoming's BLM lands, including resources on and in the vicinity of the Parcels that could be affected by development.	Thank you for your comments.

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		Moreover, TU and its project partners have collectively invested more than $2 million and hours of staff and volunteer time in restoration projects on lands within the Cody and Lander BLM Field Offices in the past few years, including projects on public lands near the Parcels being offered. TU's policy is to encourage responsible energy development in a way that meets the needs of people while minimizing or mitigating the impacts to coldwater fisheries and their watersheds. Importantly, TU encourages responsible energy development and we believe that oil and gas resources can be developed in certain areas while adequately protecting fish and wildlife resources so long as appropriate siting and best management practices are applied.	
43	Trout Unlimited	The EA discussion includes references to the Bighorn Basin RMP Draft Environmental Impact Statement (2011) and the Lander RMP (2014), both of which have management and stipulation language that offer beneficial protection buffers and responsible development actions to protect watersheds. However, in the EA the Proposed Action is Alternative 2 which chooses to tier the EA analysis and sale of these Parcels to the older, outdated RMPs in the Bighorn planning region (Grass Creek RMP, 1998; Washakie RMP, 1988; and Cody RMP, 1990), rather than the Draft Bighorn Basin RMP (page 4-31- DOI-BLM-WY-R000-2015-0001-EA). Stipulations and management guidelines fail to account for the updated impacts and analysis associated with oil and gas development, impacts to fish and wildlife, and associated water impacts and water use. TU believes Alternative 2, as written, is not an acceptable alternative for protecting important fish and wildlife resources on our public lands.	Thank you for your comments. 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 allocations 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. Where there are no recommended changes in stipulations from the existing RMP to the Draft Bighorn Basin RMP,

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		Alternative 3, on the other hand, provides that the Bighorn Basin RMP Draft Environmental Impact Statement (2011) will be the source for management actions, and consequently, deferral decisions and stipulation applications. Stipulations as described under Alternative 3 offer adequate protection to water resources. TU supports Alternative 3 and highly recommends the BLM chose this Alternative as the responsible option for oil and gas leasing decisions for this August 2015 sale.	leases are appropriately stipulated and recommended for sale. This action does maintain the integrity of the planning process pursuant to CEQ guidance on maintaining alternative under review as well as guidance found in WO IM 2004-110, Change 1. Therefore, the EA discussion is appropriate. Under Alternative 2, the Proposed Action Alternative, the proposal is analyzed under the Land Use Plan in effect at the time of proposal. Alternative 3 allows us to use rationale for deferral including management actions from the Bighorn Basin Resource Management Plan (BB RMP) Draft Environmental Impact Statement (EIS) (BLM 2011b).
44	Trout Unlimited	The EA offers issues to be considered and either brought forth or dismissed from further analysis. Under Section 1 of the EA, there are determinations that state Special Designation areas do not exist within the Bighorn Basin planning area and only one Special Designation area exists in the Lander planning area where the Parcels are located (Section 1.7 Issues Considered and Eliminated From Further Analysis, pages 1-7 &8). In reviewing the RMP and other spatial data, we observed several Special Designation areas in both planning regions. Special Designation Areas, according to BLM, include ACECs, Special Management Areas, or other designated areas that require special management consideration. In the Bighorn Basin region, the Absaroka Front SMA, the Absaroka MLP, Absaroka MA, and Lands with Wilderness Characteristics all exist under the Draft Bighorn Basin RMP. Parcels occur within these special areas. Alternative 3 considers these areas; Alternative 2 does not. Since we have	EA "1.7 Issues Considered and Eliminated from Further Analysis" identifies resources and supplemental authorities which are not present in the area potentially affected or would be affected to a degree that detailed analysis is required. Areas closed to leasing were removed from further consideration at this point. Special designations, including those identified in the Draft EIS, are addressed under Alternative 3 and either deferred pending implementation of the BB RMP, or if within the LFO had appropriate leasing stipulations applied. 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

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		watershed and fishery concerns within these Special Management areas where these Parcels are located, we believe the resources would be better served under Alternative 3, where stipulations address our concerns. Dismissing Alternative 3, as it is implied under Section 1.7, does not provide adequate environmental analysis if the choice is either Alternative 1 or Alternative 2.	an adverse environmental impact; or (2) limit the choice of reasonable alternatives. Therefore, parcels were reviewed utilizing existing RMP resource allocations 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. Where there are no recommended changes in stipulations from the existing RMP to the Draft Bighorn Basin RMP, leases are appropriately stipulated and recommended for sale. This action does maintain the integrity of the planning process pursuant to CEQ guidance on maintaining alternative under review as well as guidance found in WO IM 2004-110, Change 1.
45	Trout Unlimited	Finally, it is difficult to understand whether Parcels are being deferred, partially deferred, or offered based on the information provided in the EA, Appendix A (Stipulations), and Appendix D (Deferred Parcel Table). Specifically, Appendix A and Appendix D do not always coincide with each other in reference to whether a Parcel has been deferred or not. This may be a result of the differences between offerings in Alternative 2 and 3 but remains unclear and confusing. We request that clarification be conducted to better represent which Parcels are truly deferred according to the Alternative indicated.	Appendix D was developed as a consolidated reference table, based on the information found in Appendix A. As identified in Appendix A, parcels may have overlapping reasons for deferral, which were consolidated into the Appendix D table. Both appendices may state a parcel was identified for partial deferral for one reason, such as wildlife, and also identified for full deferral, such as visual resources. Both reasons for deferral are identified.
46	Trout Unlimited	A. Parcels of Concern in the Bighorn Basin Planning Region. Alternative 2 in the EA fails to consider the overall impacts and analysis to those watersheds in the Bighorn Basin planning area where Parcels are being offered. The stipulations are not provided	It should be noted that common to all leases, Lease Notice No. 1 prohibits surface use or occupancy within 500 feet of surface water and/or riparian areas. This is applied if more restrictive management is not needed.

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		or discussed in the EA or in Appendix A for the Bighorn Basin planning region but are discussed for the Wind River planning region. In previous lease sales, the BLM has provided strong lease stipulations to fish and stream habitat, including a one-quarter mile stream buffer stipulation, using the Draft Bighorn Basin stipulation options (August 2014 lease sale). We believe the BLM is within its prerogative to do so under this lease sale.	In the case of the Wind River planning region which is the Lander Field Office area, the EA tiers to the 2014 approved LFO RMP. The Bighorn Basin RMP is in Draft. 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 allocations 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. Where there are no recommended changes in stipulations from the existing RMP to the Draft Bighorn Basin RMP, leases are appropriately stipulated and recommended for sale. This action does maintain the integrity of the planning process pursuant to CEQ guidance on maintaining alternative under review as well as guidance found in WO IM 2004-110, Change 1. Therefore, the EA discussion is appropriate. Under Alternative 2, the Proposed Action Alternative, the proposal is analyzed under the Land Use Plan in effect at the time of proposal. Alternative 3 allows us to use rationale for deferral including management actions from the Bighorn Basin Resource Management Plan (BB RMP) Draft

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			Environmental Impact Statement (EIS) (BLM 2011b).
47	Trout Unlimited	Overall, coldwater fisheries have been ignored in the analysis under both Alternative 2 and 3, including analysis of the sensitive Yellowstone cutthroat trout (YCT). All streams adjacent to the Parcel locations contain populations of YCT and nonnative trout. As BLM is aware, YCT is a native trout species in Wyoming and any proposed development should take care to avoid impacts to its habitat as this sensitive species has experienced considerable reductions from its original historic range. BLM is a Supporting Organization, as is TU, to the Yellowstone Cutthroat Trout Conservation Agreement (updated 2010)1 , and as such, we value the BLM as a partner in the conservation and restoration of this important native trout. YCT is a designated Sensitive Species by BLM and the state of Wyoming. It is also classified as a Special Status Species in Wyoming and numerous projects are occurring throughout its range to enhance and restore YCT habitat. In addition to those Parcels which are located near streams having populations of native and nonnative trout, these streams also contain native non-game fish like mountain sucker and longnose dace. The EA did not contain any reference or analysis for these important coldwater fish, most often associated in native trout waters. We request that the BLM take a harder required look at the effects of reasonable foreseeable development on YCT populations and its habitat before offering any Parcels for sale that could impact populations of YCT or opportunities to restore populations.	The EA discusses fish and fish habitat in both Alternative 2 and 3. Please refer to the Lander RMP, sections 3.4.5, 3.4.8 and 4.4.8 for a discussion of important fish habitats. Development cannot be reasonably determined at the leasing stage, nor can impacts realistically be analyzed at this time. If development should be proposed, a full analysis of these resources will be completed at that time.
48	Trout	1. Clarks Fork Watershed Parcels. There are numerous Parcels	The BLM follows the Council on Environmental Quality

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	Unlimited	located in the Clarks Fork watershed (Map 1) that are of concern to us. According to Wyoming Game and Fish Department (WGFD) Fish Biologists, the Clarks Fork of the Yellowstone River and Pat O'Hara Creek support YCT populations and the Clarks Fork is a very important sport fishery with residents and nonresidents. In addition to YCT populations, brown trout, rainbow trout, and brook trout inhabit these streams as well. Based on the Deferral Table and Stipulations pages, many of these Parcels have been deferred and we support this decision. However, since there remains confusion as to whether these Parcels are deferred under both Alternatives 2 and 3, we would like to confirm that Parcels WY1508-229, 231, 232, 235, and 236 are considered fully deferred (or deferred all) as indicated in Appendix D. The EA remains unclear (see page 4-40 and 4-42) in some Parcel reference discussions. These Parcels are located within important aquatic habitat for YCT, including occupied and designated expansion habitat, and WGFD habitat concerns for Species of Greatest Conservation Need (SGCN). For those reasons, we remain concerned as to whether these Parcels are deferred. For Parcels WY1508-228, 230, and 233, we feel the EA did not provide adequate analysis on the impacts to the streams and fish habitat located within or adjacent to these Parcels, either under Alternative 2 or 3. As with the other Parcels, these Parcels are located in YCT occupied and expansion habitat and within WGFD's SGCN designated habitat (see Map 1). Portions of Parcel 230 are located directly on the Clarks Fork Yellowstone River and a little over a mile downstream from the Clarks Fork	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 allocations and then reviewed in accordance with ongoing RMP alternatives to ensure BLM is in compliance with the above stated CEQ regulations. WY1508-229, 231, 232, 235, and 236 have been identified for full deferral. Parcel 229 was recommended for partial deferral for sage grouse, but then full deferral for visual resources, therefore it is fully deferred at this time. Parcels 231, 232, 235 were all fully deferred under the screening process for sage grouse consistent with IM 2012-019. Parcel 236 was recommended for full deferral for two resource reasons: the proposed Absaroka Front MLP, and within the foreground of important cultural site where setting is important. Parcel deferral recommendations are discussed as part of Alternative 3. Parcel deferral discussions may include more than one reason for deferral, may result in overlapping deferral reasons and discussions, and may list a parcel as eligible for both a partial and a full deferral. Cody Parcel 228 was identified for full deferral, and parcels 230 and 233 were identified for partial deferral, based on management actions being analyzed in the Bighorn Basin RMP, Draft EIS.

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		Wild and Scenic River stretch. Paint Creek and Pat O'Hara Creek, where Parcel 230 is also located, are tributaries to quality habitat of the Clarks Fork Yellowstone River, and are considered by WGFD and TU as very important high value streams. The groupings of Parcel 230, tucked in between all 3 water bodies, could have significant and direct negative impacts on the Clarks Fork water quality due to sedimentation, erosion, potential contamination events, and weed infestations. Parcel 233's west end is located along Pat O'Hara Creek and impacts from sedimentation from channeling and pad development could negatively impact downstream water quality. In addition, Parcel 228 has sections that are adjacent to Alkali Creek Patch, a WGFD Red Ribbon Stream supporting brown trout and YCT expansion habitat. While not a Blue Ribbon Stream, nonetheless, this stretch provides a high number of trout for recreational fisheries and remains a popular angling area. The EA states that this Parcel is deferred but the Appendices differ on whether they are partially deferred or fully deferred. For all three of these Parcels, we request deferral for the entire Parcels in order to protect the integrity of this unique watershed and distinct landscape. This stream habitat is considered to be high quality and should not be placed at risk from oil and gas development. We feel such a deferral is within the Draft Bighorn Basin RMP's management prescription. Should these Parcels be offered, then we request the one-quarter mile stream buffer stipulation be applied.	The Wyoming Game and Fish as part of the State of Wyoming is a cooperator in all planning processes and decisions. They continue to be involved in these leasing processes as well. WGFD biologists participate in the development of the EAs. The WGFD Headquarters Office in Cheyenne may also comment on the analysis.
49	Trout Unlimited	2. South Fork Shoshone Parcels. Parcel 238, located in the Rose Creek drainage (see Map 2)	Parcel 238 is identified in both Appendix A and Appendix D for full deferral, based on the RMP proposed Absaroka Front Master Leasing Plan (MLP). It also has two other partial

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		presents significant concerns to TU and WGFD. First, the Parcel—presented in numerous small parcel batches—is located throughout several important streams that contain YCT populations—including conservation populations—as well as current and expansion habitat. WGFD has indicated in conversations with TU that Little Rose Creek is especially vulnerable and supports a conservation population of YCT that WGFD is highly concerned about. Any development in that area could have long-lasting negative influences. TU has numerous past, current and future projects within this area. Projects on the Franc's Fork, Timber Creek, and the Mainstem Greybull are all nearby. Pickett Creek is a current TU project adjacent to Little Rose Creek. All of these projects on the Greybull watershed total to well over $1 million spent improving watersheds on lands adjacent to these Parcel locations. Additionally, similar to the discussion for the Parcels on the Clarks Fork watershed, the EA is unclear about whether the Parcels are entirely deferred or partially deferred. Appendix A says Parcel 238 is partially deferred while Appendix D states the entire Parcel is deferred. The general discussion in the EA does not mention this Parcel. We support the entire deferral of the Parcel due to its location to important drainages and TU projects. Should portions of the Parcel be offered, we request the BLM to attach a one-quarter mile stream buffer to the lease.	deferral reasons: for the Carter Mountain LWC and for visual resources. The parcel was discussed in the EA in 4.6.8
50	Trout Unlimited	3. Absaroka MLP Consideration. The EA and Appendix A refer to the development of the Absaroka MLP, currently being considered within the Draft Bighorn Basin RMP. TU suggests the BLM defer any of those Parcels in the Clarks Fork and South Fork of the Shoshone until the MLP process has been completed.	All parcels were reviewed against the Master Leasing Plan (MLP) requirements in WO IM 2010-117 and the approved BLM Wyoming Leasing Reform Implementation Plan. The WRBBD has identified three (3) MLP areas currently being evaluated in the Bighorn Basin Draft RMP EIS for MLP

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		This is being done in the Lander BLM planning region, as indicated in the Appendices A and D, for the Beaver Rim MLP. TU has participated in the nomination process for the Absaroka MLP and believes the Absaroka geographic area is an important landscape from an environmental, ecological, economic, and recreational standpoint and leasing these Parcels at this time, and especially under Alternative 2, places all of these high value features at risk.	development. These MLPs are the Absaroka Front MLP, Fifteen Mile MLP, and Big Horn MLP located in the CyFO and WFO. The EA identifies parcels which fall within the Absaroka MLP, and the recommendation for deferrals. Refer to 4.6.8
51	Trout Unlimited	Parcels of Concern in the Wind River planning region. 1. Sweetwater River Parcels. There are numerous Parcels being offered for sale in the Sweetwater River area within the Lander BLM planning area and according to the EA, Appendix A, and Appendix D, all are offered and none are deferred (Map 3). The EA references the Lander RMP (2014) which has sufficient stipulations that will help protect the watershed from the negative impacts associated with oil and gas development. In reviewing the Parcel locations and offerings, it was noted that two of the Parcels within the area do not have Parcel numbers. It is unclear whether they belong to portions of Parcel 212 or Parcel 213 (see Map 3). We ask for clarification of these Parcels as the southernmost Parcel is located in the headwaters of both Crooked Creek and Cottonwood Creek. The EA failed to discuss any fisheries or watershed impacts to these areas and we request that the BLM include such analysis.	TU's Map 3 as submitted does not adequately identify or describe the legal description of the lands in question. Visually, it appears the portion in question by TU may be a layer TU added over the leasing shape files, for identifying the Beaver Rim ACEC. Those portions which appear to be 'not numbered' are not lease sale parcels. Parcel 212 is described as: T. 31 N, R. 96 W, 6th PM, WY sec. 20 SE1/4SW1/4, S1/2SE1/4; sec. 27 ALL; sec. 28 N1/2,SW1/4,N1/2SE1/4,SE1/4SE1/4. Parcel 213 is described as: T. 31 N, R. 96 W, 6th PM, WY sec. 25 NE1/4NE1/4,S1/2N1/2,S1/2; sec. 26 ALL; sec. 34 ALL; sec. 35 N1/2N1/2,SW1/4NW1/4,SW1/4, NE1/4SE1/4,S1/2SE1/4. The EA discusses fish and fish habitat in both Alternative 2

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			and 3. Please refer to the Lander RMP, sections 3.4.5, 3.4.8 and 4.4.8 for a discussion of important fish habitats, including the Sweetwater River.
52	Trout Unlimited	Map 3. Parcels located within the Sweetwater River drainage for the August 2015 oil and gas lease sale. Because the RMP includes fairly robust stipulations and mitigation efforts, the entire proposed leased area is NSO. However, since portions of the area are under current MLP review for the Beaver Rim MLP, we recommend that the strongest possible lease stipulations be applied to those Parcels that border the Sweetwater River (specifically Parcel 193) should they be offered again. It was further noted that the EA failed to mention in their analysis that portions of five Parcels are located within the Beaver Rim ACEC.	Thank you for your comments. Portions of 4 parcels are overlain by the Beaver Rim ACEC. However, the parcels have a no surface use (NSO) stipulation across the entire lease hold for protection of an area known as the "Hudson to Atlantic Rim" area, and also have a no surface use or occupancy is allowed within designated ACECs.
53	Trout Unlimited	Conclusion TU supported both the Lander BLM RMP revision process and the Bighorn Basin RMP revision process, including the protections if affords surface water resources and coldwater fisheries. Our interest in the Absaroka MLP consideration remains high. These Parcels being offered in this lease sale contain significant surface water resources, both native YCT and recreational trout fisheries. The EA did not adequately address the impacts to fisheries and their associated habitat. As currently stated in the EA, Alternative 2 will not provide protections for those lease parcels in the Bighorn Basin planning area. The stipulations on these Parcels do not adequately protect these streams. We support Alternative 3 and the deferral of the Parcels identified in our comments, and increased stipulations attached to all lease Parcels in the Clarks Fork and South Fork Shoshone	Thank you for your comments.

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		drainages that include one-quarter mile stream buffers. We encourage the BLM to enhance the analysis of the EA to reflect the required hard look for environmental analysis and associated impacts to these important habitat areas. Finally, we ask that the BLM address the Parcel deferral/offering confusion within the documents presented and provide an opportunity for the public to further review any new offerings. Thank you for this opportunity to participate in the leasing process. Should you have any questions or need for clarification on our comments, please feel free to contact me. Cathy Purves, Science & Technical Advisor, Trout Unlimited, 409 Lincoln Street, PO Box 64, Lander, WY 82520, 307-332-6700 ext. 10 cpurves@tu.org	
54	Wild Earth Guardians (WEG) Rocky Mtn. Wild (RMW)	The following are the comments of WildEarth Guardians and Rocky Mountain Wild on the Wyoming BLM's August 2015 Lease Sale EA for the Wind River/Bighorn Basin and High Plains Districts. For many years, the BLM has prioritized oil and gas leasing and development over other multiple uses such as wildlife, watersheds, and public recreation. It is time for the BLM to restore some balance among resource uses in Wyoming, and render extractive industries more compatible with maintaining healthy ecosystems and public enjoyment of the land. Generally speaking, we would support a modified version of the BLM Preferred Alternative adjusted to address our concerns, but in this case the problems with this proposed lease sale and its NEPA analysis are so pervasive that we recommend scrapping the entire effort and adopting Alternative A, the No Action alternative.	Comments from WildEarth Guardians and Rocky Mountain Wild (WEG/RMW) regarding the August 2015 Lease Parcels EA were submitted as a combined document for both the Wind River/Bighorn Basin District August 2015 Lease Sale and the High Plains District August 2015 Lease Sale. As these are two distinct sales, in two distinct districts, with two distinct EA's, responses in this section apply only for the Wind River/Bighorn Basin District August 2015 Lease Sale EA. Thank you for your comments.

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		BLM attaches a number of stipulations, most notably timing stipulations, and relies upon them to reduce impacts to sensitive wildlife resources without ever analyzing the effectiveness of these stipulations. Many of these stipulations are known to be ineffective as outlined below.	
55	WEG/RMW	We concur with the intention to defer parcels entirely or in part based on the sage grouse Priority Habitat screen and, at the discretion of the State Director, to defer parcels within core areas that contain less than 640 acres as well. Sage Grouse Parcels WY-1508-13, 14, 21, 25-49, 56, 57, 58, 59, 61, 67, 69, 70, 71, 87-126, 128, 131-136, 141, 142, 144, 145, 150, 151, 155, 156, 158, 160-164, 179-181, and 214-241 are completely or partially within sage grouse Core Areas. Under Instruction Memorandum No. WY-2012-19, lands falling within sage grouse Core Areas that are primarily under BLM ownership and are not extensively leased are recommended for deferral from oil and gas leasing. 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. 'No leasing in Core Areas' is one reasonable alternative which BLM has been asked to consider in its Sage Grouse Plan Amendments process, and also in its RMP revisions by BLM Instruction Memorandum requiring that National Technical Team recommendations be analyzed in detail, and leasing Core Area lands regardless of what screening mechanisms they have been subjected to will violate CEQ guidance. Please note that the National Technical Team did not	The Sage-Grouse leasing screen was followed from IM 2012-019. The parcels in the WRBBD listed in the comment were properly screened following policy criteria and therefore were appropriately deferred, partially deferred, or recommended for sale. No new substantive information was provided for further analysis. Parcels WY-1508-214, 215,218, 219, 221, 222, 223, 224, 225, 229, 236, 237, 238, 239, and 240 are not located within the Greater Sage Grouse Core Area (reference Appendix D, Offer and Deferral Table). Lander parcels 162 and 164 were partially deferred based on sage grouse core area within the Casper FO jurisdiction. The portions within the Lander FO are available for leasing, with appropriate stipulations applied for protection of sage grouse core area.

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		recommend screening parcels inside Core Areas for at least 11 square miles of unleased federal mineral estate before closing federal lands to future leasing. We agree with BLM's recommendations to defer in whole or in part the offering of Parcels WY-1508-13, 14, 21, 25-43, 47, 48, 49, 57, 58, 59, 61, 67, 69, 70, 71, 87-126, 128, 131-136, 141, 142, 144, 145, 150, 151, 155, 156, 158, 160-164, 216, 217, 220, 223-235, and 241, which fall entirely or partially within Core Areas (*see* High Plains Appendix A and Wind River-Bighorn Basin Appendix C). It is a wise decision to defer the long-term commitment of mineral leases at least until the sage grouse RMP amendment process is completed, in order to avoid foreclosing conservation options that may be selected for implementation under the RMP amendments.	
56	WEG/RMW	Parcels 44, 45, 46, 56, 179, 180, 181, 185, 186, 214, 215, 218, 219, 221, 222, 236, 237, 238, 239, and 240 fall entirely or partially within a Core Area (*see* High Plains Appendix A and Wind River-Bighorn Basin Appendix C), yet are not earmarked for even partial deferral. Regardless of whether these parcels are within 11 square miles of contiguous unleased federal estate or not, BLM must retain the option to preclude future leasing in these areas under the RMP revisions/amendments currently underway. For this reason, these parcels should be deferred as well.	WRBBD Appendix C, Greater Sage-Grouse Screen results identify Cody's parcel 221 as being partially within sage grouse core, but available for lease offer. Parcels 236, 238, 237 and 239 were NOT identified as being within core area. Worland's parcels 179, 180, 181, 185, 186, 214, 215, 218, 219, and 222, were NOT identified as being within core area. The Sage-Grouse leasing screen was followed from IM 2012-019. The parcels in the WRBBD listed in the comment were properly screened following policy criteria and therefore were appropriately deferred, partially deferred, or recommended for sale. No new substantive information was provided for further analysis.

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57	WEG/RMW	BLM chose not to consider deferring all parcels that fall within sage grouse Core Areas: An alternative was considered that would defer all remaining parcels that are located within sage-grouse core areas. This alternative was not carried forward into detailed analysis because it is not supported by IM WY-2012-019, Greater Sage-Grouse Habitat Management Policy on Wyoming Bureau of Land Management (BLM) Administered Public Lands Including the Federal Mineral Estate and IM WO-2012-043, Greater Sage-Grouse Interim Management Policies and Procedures, and the impacts are embedded within the No Action. EA at 7. This alternative is a fully reasonable and well-reasoned option, and BLM's explanation for why it was not considered in detail is inconsistent with the precepts of NEPA. Neither IM referenced precludes BLM from adopting stronger protection measures for sage grouse than are explicitly prescribed under the guidance they contain. Under NEPA, BLM must consider a range of reasonable alternatives, including those that are outside the agency's authority to implement. In this case, such an alternative would be fully within BLM's authority to implement; state office or national Instruction Memoranda are readily replaced without NEPA process. A decision not to defer parcels which are part of an area less than 11 square miles of BLM-controlled, unleased land would be derived from a Wyoming State Instruction Memorandum which was not part of any RMP, was not subject to NEPA review, and possibly as a result yields outcomes that will likely be deleterious to sage grouse. One such outcome is that BLM adopts	Thank you for your comments. Reference EA at 7 footnote is made to a document which is not regulation, not official BLM policy, and not part of the leasing EA. Pursuant to 40 Code of Federal Regulations (CFR) 1508.28 and 1502.21, the EA tiers to and incorporates by reference the information and analysis contained in the Grass Creek Resource Management Plan (RMP) 1998 (BLM 1998a); Washakie RMP 1988 (BLM 1988b); Cody RMP 1990 (BLM 1990); and the Final Environmental Impact Statement for each RMP; and the Lander Record of Decision and Approved Resource Management Plan (2014) (RMP). As used in the EA, the term "Bighorn Basin" refers to the ongoing consolidated planning effort to revise the Land Use Plans for the Cody and Worland Field Offices. Since this process is underway, the BLM may defer certain parcels within the Worland or Cody Field Offices for reasons associated with the planning effort. The parcels nominated for the lease sale have been identified as available for leasing in each RMP, or, are not impacted by the Bighorn Basin planning effort. Application of stipulations to nominated parcels is directed by these RMPs. A request to deferral all parcels would be imbedded in Alternative A.

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		recommendations in the National Technical Team Report through the Sage Grouse RMP Amendments or through RMP amendments, yet the existence of the leases in question create valid existing rights that cannot be undone. Once BLM leases such lands, they are very difficult to "unlease." The result could be development in accordance with lease terms that harms the welfare of sage grouse and/or degrades their habitats, undermining population recovery or maintenance, while eliminating the option to keep these lands free of lease encumbrances under the Sage Grouse Plan Amendments and/or pending RMP revisions. These parcels should be deferred from sale even if they are not part of 11 square miles of unleased mineral estate held by BLM. 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 2012 Wyoming 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%;[1] one of WGFD's biologists reported a 40% statewide decline over the last 20 years.[2] As of 2014, WGFD data reports a 60% population decline statewide since 2007. Since these figures were published, grouse populations have continued to decline.	

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		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 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.[3] 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.	
58	WEG/RMW	Lease parcels should also be screened against Sage Grouse ACECs or Strongholds proposed in the context of the statewide Sage Grouse Plan Amendments EIS process. Many of the proposed ACECs have for proposed management withdrawal from future oil and gas leasing and Strongholds may likewise be proposed for closure. Parcels in each of these areas should be deferred pending the outcome of the Sage Grouse Plan Amendments process, so that a proper decision can be made regarding whether or not to lease them and/or appropriate stipulations can be attached, per IM 2004-110 Change 1. BLM should also consider whether any parcels fall within proposed Sage Grouse ACECs. In the forthcoming RMP revisions, it is our	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 allocations 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.

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		expectation that the BLM will be considering the designation of several Core Areas as Sage Grouse ACECs, to be managed for no future leasing for oil and gas development.	
59	WEG/RMW	In addition, many parcels contain designated Preliminary General Habitat (PGH) under the Wyoming Sage-grouse RMP Amendment DEIS preferred alternative including Parcels 1-10, 12-24, 28, 42, 50-56, 61-68, 71-89, 124, 127-131, 134, 137-141, 143, 146-157, 159, 165-167, 169-172, 177-181, 185, 186, 200, 201, 202, 214, 215, 217-231, 233, 234, 236-240, and 242 according to our lease screens. BLM's failure to note parcels that overlap with sage grouse General Habitats is a failure of NEPA's baseline information and hard look requirements. 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. The significant new information outlined elsewhere in these comments applies equally to PGH, and the potential for significant impacts top sage grouse lek populations from oil and gas development springing from this lease sale is just as legally required in PGH as in Core Areas.	The WRBBD is not part of the "9-Plan". The Sage-Grouse leasing screen was followed from IM 2012-019. The parcels in the WRBBD listed in the comment were properly screened following policy criteria and therefore were appropriately deferred, partially deferred, or recommended for sale. No new substantive information was provided for further analysis. Lander parcels 165, 166, 167, 169, 170, 171, 172, 177, 178, 200, 201 are offered with lease stipulations consistent with the approved RMP. Lease parcels 202 and 242 were removed from the lease sale as those areas are closed to leasing. As identified in WRBBD Appendix C, Greater Sage-Grouse Screen results identify Cody parcels 221, 227,228, 230, 233, and 234 as being partially within sage grouse core, and were either available for lease offer, or fully deferred based on other resources. Cody parcels 220, 223, 224, 225, 229, 236, 237, 238, and 239, 240 were NOT identified as being within core area, and were either available for lease offer, or deferred based on other resources. Parcels 226, 231, 232, 235, were recommended for sage-grouse deferral.

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			Worland's parcels 179, 180, 181, 185, 186, 214, 215, 218, 219, and 222, were NOT identified as being within core area, and were either available for lease offer, or deferred based on other resources. Worland 217 was identified for a partial sage grouse core deferral and an full deferral based on big game winter range, DEIS #4082.
60	WEG/RMW	Many 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 4-mile No Surface Occupancy stipulations around active 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. Outside Core Areas, current sage grouse lease stipulations provide an NSO stipulation of ¼ mile around active sage grouse	Beyond the scope of this document. Oil and gas stipulations are developed at the RMP. They cannot be changed unless done at that level.

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		leks. This is a ridiculously inadequate amount of protection for the lekking grouse during the breeding period, nevermind for hens nesting on lands surrounding the lek. Studies have shown that the majority of hens nest within 3 miles of a lek, and that a 5.3-mile buffer would encompass almost all nesting birds in some cases. For Core Areas, the most scientifically supportable metric for NSO buffers would be 2 miles from the lek to protect breeding birds (after Holloran 2005, finding impacts from post-drilling production extend 1.9 miles from the wellsite)4 and 5.3 miles to protect nesting birds, with the understanding that the impacts of drilling and production activity would extend into the NSO buffer area from wells arrayed along its edge. 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."[4] (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.[5] Thus, the prohibition of surface disturbance within 3 miles of a sage grouse lek is the absolute minimum starting point for sage grouse	

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		conservation. 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.[6] 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 move forward. Wyoming Game and Fish Department biologists have reached a consensus that the Timing Limitation Stipulations proposed for	

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		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."[7] 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. 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,"[8] a far cry from the science-based 4-mile buffer recommended by the BLM's own National Technical Team, and inconsistent with the findings of Manier et al. (2014), who described the range of appropriate lek buffers as 3.1 to 5 miles. 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,	

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		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.[9] 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 undertaken now.	
61	WEG/RMW	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	Land Use Plans or Resource Management Plans (RMP) analyze the ground work for the availability of oil and gas leasing. This leasing EA addresses how those nominated parcels will be stipulated in conformance with the RMPs. If an Application for Permit to Drill is received proposing to develop a lease parcel, site specific analysis of the impacts is conducted and impacts will be mitigated as determined necessary.

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		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.	
62	WEG/RMW	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.	Beyond the scope of this document. Development cannot be reasonably determined at the leasing stage, nor can impacts realistically be analyzed at this time. If development should occur, proposals shall be analyzed in a site specific NEPA document, which shall addresses resource concerns.
63	WEG/RMW	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 August 2015 Leasing EAs), and 4-mile NSO buffer 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	Beyond the scope of this document. Oil and gas stipulations are developed at the RMP. They cannot be changed unless done at that level. Furthermore, development cannot be reasonably determined at the leasing stage, nor can impacts realistically be analyzed at this time. If development should be proposed, a full analysis of these resources will be completed at that time.

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		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.	
64	WEG/RMW	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 August 2015 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 addressed through an EIS. 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	Thank you for your comments. Beyond the scope of this document. Pursuant to 40 Code of Federal Regulations (CFR) 1508.28 and 1502.21, the leasing EA tiers to and incorporates by reference the information and analysis contained in the Land Use Plans. (Reference EA 1.4 Conformance with BLM Land Use Plans)

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		support the leasing of the sage grouse parcels listed above in the absence of an Environmental Impact Statement does not exist. Sage Grouse Parcels in the Lander Field Office Parcels 165, 166, 168, 171, 172, 173, 174, 175, 176, 178, 183, 184, 187, 188, 189, 190, 191, 192, 199, 205, 207, 208, 210, 211, 212, and 213, totaling 37,138 acres, are within the Lander Field Office and are entirely or partially within Core Areas designated for sage grouse protection. In addition to the concerns outlined above, these parcels cannot be legally offered for sale because the Resource Management Plan and EIS underlying them contain significant legal deficiencies. BLM noters that the deferral of sage grouse Core Area parcels is largely responsible for overall reductions in Core Area acreage leased and therefore reduced threats to sage grouse: The relatively subdued pace of new leasing in Core Areas is the direct result of the application of the BLM's sage-grouse leasing screen, whereby many parcels in recent sales have been deferred from sale until the sage-grouse RMP amendments and ongoing plan revisions are completed.	
65	WEG/RMW	Wind River – Bighorn Basin EA at 4-44, and see graph on same page. The cessation of deferral for Core Areas in the Lander Field Office will reverse this progress.	Speculative and unsupported comment.
66	WEG/RMW	Since the greater sage grouse is a BLM Sensitive Species and a Candidate Species for listing under the Endangered Species Act, the leasing of these lands under biologically inadequate stipulations is a violation of BLM Sensitive Species Policy, and constitutes undue degradation of sage grouse habitats and populations. Because alternate stipulations that are indeed	Beyond the scope of this document. Oil and gas stipulations are developed at the RMP. They cannot be changed unless done at that level. Beyond the scope of this document. The August 2015 Oil and Gas Lease Sale is not a regulatory action, but rather a

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		biologically sufficient are available, and their implementation would avert significant impacts to sage grouse populations, the impacts incurred as a result of developing the leases in question are completely unnecessary. The No Surface Occupancy stipulation of 0.6 miles surrounding lek locations is insufficient to prevent significant impacts to lek populations based on the best available science. No scientific study has ever recommended a 0.6-mile lek buffer. In Wyoming, Holloran (2005, Attachment 1) examined thresholds of distance from oil and gas wells and access roads (accessing 5 or more wellpads), and found that significant impacts to sage grouse lek populations occurred when a well or access road was sited within 1.9 miles of a sage grouse lek, irrespective of whether the intrusion was visible from the lek itself. Manier et al. (2014, Attachment 2) reviewed the available scientific literature and determined that buffers in the range of 3.1 to 5 miles from the lek were appropriate based on the best available science. A 0.6-mile NSO buffer does not fall within this range. The agency's own experts conducted an earlier review of the best available science (National Technical Team 2011) and recommended no future leasing in sage grouse Priority Habitats, and applying a 4-mile No Surface Occupancy buffer around leks for previously existing leases.	leasing action as defined in 43 CFR § 3100. The act of leasing oil and gas in itself does not cause physical alteration to the land. Development cannot be reasonably determined at the leasing stage, nor can impacts realistically be analyzed at this time. If development should occur, proposals shall be analyzed in a site specific NEPA document, which shall addresses resource concerns.
67	WEG/RMW	The Lander RMP allows a 5% level of surface disturbance within sage grouse Core Areas, a level of surface disturbance that is incompatible with maintaining sage grouse populations and preventing population declines caused by excessive habitat destruction and fragmentation. No scientific study supports this level of surface disturbance. The National Technical Team	Beyond the scope of this document. RMP level actions may only be changed at that level.

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		(2011) recommended a 3% disturbance cap, to be applied on a per-square-mile-section basis. Knick et al. (2013) found that virtually all active leks were surrounded by lands with less than 3% surface disturbance. No scientific study supports the 5% threshold. The Lander RMP also prescribes the use of a Disturbance Density Calculation Tool (DDCT) to arrive at the density of wellsites as well as the overall disturbance percentage. Because the DDCT area is always much larger than the project area when sage grouse leks are present within 4 miles of the project area boundary, this method always underestimates the density of disturbances in cases where sage grouse breeding habitat is potentially affected by development. This allows a density of development inside the project area that far exceeds scientifically determined thresholds at which significant sage grouse population declines occur. No scientific study has ever tested what would be the thresholds of disturbance causing significant impacts to sage grouse populations using a DDCT. The National Technical Team (2011), by contrast, recommends that well and disturbance densities be calculated on a square-mile-section basis, not using a larger area.	
68	WEG/RMW	Ungulate Crucial Habitats Parcels WY-1508-69 - 71, 114, 115, 116, 117, 118, 120, 121, 126, 128, 132, 133, 145, 146, 147, 148, 159, 169, 170-173, 198, 199, 205, 210, 211, 212, 213, 216-219, 238, 239, and 240 fall within mule deer crucial winter ranges and/or migration corridors. Parcels 84, 85, 114, 115, 116, 117, 118, 120, 121, 126, 128, 132, 133, 137, 139, 146, 153, 154, 157, 165, 166, 167, 169, 170-173, 175, 176, 179, 180, 181, 183, 184, 190, 191, 193, 194,	No comment on the parcels outside of the Wind River Bighorn Basin District. Lander parcels WY-1508-165, 166, 167, 169, 170, 174, 172, 173, 175, 176, 183, 184, 190, 191, 198, 199, 200, 201,205, 210, 211, 212, 213 are all offered with appropriate leasing stipulations as per the Lander RMP.

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		196, 197, 200, 201, 202, 211, 212, and 242 fall partially or entirely within antelope crucial winter ranges, migration corridors, and/or parturition areas. Parcels 193 and 194 fall entirely or partially within moose crucial winter ranges. Parcels 222, 232, 238, 239, and 240 fall within elk crucial winter ranges, migration corridors, and/or parturition areas. All portions of these parcels falling within big game crucial ranges should be deferred or at least placed under No Surface Occupancy stipulations to protect these sensitive lands and prevent impacts to these species. BLM has authority to apply a greater level of protection than is called for under the RMP to subsequent oil and gas development decisions, and we call upon the agency to employ this authority to protect these sensitive wildlife habitats. The crucial big game range portions of these parcels falling within the Worland or Cody Field Offices need to be deferred due to pending completion of the Bighorn Basin RMP revision to avoid foreclosing on reasonable alternatives including no leasing and NSO-only leasing on big game winter ranges, which need to be considered by BLM. It would be prudent for BLM not to commit these lands for a 10-year period during which the leaseholders would possess some right to explore and produce oil and gas on their leaseholds. A comprehensive analysis of the level of crucial winter range conservation necessary to maintain herd populations at or above targets needs to be undertaken; we urge BLM to defer such parcels until this analysis is complete, in order to avoid foreclosing on options for conservation.	Lander parcels 193, 194, 196, and 197 have been recommended for deferral based on Master Leasing Plan. Lander parcels 202 and 242 were removed in their entireties because they are located in an area which is closed to leasing. As is disclosed in the EA and supporting appendices, parcels 222, 232, 238, 239, and 240 have been deferred at this time, pending the Bighorn Basin Draft RMP EIS. 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 allocations 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.
69	WEG/RMW	In its April 2008 Decision on a challenge of the June 6, 2006 lease sale,[10] the Interior Board of Land Appeals inquired into whether BLM had complied with the Memorandum of	The Wyoming Game and Fish as part of the State of Wyoming is a cooperator in all planning processes and decisions. They continue to be involved in these leasing

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		Understanding between BLM and the Wyoming Game and Fish Department in regarding lease parcels in big game crucial winter range and parturition areas. The BLM is required to have a rational basis for its decision to issue leases in crucial wildlife habitat, and that basis must be supported by the agency's compliance with applicable laws. While the Board held that failure of BLM to follow the directives contained in Instruction Memorandum No 2004-110 Change 1 was not, standing alone, proof of the violation of law or discretionary policy, it was probative of whether BLM had a rational basis for its decision. The Board found that the appeal record presented no evidence of compliance with the Memorandum of Understanding. We recommend against selling the lease parcels listed above because BLM has in cases where parcels are not deferred again failed to comply with the Memorandum of Understanding and therefore has not provided a rational basis for its decision to offer lease parcels in areas with big game crucial winter range and parturition areas. Until such time as BLM complies with the Memorandum of Understanding it has no rational basis for its decision and the decision is arbitrary and capricious. We request that the parcels be withdrawn from the upcoming lease sale.	processes as well. WGFD biologists participate in the development of the EAs. The WGFD Headquarters Office in Cheyenne also has the opportunity to comment on the analysis
70	WEG/RMW	While WildEarth Guardians strongly recommends against the offering of any of these big game lease parcels for sale, at the minimum, all such parcels in big game crucial winter range and parturition areas should have No Surface Occupancy (NSO) stipulations applied to them. NSOs provide the only real protection for big game. Recent studies on the impacts of oil and gas development and production on big game in Wyoming show	Beyond the scope of this document. Oil and gas stipulations are developed at the RMP. They cannot be changed unless done at that level. Development cannot be reasonably determined at the leasing stage, nor can impacts realistically be analyzed at this time. If development should occur, proposals shall be analyzed in a site specific NEPA document, which shall addresses resource concerns.

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		that the impacts have been huge.[11] Not only have impacts to big game been significant, but they have occurred in spite of the application of winter timing limitations, demonstrating that these stipulations alone do not provide adequate protections for big game. The effectiveness of Timing Limitation Stipulations has been neither tested nor established by any other method by BLM, and the overall 30% decline of the Pinedale Mesa mule deer population while TLS stipulations were applied demonstrates their ineffectiveness. A further noteworthy factor is that timing limitations apply only during oil and gas development, not during the production phase. Once production begins, there are no stipulations in place for the protection of big game. It is therefore imperative that stipulations adequate to protect big game be applied at the *leasing* stage, not the APD stage. *See Center for Native Ecosystems*, IBLA 2003-352, November 22, 2006. Timing stipulations are not total prohibitions on drilling during the stressful winter period. Exceptions to the stipulations are regularly—almost automatically—granted anytime a lessee requests it. See, for example, http://www.wy.blm.gov/pfo/wildlife/exceptions.php (Pinedale Field Office winter range stipulation exceptions) which shows that ***123*** exceptions were granted for the winter of 2006-2007. Similar statistics are available for other Wyoming Field Offices. The enthusiasm with which the BLM has granted *winter-long* exceptions to the stipulation for drilling on crucial winter range further illustrates the totally discretionary nature and consequent ineffectiveness of this stipulation. Under the Lander RMP EIS,	Leasing stipulations have been applied to Lander parcels in conformance with the approved Land Use Plan. Reference the Lander RMP (2014), Appendix F: Wildlife timing limitation stipulation COAs/stipulations will not apply for long-term maintenance and operation activities within Designated Development Areas unless otherwise identified. Timing limitation stipulation and site-specific COAs/stipulations will be applied to oil and gas and ROW maintenance and operation activities conducted outside of Designated Development Areas where the activity could disturb wildlife during critical times of the year. Identified non-emergency related maintenance and operation activities outside Designated Development Areas that could be disruptive to wildlife during the breeding, nesting/birthing, and winter periods would be subject to a timing limitation stipulation COA/stipulation. Table F.2, "Maintenance and Operation Activities for Oil and Gas and ROW Operations Outside Designated Development Areas Subject to COAs/Stipulations" (p. 230), identifies the activities that would be subject to the timing limitation stipulation COA/stipulation. Consistent with IM 2004-110, Change 1 more extensive/ expansive/ restrictive mitigation, including adaptive management, could be developed during the site-specific NEPA analysis that would be required to address any specific post-lease exploration or development actions that are proposed and could include additional measures to mitigate impacts to wintering big game from production

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		BLM proposes a Timing Limitation on surface disturbing and disruptive activities during the winter season of use in the agency's Preferred Alternative. Disruptive activities would include vehicle traffic and human presence at the wellpad, which disturb wintering big game. These are the type of TLS stipulations that need to be applied to winter range, parturition areas, and migration corridors for the upcoming lease sale. Just as important, traditional stipulations do not limit operational and production aspects of oil and gas development. *See*, for example, Jack Morrow Hills CAP EIS at A5-3. Obviously, if the stipulation does not reserve authority to BLM at the *leasing stage*, BLM must allow development despite severe impacts to winter ranges and big game, except for being able to require very limited "reasonable measures." These reasonable measures cannot be nearly broad enough to ensure crucial winter ranges and parturition areas are protected at the operation *and* production stage. *See* 43 CFR 3101.1-2.	related activities. With appropriate site-specific analysis, restrictions on production related activities could be imposed. G&F is encouraged to participate in the review of all APDs in big game crucial winter range, and to submit "best practices" they feel are necessary to mitigate any potential negative impacts, at that time in accordance with our MOU. The public, as well, is encouraged to participate in this process.
71	WEG/RMW	The Wyoming Game and Fish Commission (WG&F) has a formal policy relative to disturbance of crucial habitats, including crucial winter ranges.[12] Crucial habitat is habitat "which is the determining factor in a population's ability to maintain and reproduce itself . . . over the long term." *Id*. at 7. WG&F further describes big game crucial winter ranges as vital habitats. Vital habitats are those which directly limit a community, population, or subpopulation (of species), and restoration or replacement of these habitats may not be possible.[13] The WG&F has stated that there should be "no loss of habitat function" in these vital/crucial habitats, and although some modification may be allowed, habitat function, such as the location, essential features, and species	The Wyoming Game and Fish as part of the State of Wyoming is a cooperator in all planning processes and decisions. They continue to be involved in these leasing processes as well. WGFD biologists participate in the development of the EAs. The WGFD Headquarters Office in Cheyenne also has the opportunity to comment on the analysis. Development cannot be reasonably determined at the leasing stage, nor can impacts realistically be analyzed at this time. If development should occur, proposals shall be analyzed in a site specific NEPA document, which shall addresses

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		supported must remain unchanged. Mitigation Policy at 5. Furthermore, Wyoming Game and Fish released the recommended minimum standards to sustain wildlife in areas affected by oil and gas development. Their policy recognized the ineffectiveness of winter range stipulations standing alone as currently applied. Mitigation Policy at 6. In all cases, Wyoming's new mitigation policy recommends going beyond just the winter drilling timing limitations, which BLM currently applies to lease parcels on crucial winter range. In addition to the winter timing limitations, the Mitigation Policy includes a suite of additional standard management practices. Mitigation Policy at 9-11, 52-58. These additional management practices include planning to regulate the pattern and rate of development, phased development, and cluster development, among many other provisions. Mitigation Policy at 52. Clearly, the timing limitation stipulation applicable to the Crucial Winter Range Parcels is not in compliance with the State of Wyoming's policies and plans regarding the protection of wildlife. The timing stipulation, standing alone, does not ensure protection of habitat function. There is absolutely no guarantee, or even the remote likelihood that the location, essential features, and species supported on the crucial winter range will remain "unchanged." Scientific literature makes it clear that there will be loss of function if significant exploration and development occurs on the leaseholds. In prior Protests the parties have submitted substantial evidence showing that big game species are	resource concerns.

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		negatively affected by oil and gas drilling on winter ranges. See the studies referenced above. These studies document the negative effects of oil and gas drilling on big game winter ranges and winter range use, as well as on big game migration routes, even when winter timing stipulations are in effect. For parcels intersecting migration corridors to be offered at auction, special timing limitation stipulations should be attached that prevent construction, drilling, or production-related activity and vehicle traffic on the lease during the migration periods. To these parcels, BLM should attach stipulations that prohibit not just construction activity but also project-related vehicle traffic and human presence at the wellsite within 0.5 mile of the migration corridor during its season(s) of use.	
72	WEG/RMW	The findings in the scientific and popular literature have been confirmed in recent BLM NEPA documents. The Green River EIS/RMP/ROD is replete with documentation of the importance of crucial winter ranges, and their ongoing loss, despite the stipulation required by BLM. Green River EIS/RMP at 347-349. ("Probably the single most important factor affecting antelope populations are weather," at 438-441.) (" . . . oil and gas development in Nitchie Draw causing forage loss and habitat displacement;" "Displaced wildlife move to less desirable habitat where animals may be more adversely stressed . . .;" "Long-term maintenance and operations activities in crucial wildlife habitats would continue to cause displacement of wildlife from crucial habitats, including . . . crucial big game winter habitats;" "Surface disturbing activities would continue to cause long-term loss of wildlife habitat," etc.) The Jack Morrow Hills EIS also documents the importance of crucial winter ranges, particularly	Thank you for your comment.

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		to elk, and the sensitivity of wildlife on winter ranges not only to drilling during the winter period, but also due to ongoing displacement and disturbance of wildlife from oil and gas development. Jack Morrow Hills EIS at 4-61 to 4-64, 4-80 to 4-88. The Rawlins RMP Draft EIS further documents the negative effects of oil and gas drilling on big game when on winter ranges. Rawlins RMP Draft EIS at 3-131 to 3-136.	
73	WEG/RMW	Given this evidence and the simple fact that each well pad converts 3-5 acres of crucial winter range to bare ground for extended periods of time, there is no rational basis for BLM to claim that it meets Wyoming's mitigation policy. It is impossible for crucial winter ranges to remain "unchanged" in terms of the location, essential features, and species supported, even if drilling does not take place during the timing stipulations. What is worse, however, is the fact that drilling *does* take place during the timing stipulations when they are waived, as they frequently are. Crucial winter ranges will clearly not remain "unchanged" because BLM has not retained the authority to condition well operations (lasting for decades) at the leasing stage.	Beyond the scope of this document. Development cannot be reasonably determined at the leasing stage, nor can impacts realistically be analyzed at this time. If development should occur, proposals shall be analyzed in a site specific NEPA document, which shall addresses resource concerns.
74	WEG/RMW	The Federal Land Policy and Management Act (FLPMA) requires BLM to "coordinate the land use inventory, planning, and *management activities* of [public lands] with the land use planning and management programs of . . . the States and local governments . . . by, among other things, considering the policies of approved State and tribal resource management programs." 43 USC 1712I(9) (emphasis added). BLM must give special attention to "officially approved and adopted resource related plans." 43 CFR 1601.0-5(g). BLM must remain apprised of State land use plans, assure they are considered, and resolve to the extent practical, inconsistencies between state and federal	Thank you for your comment.

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		plans. 43 USC 1712I(9).	
75	WEG/RMW	There is no indication that BLM's winter timing stipulation is based on consideration of Wyoming's 1998 Mitigation Policy, or its new programmatic standards policy. It is apparent there has been no attempt to resolve inconsistencies between what BLM's stipulation provides and what Wyoming's mitigation policy requires. There are certainly inconsistencies. BLM's timing stipulation attempts to prohibit drilling during limited periods, yet this prohibition is frequently waived.[14] Indeed, quite recently the WG&F asked BLM in Wyoming not to grant any waivers of stipulations last winter due to the lack of quality forage for big game in their winter range and the anticipated impacts that year-round drilling will have on big game under those conditions. BLM has refused to accede to this request and has proceeded to grant waivers and exceptions. Wyoming's mitigation policy specifically seeks to fill gaps left by the timing stipulation, by requiring a number of standard management practices on crucial winter ranges in all cases. These recommendations are standing policy which WG&F expects to be applied in every instance of leasing in crucial winter range.	Beyond the scope of this document. Oil and gas stipulations are developed at the RMP. They cannot be changed unless done at that level. The Wyoming Game and Fish as part of the State of Wyoming is a cooperator in all planning processes and decisions. They continue to be involved in these leasing processes as well. WGFD biologists participate in the development of the EAs. The WGFD Headquarters Office in Cheyenne also has the opportunity to comment on the analysis.
76	WEG/RMW	These inconsistencies are even more glaring when one considers the fact that BLM's timing stipulation does not regulate the production phase. Until BLM considers and attempts to resolve these inconsistencies, it cannot allow the sale of the Crucial Winter Range Parcels to go forward. To do so would be a violation of NEPA. Furthermore, timing stipulations attached to the Crucial Winter Range Parcels are inconsistent with the policy of the BLM Wyoming State Office, as enunciated in the Revised Umbrella	Oil and gas stipulations are developed through the Resource Management Plan EIS process, including allocation decisions, in accordance with FLPMA. Changes to allocation decisions (or lease stipulations) require a planning amendment or maintenance action. Subsequently, all implementation decisions must be in conformance with the approved RMP. Leasing stipulations have been applied to Lander parcels in conformance with the approved Land Use Plan. Reference

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		Memorandum of Understanding (MOU) between BLM and Wyoming Game and Fish Department. The various requirements in the WG&F minimum programmatic standards for oil and gas development establish "sideboards" as to what actions need to be taken to prevent unnecessary or undue degradation. BLM has not considered these standards from the perspective of its FLPMA-imposed requirement to prevent unnecessary or undue degradation. BLM is not meeting its duty to take "any" action that is necessary to prevent unnecessary or undue degradation. 43 USC 1732(b). Once again, this failure is most apparent where application of the winter timing stipulation does not even regulate ongoing operations such as production. BLM has an independent duty under FLPMA to take any action necessary to prevent unnecessary or undue degradation, in addition to its NEPA duty to coordinate its activities with the State of Wyoming and comply with the MOU. Since BLM has given up its ability to require restrictions in the future by not imposing sufficient stipulations at the leasing stage, the effect of this failure to require adequate restrictions at the leasing stage violates FLPMA by permitting unnecessary or undue degradation when oil and gas development commences. The parties also recommend against the sale of the Crucial Winter Range Parcels on the basis that their sale would cause unnecessary or undue degradation of public lands. "In managing the public lands the [Secretary of Interior] shall, by regulation or otherwise, take any action necessary to prevent unnecessary or undue degradation of the lands." 43 U.S.C. § 1732(b) (emphasis added). BLM's obligation to prevent unnecessary or undue	the Lander RMP (2014), Appendix F: Wildlife timing limitation stipulation COAs/stipulations will not apply for long-term maintenance and operation activities within Designated Development Areas unless otherwise identified. Timing limitation stipulation and site-specific COAs/stipulations will be applied to oil and gas and ROW maintenance and operation activities conducted outside of Designated Development Areas where the activity could disturb wildlife during critical times of the year. Identified non-emergency related maintenance and operation activities outside Designated Development Areas that could be disruptive to wildlife during the breeding, nesting/birthing, and winter periods would be subject to a timing limitation stipulation COA/stipulation. Table F.2, "Maintenance and Operation Activities for Oil and Gas and ROW Operations Outside Designated Development Areas Subject to COAs/Stipulations" (p. 230), identifies the activities that would be subject to the timing limitation stipulation COA/stipulation. Regarding the Bighorn Basin Draft RMP, 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 allocations and then reviewed in accordance with ongoing RMP alternatives to ensure BLM is in compliance with the above stated CEQ regulations. If a

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		degradation is not discretionary; it is mandatory. "The court finds that in enacting FLPMA, Congress's intent was clear: Interior is to prevent, not only unnecessary degradation, but also degradation that, while necessary . . . is undue or excessive." Mineral Policy Center v. Norton, 292 F.Supp.2d 30, 43 (D.D.C. 2003) (emphasis added). The BLM has a statutory obligation to demonstrate that leasing will not result in unnecessary or undue degradation.	management action does not limit the choice of reasonable alternatives, the action may be taken. Where there are no recommended changes in stipulations from the existing RMP to the Draft Bighorn Basin RMP, leases are appropriately stipulated and recommended for sale. This action does maintain the integrity of the planning process pursuant to CEQ guidance on maintaining alternative under review as well as guidance found in WO IM 2004-110, Change 1. Consistent with IM 2004-110, Change 1, more extensive/ expansive/ restrictive mitigation, including adaptive management, could be developed during the site-specific NEPA analysis that would be required to address any specific post-lease exploration or development actions that are proposed and could include additional measures to mitigate impacts to wintering big game from production related activities. With appropriate site-specific analysis, restrictions on production related activities could be imposed. G&F is encouraged to participate in the review of all APDs in big game crucial winter range, and to submit "best practices" they feel are necessary to mitigate any potential negative impacts, at that time in accordance with our MOU. The public, as well, is encouraged to participate in this process. The Wyoming Game and Fish as part of the State of Wyoming is a cooperator in all planning processes and decisions. They continue to be involved in these leasing

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			processes as well. WGFD biologists participate in the development of the EAs. The WGFD Headquarters Office in Cheyenne also has the opportunity to comment on the analysis
77	WEG/RMW	Wilderness Parcel 214 falls within a citizens' proposed wilderness unit, an area that possesses wilderness qualities for which BLM has not adequately conducted a NEPA analysis regarding the significant impacts that will inevitably occur when the rights and privileges accorded to mineral leaseholders are exercised as a direct result of leasing the parcels. Significant impacts to the wilderness qualities of this parcel, heretofore unanalyzed in an Environmental Impact Statement, are the likely outcome of leasing this parcel, in violation of NEPA.	Parcel 214 has been recommended for deferral, as it has been identified as being within a proposed Master Leasing Plan area. The deferred parcel was reviewed by the BLM in 2009 and found that it did not contain wilderness characteristics. The August 2015 Sale does not provide an opportunity to challenge or protest BLM's on-going land use planning efforts.
78	WEG/RMW	The Social Cost of Carbon The high costs to society from the leasing and possible subsequent burning of public lands fossil fuels must be properly analyzed and presented to the public and agency decision makers. When BLM proposes the mining of coal or the drilling for oil and gas on public lands, it generally touts the proposed project's economic benefits. Historically, however, BLM has ignored the costs of fossil fuel leasing on public lands, especially the costs to society that result from global warming. Proper consideration of these social costs of carbon is simply good governance and good stewardship of public resources, and such consideration is legally required. Global warming is responsible for extreme costs to society already, and it will only get worse in the future. A recent	Executive Order 13514 required Federal agencies to submit a 2020 greenhouse gas pollution reduction target within 90 days, and to increase energy efficiency, reduce fleet petroleum consumption, conserve water, reduce waste, support sustainable communities, and leverage Federal purchasing power to promote environmentally-responsible products and technologies. This EO does not apply to land management decisions. For a full copy of the EO, see http://www.whitehouse.gov/administration/eop/ceq/sustainability The Executive Order requires agencies to meet a number of energy, water, and waste reduction targets, including: •30% reduction in vehicle fleet petroleum use by 2020;

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		consensus report, joined by more 190 countries, makes the basic science on global warming crystal clear. Global warming is unequivocal: since the 1950s the atmosphere and oceans have warmed, snow and ice have diminished, and seas have risen. Climate Change 2013 – The Physical Science Basis - Summary for Policymakers, United Nation Intergovernmental Panel on Climate change (2013) ("AR5 summary") at 4. There is little doubt that pollution from human activities is the cause of this warming. Id. at 17. The U.S. government's own more recent report concludes that global warming is now affecting our country in far-reaching ways. National Climate Assessment 2014 – Overview, at http://nca2014.globalchange.gov/highlights/overview/overview (last checked September 17, 2014) ("National Climate Assessment"). Climate pollution has warmed the U.S. almost 2°F, mostly since 1970, with another 2°F to 4°F expected in the next few decades. Id. Much greater warming in future decades is also possible, possibly up to an increase of 10°F above current temperatures by the end of the century. Id. These are not the estimates of "environmentalists." This is the scientific consensus accepted both in the U.S. and around the world. The burning of coal, oil, and gas are the principle sources of the largest contributor to global warming, carbon dioxide. Id.; see also AR5 summary at 13. At this time, approximately 25% of the carbon dioxide from fossil fuels produced in the U.S. comes from public lands leases. Greenhouse Gas Emissions from Fossil Energy Extracted from Federal Lands and Waters, Stratus	•26% improvement in water efficiency by 2020; •50% recycling and waste diversion by 2015; •95% of all applicable contracts will meet sustainability requirements; •Implementation of the 2030 net-zero-energy building requirement; •Implementation of the stormwater provisions of the Energy Independence and Security Act of 2007, section 438, and; •Development of guidance for sustainable Federal building locations in alignment with the Livability Principles put forward by the Department of Housing and Urban Development, the Department of Transportation, and the Environmental Protection Agency. The Council on Environmental Quality (CEQ) regulations at 40 CFR 1502.23, state (in part), "…for the purposes of complying with the Act, the weighing of the merits and drawbacks of various alternatives need not be displayed in a monetary cost-benefit analysis and should not be when there are important qualitative considerations." The Social Cost of Carbon (SCC) protocol was developed by the Office of Management and Budget using an interagency working group in response to Executive Order 12866, which requires federal agencies, to the extent permitted by law, "to assess both the costs and the benefits of the intended regulation and, recognizing that some costs and benefits are difficult to quantify, propose or adopt a regulation only upon a reasoned determination that the benefits of the intended regulation justify its costs." SCC estimates the monetary cost

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		Consulting (February 1, 2012) at 15; see also, Sales of Fossil Fuels Produced from Federal and Indian Lands – FY 2003 through FY 2013, U.S. Energy Information Administration (June 2014) at 2. Fossil fuels extracted from public lands release more than one and one-half billion metric tons of carbon dioxide equivalent per year. Id. at 12. That is the equivalent of more than 31 million passenger cars' annual climate pollution, just from producing and burning fossil fuels from our public lands alone. Greenhouse Gas Equivalencies Calculator, U.S. Environmental Protection Agency at http://www.epa.gov/cleanenergy/energy-resources/calculator.html - results (last checked September 17, 2014). BLM manages federal mineral rights, including the leasing and approval of extraction of public lands fossil fuels, on all federal lands. Therefore, BLM decision makers play a critical role in determining how much more climate pollution the U.S. will emit to the atmosphere, the extent that that pollution will exacerbate global warming, and the extent that society will have to bear the myriad related social costs of those decisions. Global warming is exacting costs on society in numerous ways. Agricultural productivity, including crops, livestock, and fisheries have been negatively impacted by global warming. National Climate Assessment – Overview. This has resulted from extreme weather events, changes in temperature and precipitation, and increasing pressure from pests and pathogens. Id. Both water quality and water quantity are being affected by global warming. Id. The degradation has resulted from changes in snowpack, extreme weather events, coastal flooding affecting	incurred by the emission of one additional metric ton of carbon dioxide (CO2), and is not applicable to non-CO2 GHG emissions, such as methane. Estimating SCC is challenging because it is intended to model effects on the welfare of future generations at a global scale caused by additional carbon emissions occurring in the present and does not account for the complexity of multiple stressors and indicators. The SCC was developed to support agencies in responding to EO 13514, not for use in making land management decisions. The August 2015 Oil and Gas Lease Sale is not a regulatory action but rather a leasing action. The act of leasing land for oil and gas development in itself does not emit any carbon or greenhouse gasses. It is BLM's determination that in this particular instance, calculating the SCC from CO2 emissions from the combustion of an unknown quantity of produced oil and gas would be highly speculative but likely would be negligible in relation to the impacts from oil and gas burned on a nationwide or global basis. NEPA does not require a benefit-cost analysis, although CEQ NEPA regulations allow agencies to use it in NEPA analyses in certain circumstances (40 CFR § 1502.23). BLM's socioeconomic impact analysis acknowledges the monies received from leasing the parcels but because of the speculative nature of development does not attempt to quantify costs and benefits associated with drilling, possible production or eventual combustion of fluid minerals from the lease parcel. In contrast, SCC provides one element of a benefit-cost analysis: the monetization of all meaningful economic benefits and costs. Monetizing only

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		aquifers, and from changes in temperature and precipitation. Id. Heat-related deaths and illnesses have grown and are growing. Id. Impacts to forest resources from increased forest fires and the resulting impacts to air quality put additional costs on society. Id. A wide variety of ecosystem services are degraded by global warming, including habitat for fish and wildlife, drinking water storage, soils, and coastal barriers. Id. Carbon dioxide pollution is also responsible for increasing ocean acidification. This list represents only a subset of the social costs of carbon pollution from burning fossil fuels extracted from our public lands. Nonetheless, "[l]ower emissions of heat-trapping gases and particles mean less future warming and less-severe impacts; higher emissions mean more warming and more severe impacts." Id. BLM decision makers must consider the social cost of carbon from all proposed land management projects. The requirement to analyze the social cost of carbon is supported by the general requirements of the National Environmental Policy Act ("NEPA"), specifically supported in federal case law, and by a 2009 Executive Order. NEPA requires agencies to take a "hard look" at the consequences of proposed agency actions. 42 U.S.C. § 4321 et seq.; Morris v. U.S. Nuclear Regulatory Commission, 598 F.3d 677, 681 (10th Cir. 2010). Consequences that must be considered include direct, indirect, and cumulative consequences. 40 C.F.R. §§ 1502.16, 1508.7, 1508.8. A cumulative impact is the "impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably	certain effects on social welfare can lead to an unbalanced assessment. Reporting the SCC in isolation could be misleading. As a federal District Court in Oregon recently held in League of Wilderness Defenders/Blue Mts. Biodiversity Project v. Connaughton, 2014 U.S. Dist. LEXIS 170072 (D. Or. Dec. 9, 2014), a SCC analyses is not required to comply with NEPA where there is no clear way to quantify costs and benefits. Because anticipated production from a particular lease parcel is speculative, and the resulting CO2 emissions from eventual combustion of that production is even more speculative, a qualitative evaluation of climate change is appropriate. The BLM also has acknowledged that climate science does not allow a precise connection between project-specific GHG emissions and specific environmental effects of climate change. This approach is consistent with the approach that federal courts have upheld when considering NEPA challenges to BLM federal coal leasing decisions. WildEarth Guardians v. Jewell, 738 F.3d 298, 309 n.5 (D.C. Cir. 2013) WildEarth Guardians v. BLM, 8 F. Supp. 3d 17; 34 (D.D.C. 2014).

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		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. Analysis of site-specific impacts must take place at the lease stage and cannot merely be deferred until after receiving applications to drill. See New Mexico ex rel. Richardson v. Bureau of Land Management, 565 F.3d 683, 717-18 (10th Cir. 2009); Conner v. Burford, 848 F.2d 1441 (9th Cir.1988); Bob Marshall Alliance v. Hodel, 852 F.2d 1223, 1227 (9th Cir.1988). Any NEPA analysis of a fossil fuel development project that fails to use the government-wide protocol for assessing the costs to society of carbon emissions from the proposed action has failed to take the legally required "hard look." Courts have ordered agencies to assess the social cost of carbon pollution, even before a federal protocol for such analysis was adopted. In 2008, the Ninth Circuit Court of Appeals ordered the National Highway Traffic Safety Administration ("NHTSA") to include a monetized benefit for carbon emissions reductions in an EA prepared under NEPA. Center for Biological Diversity v. National Highway Traffic Safety Administration, 538 F.3d 1172, 1203 (9th Cir. 2008). NHSTA had proposed a rule setting corporate average fuel economy standards for light trucks. A number of states and public interest groups challenged the rule for, among other things, failing to monetize the benefits that would accrue from a decision that led to lower carbon dioxide emissions. NHTSA's EA had monetized the employment and sales impacts of the proposed action. Id. at 1199. The agency argued, however, that valuing the costs of carbon emissions was	

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		too uncertain. Id. at 1200. The court found this argument to be arbitrary and capricious. Id. The court noted that while estimates of the value of carbon emissions reductions occupied a wide range of values, the correct value was certainly not zero. Id. It further noted that other benefits were monetized by the agency although also uncertain. Id. at 1202. More recently, a federal court has done likewise for a proposed coal lease modification. That court began its analysis by recognizing that a monetary cost-benefit analysis is not universally required by NEPA. High Country Conservation Advocates v. U.S. Forest Service, 2014 WL 2922751 (D. Colo 2014), Slip Op. at 3, citing 40 C.F.R. § 1502.23. However, when an agency prepares a cost-benefit analysis, "it cannot be misleading." Id. at 3 (citations omitted). In this case, the NEPA analysis prepared by federal agencies, like the case above, included a quantification of benefits of the project. The quantification of the social cost of carbon, although included in earlier analyses, was omitted in the final NEPA analysis. Id. at 19. Those federal agencies then relied on the stated benefits of the project to justify project approval. This, the court explained, was arbitrary and capricious. Id. Such approval was based on a NEPA analysis with misleading economic assumptions, an approach long disallowed by courts throughout the country. Id. at 19-20. It should be noted that a general acknowledgement in the EA that the proposed action would release carbon pollution, which adds to the impacts of global warming was not enough; nor did an accurate accounting of the likely emission of those greenhouse gases suffice. The social cost of carbon had to be included.	

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		In addition to case law, Executive Order 13514 makes the "reduction of greenhouse gas emissions a priority for federal agencies." E.O. 13514, Preamble. The reduction of emissions includes emissions from both direct and indirect activities. Section 1. This Executive Order requires that, "[i]n order to create a clean energy economy that will increase our Nation's prosperity, promote energy security, protect the interests of taxpayers, and safeguard the health of our environment," it is the "policy of the United States" that agencies "shall prioritize actions based on a full accounting of both economic and social benefits and costs." Section 1. When quantifying greenhouse gas emissions, the Department of the Interior is specifically instructed to "accurately and consistently quantify and account for greenhouse gas emissions" from sources controlled by the Department, including "emissions of greenhouse gases resulting from Federal land management practices." Section 9(a). The results of quantifying emissions from proposed federal land management actions, of fully accounting for all economic and social costs and benefits of those proposed actions, and the resulting prioritization of actions based on this quantification and accounting must be fully disclosed on publically available websites. Section 1. NEPA's hard-look doctrine and related court cases make clear that the social cost of carbon must be analyzed whenever an agency is analyzing other economic costs and benefits of a proposed public lands fossil fuel project. E.O. 13514 goes further however and requires the Department of the Interior to analyze	

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		the social cost of carbon for all federal land management decisions. The social cost of carbon will be significant whenever fossil fuel leasing, or mining, or drilling is proposed. According to the U.S. Environmental Protection Agency ("EPA"), the social cost of carbon is "an estimate of the economic damages associated with a small increase" in emissions. The Social Cost of Carbon, U.S. Environmental Protection Agency at http://www.epa.gov/climatechange/EPAactivities/economics/scc.html, last checked 9/12/2014. "This dollar figure also represents the value of damages avoided for a small emission reduction." Id. Thus, it would be incorrect to assert that the social cost of carbon cannot be calculated for a project that represents a tiny fraction of global or even a tiny fraction of U.S. emissions. Estimates of the social cost of carbon are designed to do exactly that. In fact, the social cost of carbon is generally expressed in terms of the costs tolled by emitting or the benefits realized by avoiding a single ton of carbon dioxide emissions. However, it is very likely that the social cost of carbon protocol underestimates the true damages exacted on society by carbon pollution. Id. citing the IPCC Fourth Assessment Report. In particular, damages related to social and political conflicts, weather variability, extreme weather, and declining growth rates are either ignored or underestimated. Omitted Damages: What's Missing from the Social Cost of Carbon, Peter Howard, the cost of Carbon Project (March 13, 2014). Thus, any application of the current social cost of carbon protocol is very likely a significant underestimate of the true cost of carbon pollution.	

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		Acknowledging the known tendency to underestimate costs, the federal government has been using this cost-benefit assessment tool since February 2010. See Technical Support Document: Social Cost of Carbon for Regulatory Impact Analysis Under Executive Order 12866, Interagency Working Group on Social Cost of Carbon, United States Government (February 2010). In the last year alone, the Departments of Agriculture, Energy, Transportation, and Housing and urban Development and the Environmental Protection Agency and National Highway Traffic Safety Administration have all utilized the Social Cost of Carbon Protocol in public decision making documents. There is nothing special about the Department of the Interior or the Bureau of Land Management that makes this tool less useful, or exempts the Department or its agencies from requirements to utilize it where applicable. In fact, the U.S. Government Accountability Office recently reviewed the process employed to develop the federal government's assessment of the social cost of carbon. The GAO found that the process employed to develop the 2013 social cost of carbon estimates "used consensus-based decision making," "relied on existing academic literature and models," and "took steps to disclose limitations and incorporate new information." Id. In short, while the social cost of carbon protocol, like other economic models, provides only estimates and is subject to further updates as new information becomes available, the federal government's social cost of carbon protocol is a legitimate tool for performing a thorough and honest assessment of both costs and benefits of proposed actions as required under NEPA and	

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		E.O. 13514. EPA lists the current social costs of carbon in the following format. Social Cost of CO2, 2015-2050 a (in 2011 Dollars) The SCC values are dollar-year and emissions-year specific. (TABLE) The Social Cost of Carbon, U.S. environmental Protection Agency at http://www.epa.gov/climatechange/EPAactivities/economics/scc.html, last checked 9/12/2014. As the table above makes clear, the social costs of carbon pollution are anything but trivial. For example, a project that released a mere 10,000 tons of carbon dioxide in 2025 would be responsible for costs to society, through global warming, of $150,000 to more than $1.5 million for that year's emission alone. And again, this is very likely an underestimate of true costs. If the economy returns to fast paced growth and global warming impacts are currently foreseen and properly estimated, the higher discount rates, 5%, and the lower social cost of carbon estimates will be most appropriate. If the economy grows long-term at slower rates and global warming impacts are currently foreseen and properly estimated, the higher social cost of carbon figures, the 2.5 % column, will be better estimates. A middle discount rate value, 3%, for mid-range growth estimates is also available. If, on the other hand, global warming impacts are greater or more	

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		costly than current mid-range estimates, the social cost of carbon would be better estimated by the 95th percentile figures. That means that the lowest social cost of carbon numbers are best-case scenarios for both the economy and global warming impacts. The highest numbers are for mid-range economic projections and close to worst-case estimates for global warming impacts. BLM's proposed EA for the August 2015 Oil and Gas Lease Parcel Sale violates NEPA and E.O. 13514 While BLM acknowledges some impacts of climate change, it fails to draw the necessary connection between this project and increased climate impacts and costs. BLM improperly declines to assess the impacts of climate change, promising to assess them at some unknown time in the future. This violates NEPA's hard look doctrine. Court's have made clear that the leasing stage is an appropriate time to assess impacts that will not be mitigated by lease stipulations, as carbon emissions surely will not. In addition, the project fails to take a hard look through a misleading economic analysis. On the one hand, BLM claims that the project will lead to economic benefits. But the costs to society of releasing hundreds of thousands of metric tons of carbon-dioxide equivalent is completely ignored or presumed to be zero. In fact, application of the Social Cost of Carbon Protocol could arrive at project costs to society of tens of millions of dollars. The economic benefits of this project may well pale in comparison to its costs. This is exactly the type of misleading NEPA economic analysis that courts have rejected previously and recently. The EA must be modified to analyze the social cost of carbon.	

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		As discussed above, fossil fuels development on public lands results in more than one and on-half billion tons of carbon dioxide emissions per year. Using 2015 social cost of carbon values, the costs to society of the federal fossil fuel leasing program is between $18 and $177 billion per year. This same level of emissions in 20 years would incur costs from $20 to more than a quarter of a trillion dollars per year, depending on the growth of the economy and the intensity of global warming impacts at that time. These costs, of course, do not include costs from air quality issues like smog and mercury emissions, do not include lost opportunity costs from recreation, or costs from direct degradation of ecosystem services. Recall also, that it is very likely that these numbers even represent an underestimate of the true costs to society from global warming. Of course numbers of such an alarming magnitude do not result from the approval of any single project. Instead, they represent the incessant accumulation of costs that result from BLM approving project after project while refusing to acknowledge that those projects have unspoken costs to society, both individually and in the aggregate, that will continue to plague our country for generations. BLM must address the social costs of carbon that are likely to result from this project.	
79	WEG/RMW	Hydraulic Fracturing The EA fails to consider the impacts of hydraulically fracturing these oil and gas wells. There is no discussion of water usage, wildlife impacts, seismic activity, health impacts, or any of the other known impacts of hydraulic fracturing. Around 90 percent have used hydraulic fracking to get more gas flowing, according to the drilling industry.[15] It is	Since development cannot be reasonably determined at the leasing stage, any site specific impacts cannot realistically be analyzed at this time. Hydraulic Fracturing is a specific development scenario. Should the parcels be sold and development proposed, an analysis of these hydraulic fracturing would be completed and the impacts to resources

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		arbitrary and capricious of BLM to neglect this highly controversial and impactful practice in its environmental analysis. 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). 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).	affected will also be analyzed under that site specific NEPA document. Incorporated by reference in to the lease sale EA is Appendix E which contains a white paper on Hydraulic Fracturing.

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		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). BLM must conduct a thorough analysis of hydraulic fracturing to comply with its NEPA responsibilities. The reference to this practice does not fulfill the agency's duties to take a hard look at the impacts of its action. The analysis of hydraulic fracturing should require an Environmental Impact Statement due to its significant environmental impacts that have heretofore never been analyzed in the programmatic EISs underlying oil and gas leasing in these Field Offices.	
80	WEG/RMW	Conclusion Thank you for considering our comments on the August 2015 Leasing EAs. Currently, the action alternatives are not implementable absent full-scale EISs, as they will result in significant impacts to sage grouse, big game crucial ranges, and other sensitive resources. Even more work remains to be done on big game crucial ranges, and other sensitive wildlife habitats. We believe that the BLM should also go farther, deferring additional parcels on sensitive lands as outlined above and also applying more protective stipulations to the parcels that are approved for sale. Sincerely yours, Erik Molvar, Wildlife Biologist, Matthew Sandler, Staff Attorney, Rocky Mountain Wild, 1536 Wynkoop St., Suite 303, Denver, CO 80202, Phone: 303-546-0214 ext. 1,	Thank you for your comments.

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81	Center for Biological Diversity (CBD)	I am submitting these comments on the Environmental Assessment ("EA") for the August 2015 Competitive Lease Sale for the Wind River/Bighorn Basin District. The Center is a non-profit environmental organization dedicated to the protection of native species and their habitats through science, policy, and environmental law. The Center also works to reduce greenhouse gas emissions to protect biological diversity, our environment, and public health. The Center has over 675,000 members and on-line activists, including those living in Wyoming who have visited these public lands in the Wind River/Bighorn Basin District for recreational, scientific, educational, and other pursuits and intend to continue to do so in the future, and are particularly interested in protecting the many native, imperiled, and sensitive species and their habitats that may be affected by the proposed oil and gas leasing.	Thank you for your comments.
82	CBD	For the reasons set forth below, this EA does not satisfy the requirements of NEPA, and the proposed lease sale would therefore violate the National Environmental Policy Act ("NEPA"), the Mineral Leasing Act ("MLA"), the Federal Lands Policy and Management Act ("FLPMA"), and the Endangered Species Act. BLM should produce a full Environmental Impact Statement for the lease sale. In particular, BLM's EA for the proposed lease sale, including parcels within the area managed by the Lander Field Office, fails to meet its obligations to consider foreseeable environmental impacts to Greater Sage-Grouse, including consideration of relevant and readily available scientific information, and fails to preserve the possibility of taking adequate regulatory action to protect that species from the	All parcels for the proposed sale have been analyzed consistent with WO-IM-2010-017 'Oil and Gas Leasing Reform – Land Use Planning and Lease Parcel Reviews' and are in compliance with the existing land use plans as required by 43 CFR 1610.5. Site specific NEPA analysis will occur at the development stage that will analyze resource conflicts and identify mitigation for specific impacts. In accordance with IM 2004-110, Change 1 and Lease Notice No. 3 any new standards/ mitigation/ stipulations coming forth from that process can be applied to post-lease actions (i.e., APDs, Sundry Notices, Rights-of-Way, etc.).

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		adverse effects of oil and gas development. I. The BLM Arbitrarily Rejects Consideration of Reasonable Alternatives Deferring All Greater Sage-Grouse Core Area Habitat The "heart" of NEPA is an agency's obligation, in evaluating the environmental impacts of its actions, whether by EA or EIS, to consider all reasonable alternatives to those actions. See Center. for Biological Diversity v. Nat'l Highway Traffic Safety Admin., 538 F.3d 1172, 1217 (9th Cir. Cal. 2008) (citing 40 C.F.R. § 1502.14(a)). The August 2015 Leasing EA fails to meet this core NEPA obligation by arbitrarily excluding from consideration any alternative that could meaningfully preserve BLM Wyoming offices' authority to adopt effective and scientifically credible conservation measures for greater sage- grouse. The August 2015 EA proposes leases within three Field Offices – Cody, Lander1, and Worland. Most, although not all, grouse habitat in the The August 2015 leasing EA considers only three alternatives: (1) the No-Action Alternative; (2) Alternative 2, which would lease all proposed parcels, save for fifteen parcels outside the Lander FO to be deferred in whole or in part under Wyoming BLM's 2012 sage-grouse leasing guidance2, EA 2-9 to 2-10; and (3) Alternative 3, which would defer an additional twenty-eight parcels "due to resource conflicts or protection measures addressed in the current approved RMPs or are being analyzed in ongoing Bighorn Basin planning process, other than sage grouse," EA 2-10 to 2-11. The EA explicitly excludes from consideration, however, an alternative that would defer all remaining parcels located within sage grouse "core areas." EA 2-	As stated in the EA at 2-2: An alternative was considered that would defer all remaining parcels that are located within Sage Grouse core areas. This alternative was not carried forward into detailed analysis because it is not supported by IM WY-2012-019, Greater Sage-Grouse Habitat Management Policy on Wyoming Bureau of Land Management (BLM) Administered Public Lands Including the Federal Mineral Estate and IM WO-2012-043, Greater Sage-Grouse Interim Management Policies and Procedures and because it is imbedded into the No Action Alternative. Land Use Plans or Resource Management Plans (RMP) analyze the ground work for the availability of oil and gas leasing. This leasing EA addresses how those nominated parcels will be stipulated in conformance with the RMPs. If an Application for Permit to Drill is received proposing to develop a lease parcel, site specific analysis of the impacts is conducted and impacts will be mitigated as determined necessary.

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		11. The EA states that "[t]his alternative was not carried forward into detailed analysis because it is not supported by IM WY-2012-019, Greater Sage-Grouse Habitat Management Policy on Wyoming Bureau of Land Management (BLM) Administered Public Lands Including the Federal Mineral Estate and IM WO-2012-043, Greater Sage-Grouse Interim Management Policies and Procedures or the Lander RMP, and because it is imbedded into the No Action Alternative." The rejection of a core area deferral alternative is arbitrary, capricious, and without support in law. As an initial matter, agencies may not reject an otherwise reasonable alternative out of hand simply because it shares some characteristics with the no-action alternative. See Colorado Environmental Coalition v. Salazar, 875 F. Supp.2d 1233, 1248-50 (D. Colo. 2012). Second, the BLM cannot rely on the guidance of two non-binding instruction memoranda as to what parcels should be deferred in order to bar consideration of a more protective alternative that would defer a greater portion of grouse habitat pending RMP revisions. The BLM Instruction Memoranda in question state that they are intended to provide guidance regarding consideration of grouse habitats until planning is completed; however, they explicitly provide that they do not preclude consideration of more protective or up-to-date measures: This policy does not preclude the development and immediate implementation of new, or innovative mitigation, or other conservation measures that would be expected to reduce activity/project impacts to sage-grouse and their habitats.	

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		IM WY-2012-019 at 8. The conclusory argument that deferral is "not supported" by the Instruction Memoranda is neither consistent with their terms, nor a valid reason for rejecting an otherwise reasonable alternative. Finally, as discussed in greater detail below, the argument that leasing of core sage- grouse habitat within the Lander FO is consistent with the revised Lander RMP simply ignores the compelling scientific evidence that the provisions of that RMP are inconsistent with the best available scientific information and insufficient to ensure the viability of the greater sage-grouse.	
83	CBD	II. The EA Improperly Limits its Analysis of Reasonably Foreseeable Environmental Impacts NEPA demands that a federal agency prepare an EIS before taking a "'major [f]ederal action[] significantly affecting the quality' of the environment." Kern v. U.S. Bureau of Land Mgmt., 284 F.3d 1062, 1067 (9th Cir. 2002). In order to determine whether a project's impacts may be "significant," an agency may first prepare an EA. 40 C.F.R. §§ 1501.4, 1508.9. If the EA reveals that "the agency's action may have a significant effect upon the . . . environment, an EIS must be prepared." Nat'l Parks & Conservation Ass'n v. Babbitt, 241 F.3d 722, 730 (9th Cir. 2001) (internal quotations omitted). If the agency determines that no significant impacts are possible, it must still adequately explain its decision by supplying a "convincing statement of reasons" why the action's effects are insignificant. Blue Mountains Biodiversity Project v. Blackwood, 161 F.3d 1208, 1212 (9th Cir.	All parcels for the August 2015 proposed sale are in compliance with the existing land use plans as required by 43 CFR 1610.5. Additionally, site specific NEPA analysis will occur at the development stage that will analyze resource conflicts and identify mitigation for specific impacts. In accordance with IM 20040-110, Change 1 and Lease Notice No. 3 any new standards/ mitigation/ stipulations coming forth from that process can be applied to post-lease actions (i.e., APDs, Sundry Notices, Rights-of-Way, etc.).

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		1998). Further, an agency must prepare all environmental analyses required by NEPA at "the earliest possible time." 40 C.F.R. § 1501.2. "NEPA is not designed to postpone analysis of an environmental consequence to the last possible moment," but is "designed to require such analysis as soon as it can reasonably be done." Kern, 284 F.3d at 1072. BLM has unlawfully restricted its NEPA analysis by arbitrarily limiting the scope of its analysis oil and gas activity that may result from the lease sale and by failing to analyze sufficiently site-specific impacts. NEPA regulations and caselaw require that BLM evaluate all "reasonably foreseeable" direct and indirect effects of its leasing. 40 C.F.R. § 1508.8; Davis v. Coleman, 521 F.2d 661, 676 (9th Cir. 975); Center for Biological Diversity, et al. v. Bureau of Land Management, et al., 2013 U.S. Dist. LEXIS 52432; 43 ELR 20076 (N.D. Cal. March 31, 2013) (holding that oil and gas leases were issued in violation of NEPA where BLM failed to prepare an EIS and unreasonably concluded that the leases would have no significant environmental impact because the agency failed to take into account all reasonably foreseeable development under the leases). The BLM, in its Wyoming August 2015 Lease Sale EA, arbitrarily refuses to consider sufficiently site-specific impacts. BLM indicates it does not have to consider some, or perhaps all, site-specific impacts because the exact extent of those impacts is unknown at this stage and subject to regulation at a later date.3 The lease sale, however, would result in impacts that BLM will not be able to avoid once the lease sale is finalized because the agency's ability to prevent lessees from engaging in lawful	

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		activities on issued leases will be limited. BLM regulations provide that lessees "have the right to use so much of the leased lands as is necessary to explore for, drill for, mine, extract, remove and dispose of all the leased resource in a leasehold subject to" limited conditions, including lease stipulations, "specific, nondiscretionary statutes," and limited "reasonable measures" that do not precluding all development activities. 43 C.F.R. § 3101.1-2 NEPA requires that an agency conduct all environmental analyses at "the earliest possible time." 40 C.F.R. § 1501.2; see also N.M. ex rel. Richardson v. Bureau of Land Mgmt., 565 F.3d 683, 718 (10th Cir. 2009). Here, this means that BLM must analyze all site-specific impacts now, before it has leased the land and is unable to prevent environmental impacts.	
84	CBD	ii. BLM has Failed to Analyze Adequately the Project's Climate Change Impacts NEPA's environmental analysis requirement includes consideration of climate change. See Center v. NHTSA, 538 F.3d at 12-16-17. Oil and gas operations are a major contributing factor to climate change, due both to emissions from the operations themselves, and emissions from the combustion of the oil and gas produced. Natural gas emissions are generally about 84 percent methane.26 Methane is a potent greenhouse gas that contributes substantially to global climate change. Its global warming potential is approximately33 times that of carbon dioxide over a 100 year	Beyond the scope of this document. The August 2015 Oil and Gas Lease Sale is not a regulatory action, but rather a leasing action. The act of leasing land for oil and gas development in itself does not emit any carbon or greenhouse gasses, or cause climate change. A discussion of Air Quality and Climate Change have been addressed in the EA in part 3.3.1. Land Use Plans or Resource Management Plans (RMP) analyze the ground work for the availability of oil and gas leasing. This leasing EA addresses how those nominated parcels will be stipulated in conformance with the RMPs. If an Application for Permit to Drill is received proposing to

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		time frame and 105 times that of carbon dioxide over a 20 year time frame.27 Oil and gas operations release large amounts of methane. While the exact amount is not clear, EPA has estimated that "oil and gas systems are the largest human-made source of methane emissions and account for 37 percent of methane emissions in the United States or 3.8 percent of the total greenhouse gas emissions in the United States." 28 For natural gas operations, production generates the largest amount; however, these emissions occur in all sectors of the natural gas industry, from drilling and production, to processing, transmission, and distribution.29 Fracked wells leak an especially large amount of methane, with some evidence indicating that the leakage rate is so high that shale gas is worse for the climate than coal.30 In fact, a research team associated with the National Oceanic and Atmospheric Administration recently reported that preliminary results from a field study in the Uinta Basin of Utah suggest that the field leaked methane at an eye-popping rate of nine percent of total production.31 For the oil industry, emissions result "primarily from field production operations . . . , oil storage tanks, and production-related equipment . . . ."32 Emissions are released as planned, during normal operations and unexpectedly due to leaks and system upsets.33 Significant sources of emissions include well venting and flaring, pneumatic devices, dehydrators and pumps, and compressors.34	develop a lease parcel, site specific analysis of the impacts is conducted and impacts will be mitigated as determined necessary. Absent a definitive development proposal it is not possible to conduct a more specific impact and/or cumulative effects analysis. BLM cannot determine at the leasing stage whether or not a nominated parcel will actually be leased, or if leased, whether or not the lease would be explored or developed or at what intensity development may occur. Additional NEPA documentation would be prepared at the time an APD(s) or field development proposal is submitted. Thank you for your comments.

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		The EA improperly declines to analyze the contribution to climate change of additional Wyoming federal oil and gas leasing, instead dismissing those impacts with the assertion that "When compared to total national or global emissions, the amount released as a result of potential production from the proposed lease tracts would not have a measurable effect." EA 4-31. CEQ's climate change guidance, albeit currently in draft form, expressly rejects the use of this excuse to avoid consideration of climate change impacts. "providing a paragraph that simply asserts, without qualitative or quantitative assessment, that the emissions from a particular proposed action represent only a small fraction of local, national, or international emissions or are otherwise immaterial is not helpful to the decisionmaker or public." Council on Environmental Quality, Revised Draft Guidance for Greenhouse Gas Emissions and Climate Change Impacts 6 n.11 (2014). Instead, "agencies need to consider whether the reasonably foreseeable incremental addition of emissions from the proposed action, when added to the emissions of other relevant actions, is significant when determining whether GHG emissions are a basis for requiring preparation of an EIS." Id. 11-12. In the EA, BLM has not made even a cursory attempt at this determination. EA 4-31 ("It is unknown what the drilling density may be for these parcels, if they were developed; therefore, it is not possible to predict at this stage what level of emissions would occur."). The very purpose of oil and gas leasing is the production, and subsequent combustion, of hydrocarbon fossil fuels. It is simply not credible to assert in 2015 that BLM has no way of estimating a range of possible production levels for leases	

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		within established industry plays and currently producing geological formations. Although there are certainly geological, technological, and economic uncertainties that could affect the production from the leases in question, these uncertainties do not relieve BLM of the obligation to analyze and disclose, at the very least, a range of possible production scenarios and their resulting emissions.	
85	CBD	IV. The EA Fails to Acknowledge Scientific Information Regarding Conservation of Greater Sage-Grouse As you are well aware, the greater sage-grouse was found to be "warranted, but precluded" for protections under the Endangered Species Act ("ESA") in 20102. In 2010 the Center filed lawsuits against the Fish and Wildlife Service ("FWS") seeking protections for the grouse, culminating in July 2011 with a landmark agreement with the FWS compelling the agency to move forward in the listing process for 757 species, including the bi-state sage-grouse and the greater sage-grouse. The best available science clearly supports listing the greater sage-grouse as a threatened or endangered species given its continuing decline. The Center believes that given the current status and trends of the population of the greater sage-grouse and its habitats, that protections are needed under the ESA to ensure its recovery and long term viability. We base our conclusions on agencies' obligations under the ESA, policies including the Policy for Evaluating Conservation Efforts ("PECE Policy"), and an analysis of a wide range of scientific literature that constitutes the best available science on the species.	Land Use Plans or Resource Management Plans (RMP) analyze the ground work for the availability of oil and gas leasing. This leasing EA addresses how those nominated parcels will be stipulated in conformance with the RMPs. If an Application for Permit to Drill is received proposing to develop a lease parcel, site specific analysis of the impacts is conducted and impacts will be mitigated as determined necessary. Lander parcels are offered with lease stipulations consistent with the approved RMP. The Sage-Grouse leasing screen was followed from IM 2012-019, and the Bighorn Basin parcels were properly screened following policy criteria and therefore were appropriately deferred, partially deferred, or recommended for sale.

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		The U.S. Fish and Wildlife (FWS) identified a lack of adequate regulatory mechanisms to conserve greater sage grouse as a primary factor necessitating listing of the species under the Endangered Species Act.35 The agency determined that the lack of existing regulatory protections was especially pronounced on public lands administered by the Bureau of Land Management (BLM) and the U.S. Forest Service. The FWS identified BLM resource management plans and Forest Service land and resource management plans as the principle mechanism by which these agencies could adequately regulate land management to conserve sage grouse, but determined that current plans lacked adequate measures and/or are inconsistently applied to conserve the species. As you know, BLM offices, including the Wind River/Bighorn Basin district, are currently in the process of amending their land use plans in order to adopt conservation measures for the species and sagebrush ecosystems.36 Of all the grouse-affecting land use plans throughout the west, only the Lander RMP has completed its revision Wyoming supports 35-40% of the entire population of greater sage-grouse and is a source population for the more isolated grouse populations in Montana and the Dakotas.37 Since 2007, there has been an increase in the number of known inactive leks statewide, while the number of active leks has remained constant. At the same time, there has been a 60% decrease in the average number of males counted per lek statewide, indicating an overall statewide population decline of 60% from 2007 to 2013. This is	

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		cause for extreme concern, especially given the fact that there have been many wet springs during this period with above-average forb and cover production, which should have resulted in increases in sage grouse population numbers. This population decline is indicative of the insufficiency of present BLM Wyoming Instruction Memoranda and state Core Area Policy protections to halt the decline and promote the recovery of greater sage grouse across the state. This inadequacy is confirmed by Copeland et al. (2013) who projected further statewide declines across Wyoming with the implementation of current conservation strategies.38 The proposed lease sale, however, is particularly damaging to the future viability of greater sage- grouse because it would allow for new leasing of sage-grouse habitat within the Lander FO portion of the district, under management prescriptions that current science demonstrates to be conclusively inadequate for conservation of sage-grouse populations. a. BLM Did Not Disclose or Consider the Best Available Science Regarding Sage-Grouse Conservation BLM must consider implementing key sage grouse protections recommended by USFWS and the BLM's own National Technical Team (e.g., withdrawal of unleased areas in core sage-grouse habitat, a 4- mile no surface disturbance buffer as a Condition of Approval on current fluid mineral leases for active leks within Priority Habitats, apparently not considered in any alternative). Importantly, according to BLM, "The National Policy Team created the NTT in August of 2011 specifically to	

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		develop conservation measures based on the best available science." Since the publication of the NTT's findings, the United States Geological Survey has published two significant additional reports reviewing and evaluating the state of available scientific information regarding greater sage-grouse conservation. D.J. Manier et al, Summary of Science, Activities, Programs, and Policies that Influence the Rangewide Conservation of Greater Sage-Grouse (Centrocercus urophasianus), USGS Open File Report 2013-1098 (2013); Daniel J. Manier et al., Conservation Buffer Distance Estimates for Greater Sage-Grouse—A Review, USGS Open File Report 2014-1239 (2014). The EA fails completely to consider this, or for that matter, any other, science. Instead, its consideration of impacts is limited to three brief assertions, none of which come close to meeting its obligation to take a "hard look" at the consequences of leasing. First, the EA acknowledges that "Current science indicates the restrictions within existing RMPs in the Bighorn Basin planning area under Alternative 2 do not provide the level of protection desired for Greater Sage-Grouse habitat within Greater Sage-Grouse Core Habitat Areas (also known as BLM's Key Habitat Areas)." EA at 4-35. Despite this acknowledgment, the EA provides no explanation or disclosure of what the effects of leasing the non-deferred core parcels would be. Second, the EA asserts, without any analysis or explanation, that "A review of the parcels in accordance with current Land Use Plans has been conducted and applicable stipulations added to the appropriate parcel." EA 4-35. This brief assertion fails to provide any	

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		analysis whatsoever of what the effects of drilling with these stipulations39 would be, nor does it acknowledge the strong scientific consensus that 0.6-mile lek buffers (see, e.g., EA Appendix A at 24) are far below the minimum necessary to mitigate adverse effects from energy development, see Manier et al. 2014 at 7, 14. Finally, the EA, in its discussion of Alternative 3, notes that the area currently encompassed by Federal oil and gas leases within greater sage-grouse core areas has declined since 2008. EA 4-44 to 4-45. BLM acknowledges that this decline is a "direct result of the application of the BLM's sage-grouse leasing screen, whereby many parcels in recent sales have been deferred from sale until the sage-grouse RMP amendments and on-going plan revisions are completed." EA 4-45. The fact that the acreage of grouse habitat under federal lease in Wyoming has declined since 2008 does not excuse BLM of the obligation to evaluate what the effects of the particular proposed leases under consideration in this EA would be. Similarly, the fact that the pace of leasing has declined under BLM's interim deferral policy should not excuse BLM from taking a hard look at the consequences of ending that deferral policy for new leases in the Lander FO. As will be explained in detail below, renewed leasing under the Lander RMP is inconsistent with the state of scientific knowledge regarding grouse conservation, and would have significant adverse consequences for the species.	
86	CBD	b. The Proposed Leases Would Allow Excessive Surface Disturbance in Core Sage-Grouse Habitat Land surface disturbance in sage-grouse habitat is well known to affect the species. Disturbance thresholds are commonly applied in areas of energy development, even though there has been	Reference EA page 1-5, 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.

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		limited science to date establishing the disturbance threshold by percentage of land area at which significant impacts to sage grouse begin to occur. The proposed Lander leases address this threat to sage-grouse viability only through a stipulation imposing a 5% surface disturbance threshold, under a metric known as the DDCT.40 The proposed leases provide that "[s]urface occupancy or use will be restricted to no more than an average of one disturbance location per 640 acres using the DDCT, and the cumulative value of all applicable surface disturbances, existing or future, must not exceed 5 percent of the DDCT area." Under the Lander RMP, Wyoming Core Area strategies and Wyoming BLM Instruction Memoranda, the amount of cumulative disturbance allowed in sage-grouse core habitat is five percent per square mile, as calculated by an algorithm known as the Density Disturbance Calculation Tool (DDCT). The DDCT is used to establish an area for measuring the maximum amount of disturbance that may be allowed under a project proposal. The DDCT essentially buffers a proposed project area by 4 miles, identifies all occupied leks within this area and buffers them by 4 miles, and uses the combined area as the denominator to calculate the total land area from which to derive the total percentage of land that could be disturbed by the project. This results in well densities and percentage of surface disturbance that exceed the threshold of significant impact to sage grouse populations within individual project areas. The five percent disturbance threshold is not known to conserve sage-grouse long-term and is only a guess by agencies and others	Land Use Plans or Resource Management Plans (RMP) analyze the ground work for the availability of oil and gas leasing. This leasing EA addresses how those nominated parcels will be stipulated in conformance with the RMPs. If an Application for Permit to Drill is received proposing to develop a lease parcel, site specific analysis of the impacts is conducted and impacts will be mitigated as determined necessary. Lander parcels are offered with lease stipulations consistent with the approved RMP. The Sage-Grouse leasing screen was followed from IM 2012-019, and the Bighorn Basin parcels were properly screened following policy criteria and therefore were appropriately deferred, partially deferred, or recommended for sale.

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		seeking to accommodate development in sage-grouse habitat. Past projects approved prior to implementation of the Wyoming Core Area strategies indicate that sage-grouse are adversely affected at lower levels of disturbance. For example, for the Continental Divide/Wamsutter II Natural Gas Project approved in 2000, 3,000 wells were proposed with 22,400 acres of new surface disturbance, representing 2.1 percent of the planning area (with an average well density of 4 wellsites per square mile) (BLM 2000); today, sage-grouse are functionally extirpated in this area. In the Atlantic Rim coalbed methane field, 2,000 wells were permitted at a density of eight wells per square mile, far above the threshold known to cause sage grouse declines. Today, sage grouse are essentially extirpated in developed portions of this field. Recent science in the western portion of the sage grouse range found that some 99 percent of active leks were located in areas surrounded by lands with 3 percent or less surface disturbance from roads, power lines, pipelines, and other features.41 Furthermore, once the three percent limit is reached, additional surface-disturbing projects are precluded (with no exceptions in cases where off-site mitigation projects are undertaken), and in cases where the three percent limit is already exceeded, restoration must occur to meet this threshold under the NTT recommendations. BLM should cap disturbance at 3 percent on a per-squaremile basis at most in both Priority Habitats and Connectivity Areas.	
87	CBD	c. The Proposed Leases Would Allow Excessive Well Density in Core Sage-Grouse Habitat.	Reference EA page 1-5, Section 1.6, for a discussion of development in relation to leasing. Since development cannot be reasonably determined at the leasing stage, the

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		The proposed leases would allow for a density of one energy development site per 640 acres. 42 Scientific research has determined that one energy site per square mile is the density threshold at which significant impacts to sage-grouse populations begin to be measured (Copeland et al. 2013). The analysis of Copeland et al. found that a statewide analysis of well densities revealed population decline curves very close to the earlier studies by Holloran (2005), but also noted that a 1 wellpad per square mile density of development correlated to approximately 18% decline in sage grouse lek population. One wellpad per square mile is not a zero-impact threshold. In accordance with these findings, the Wyoming Core Area strategies purport set a limit of one energy development site per square mile in core habitat, but use a Density/Disturbance Calculation Tool ("DDCT") to generate the well density figure. This methodology calculates site density per square mile, rather than capping density at one site per square mile of land – a very significant difference. In cases where the DDCT area is greater than 640 acres, the stipulation may allow more than one well or mine site to be developed in a given square mile as long as the overall density of sites in the area is below one per mile. This can readily result in a density of well sites that exceeds science-based thresholds at which significant impacts to sage grouse inhabiting the habitat in question begin to occur. By contrast, all available science that has evaluated impacts of well density on sage grouse has done so on a per-square- mile basis, and not one has ever evaluated the impact when calculating disturbance using the DDCT or any method similar to it. The lease sale EA contains no independent analysis, merely tiering to the Lander RMP.	impacts cannot realistically be analyzed at this time. At the time of APD development an analysis of these resources will be completed. Land Use Plans or Resource Management Plans (RMP) analyze the ground work for the availability of oil and gas leasing. This leasing EA addresses how those nominated parcels will be stipulated in conformance with the RMPs. If an Application for Permit to Drill is received proposing to develop a lease parcel, site specific analysis of the impacts is conducted and impacts will be mitigated as determined necessary. Lander parcels are offered with lease stipulations consistent with the approved RMP. The Sage-Grouse leasing screen was followed from IM 2012-019, and the Bighorn Basin parcels were properly screened following policy criteria and therefore were appropriately deferred, partially deferred, or recommended for sale.

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		Moreover, even well densities less than one per square mile can have a negative effect on sage grouse. According to Taylor et al. (2012: 28, emphasis added): Two scenarios include decisions on whether to develop a landscape from 0 to 4 wells per section (0 to 1.5 wells/km2), and then from 4 to 8 wells per section (1.5 wells/km 2 to 3.1 wells/km2). In both cases, the total northeast Wyoming lek count decreased by ~ 37% (1- 2,876/4,537 and 1-1,768/2,876, Table 3), leaving only 39% of the original number of males on leks (1,768/4,537, Table 3) when development reached 8 wells per section (80 ac spacing).43 Large leks are an important index of population trends, and Taylor et al. (2012: 28) found a particular reduction in large leks with increasing well densities, even below one well per square mile: A warning signal of declining populations is given by the accompanying decline in large leks, which showed a 70% decrease from no development to 160 ac spacing (1.5 wells/km2, 1- 18/60, Table 3). By 80 ac spacing (3.1 wells/km2), only 2 large leks remained on the landscape (Table 3).44 d. Sage-Grouse Lek Buffers in the Proposed Leases are Insufficient Protecting sage-grouse leks and associated nesting and brood-rearing habitat are key to individual producing (post-drilling) oil and gas wells drilled within 1.9 miles from active leks (Holloran	

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		2005), measureable impacts from coalbed methane fields extend out to 4 miles (Walker 2008), and new research has recorded effects as far away as 12.4 miles from leks (Taylor et al. 2012). WGFD, using lek buffers of 0.25 mile, 0.5 mile, 0.6 mile, 1.0 mile, and 2.0 mile, estimated lek persistence of 4, 5, 6, 10, and 28 percent, respectively (Christiansen and Bohne 2008, memorandum, Attachment 12). Standard energy development within 2 miles of a lek is projected to reduce the probability of lek persistence from 87% to 5% (Walker et al. 2007). Taylor et al. (2012: 27) examined sage grouse dynamics in the Powder River Basin and found, "For oil and gas development, the signal is strongest within a 12.4-mi (20-km) radius of a lek, and it is much stronger at this radius than at any smaller radii." Furthermore, in northeast Wyoming females may nest further from leks than elsewhere, placing a premium of extending protections for sage grouse inside and outside Priority Habitats. According to Taylor et al (2012: 27),"Second, female sage-grouse that visit a lek use an approximately 9-mi (15-km) radius surrounding the lek for nesting; a 2-mi (3.2-km) radius encompasses only 35-50% of nests associated with the lek (Holloran and Anderson 2005, Tack 2009). While a lek provides an important center of breeding activity, and a conspicuous location at which to count birds, its size is merely an index to the population dynamics in the surrounding habitat. Thus attempting to protect a lek, without protecting the surrounding habitat, provides little protection at all." Unfortunately, the proposed leases, both within and without the Lander FO, only require protective buffers of 0.6 miles around leks in designated core habitat(see, e.g., EA Appendix A at 6,	

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		24); this corresponds to a 6% probability of lek persistence (Christiansen and Bohne 2008). Indeed, BLM itself points to the inadequacy of this regulatory mechanism: "Studies have shown that greater distances, anywhere from two to four miles, are required for viable Greater Sage-Grouse populations to persist." BLM, Draft Wyoming Greater Sage-Grouse Land Use Plan Amendment and Environmental Impact Statement 4-335 (2014). USGS's review of sage-grouse buffer science reaches similar conclusions: Direct impacts of energy development on sage-grouse habitats and populations, such as loss of sagebrush canopy or nest failure, have been estimated to occur within a 1.2- ha (3-acre) area of leks (radius: 62 m [68 yards]); indirect influences, such as habitat degradation or utilization displacement, have been estimated to extend out to 19 km (11.8 mi) from leks (Naugle and others, 2011). Regional analyses of well-density and distance effects (Johnson and others, 2011) suggested negative trends in populations (lek counts) when distance was less than 4 km (2.5 mi) to the nearest producing well; whereas density effects were evident rangewide based on decreasing population trends when greater than eight active wells occurred within 5 km (3.1 mi) of leks, or when more than 200 active wells occurred within 18 km (11 mi)of leks. In Wyoming, significant negative relations between use of seasonal habitats and well densities have been demonstrated. Fedy and others (2014) found asignificant negative relation between well density and probability of sage-grouse habitat selection during nesting (3.2-km [2-mi] radius) and winter (6.44-km [4-mi] radius) seasons. In the Powder River Basin, wintering sage-grouse were negatively associated with increasing	

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		coalbed natural gas well densities within a 2-km × 2-km (1.24-mi × 1.24-mi) window (Doherty and others 2008). Also, Gregory and Beck (2014) documented lek attendance decline when energy development averaged 0.7 well pads/km2 (1.81 well pads/mi2; using a 10-km × 10-km [6.2-mi × 6.2-mi] assessment window) across multiple populations and different development patterns. Manier et al. 2014 at 7. By comparison, the NTT report recommends a 4-mile lek buffer for siting industrial development in sage-grouse habitat (NTT 2011), a prescription in greater accord with the science, although the study notes that this 4-mile buffer captures only approximately 80 percent of nesting females. Aldridge and Boyce (2007) suggested that even larger buffers (10 km) are warranted. Males use shrubs <1 km (0.6 mi) from a lek for foraging, loafing, and shelter45; this does not make 0.6 mile the appropriate buffer for preventing impacts even to breeding bird, much less nesting birds. In Wyoming, State and BLM policies have in the past erroneously used male sagebrush use this as a basis for relying a 0.6-mile No Surface Occupancy buffer around leks. However, the latest review of science clearly indicates that substantially larger buffers are required to mitigate negative effects from energy development and other disturbance. See Manier et al. 2014 at 7, 14.	
88	CBD	e. The Proposed Leases Fail to Protect Sage-Grouse Winter Habitat Although leks are important focal points for breeding and subsequent nesting in the surrounding region, other seasonal use areas and habitat requirements may be equally limiting to sage-	Reference EA page 1-5, 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.

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		grouse populations.46 Suitable and diverse winter habitats are critical to the long-term persistence of grouse populations.47 The Lander RMP, however, relied upon by the EA as justification for leasing of grouse habitat, offers only inadequate protection (limits on surface disturbance from December 1-March 14) to winter habitats.48 As summer ends, the diet of sage-grouse shifts from a diet of insects, forbs and sagebrush to one comprised almost entirely of sagebrush.49 In winter, the grouse depends heavily on sagebrush for cover, habitat selection being driven by snow depth, the availability of sagebrush above the snow, and topographic patterns that favorable mitigate the weather.50 Abundance of sagebrush at the landscape scale greatly influences the choice of wintering habitat. One study found that the grouse selected for landscapes where sagebrush dominate over 75% of the landscape with little tolerance for other cover types.51 Because appropriate wintering habitat occurs on a limited basis and because yearly weather conditions influence its availability, impacts to wintering habitat can have large disproportional effects on regional populations. One study in Colorado found that 80% of the wintering use occurred on only 7% of the area of sagebrush available.52 Additionally, some degree of site fidelity to winter areas is suspected to exist, and wintering areas not utilized in typical years may become critical in severe winters.53 Lower elevation sagebrush winter habitat used by sage-grouse may also constitute important winter areas for big game and early spring forage areas for domestic livestock. Due to differing	Land Use Plans or Resource Management Plans (RMP) analyze the ground work for the availability of oil and gas leasing. This leasing EA addresses how those nominated parcels will be stipulated in conformance with the RMPs. If an Application for Permit to Drill is received proposing to develop a lease parcel, site specific analysis of the impacts is conducted and impacts will be mitigated as determined necessary. Lander parcels are offered with lease stipulations consistent with the approved RMP. The Sage-Grouse leasing screen was followed from IM 2012-019, and the Bighorn Basin parcels were properly screened following policy criteria and therefore were appropriately deferred, partially deferred, or recommended for sale.

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		vegetative condition requirements, land treatments on lower elevation sagebrush areas to increase big game or livestock forage at the expense of sagebrush cover and density could have long-term negative consequences for the grouse.54 Sage-grouse in the Powder River Basin were 1.3 times less likely to use otherwise suitable winter habitats that have been developed for energy (12 wells/4 km2), and avoidance was most pronounced in high-quality winter habitat with abundant sagebrush.55 The agency's examination of winter habitat impacts to sage grouse is entirely absent in the EA. BLM must take the legally required 'hard look' at direct or cumulative impacts to sage grouse wintering habitat under the various alternatives; since the impact of development approved under the Lander RMP on breeding and nesting sage grouse matters little if sage grouse populations do not survive the winter. Best available science indicates that grouse conservation warrants no surface disturbance in or adjacent to winter habitat any time of year.56 In addition, it is critically important for BLM to identify and protect winter concentration areas. Thus far, the location of these habitats remains largely undetermined. Wyoming LUP DEIS at 4-2. These lands, once identified, should be withdrawn from future mineral leasing and entry of all kinds, and, at a minimum, protective stipulations within 2 miles of these areas. Timing restrictions on road construction are wholly insufficient – with roads built in summer, grouse may return to their winter habitats to find an industrialized, fragmented habitat that no longer has any habitat function due to the birds' avoidance of such areas.	
89	CBD	V. Conclusion	Thank you for your comments.

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		Due to the deficiencies documented in these comments, the Center requests: 1. That a Finding of No Significant Impact not be issued, and that the BLM initiate the process for preparing an environmental impact statement prior to authorizing any further leasing. 2. That the BLM defer all future sales within greater sage-grouse habitat until at least such time as (a) all BLM offices completed their grouse-related RMP revisions, and (b) the Fish and Wildlife Service completes its review of the status of the greater sage-grouse under the ESA. 3. That any further consideration of potential leasing within greater sage-grouse habitat consider not only leasing, but also deferral and or withdrawal, under FLPMA § 204, of said habitat from further leasing, consistent with the best available science regarding greater sage-grouse conservation. Thank you for consideration of these comments. The Center looks forward to reviewing a legally adequate EIS for this proposed oil and gas leasing action. Sincerely, Michael A. Saul, Senior Attorney, Center for Biological Diversity, 1536 Wynkoop Street, Suite 421 Denver CO 80202, Tel. (303) 915-8308, email msaul@biologicaldiversity.org	
90	Wyoming Outdoor Council (WOC)	Please accept these comments from the Wyoming Outdoor Council regarding the above- referenced environmental assessment prepared by the Bureau of Land Management. 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	Thank you for your comments.

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		future generations. The Wyoming Outdoor Council supports the decisions made in Alternative 3 of the oil and gas lease sale environmental assessment, which has deferred 25 whole and 18 partial parcels. Specifically, we appreciate the agency's proactive deferrals regarding parcels nominated in pending Master Leasing Plan areas in the Bighorn Basin and pending other resource management decisions in the Resource Management Plan for that region. Additionally, we thank the agency for proactively deferring parcels nominated in the existing Beaver Rim MLP in the Lander Field Office. A collaborative group consisting of cooperating agencies, elected officials, sportsmen, and conservation groups has formed to help develop an implementation plan for phased leasing in the Beaver Rim MLP. We are grateful for the agency's foresight not to "put the cart before the horse" and lease before implementation of the Beaver Rim MLP can be developed.	
91	WOC	Of the parcels deferred in the Bighorn Basin due to the ongoing Resource Management Plan revision, we would note that parcels WY 1508-230, -231, -232, -233, and -235, which were deferred for a variety of wildlife resources, also fall within the Wyoming Outdoor Council's proposed boundary for the Absaroka-Beartooth Front Master Leasing Plan. We have included our previous comments on this matter as attachments, both on the draft RMP and draft environmental impact statement and regarding Master Leasing Plans during the Supplemental Environmental Analysis in October, 2013. As indicated by those comments, these parcels would fall within the proposed MLP boundary and thus we believe it is appropriate not to lease these	Master Leasing Plan development is beyond the scope of this document. MLPs are developed in the RMP process. The proposed MLP boundaries for the Bighorn Basin RMP are disclosed in Appendix Y of the DEIS. The August 2015 Sale does not provide an opportunity to challenge or protest BLM's on-going land use planning efforts.

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		parcels pending development of, and public input on, the Master Leasing Plan.	
92	WOC	We ask that one additional parcel be deferred from this lease sale. Parcel WY 1508-237 is also contained within the Outdoor Council's proposed boundary for the Absaroka-Beartooth Front Master Leasing Plan. This parcel lies within a landscape important for wildlife. It is within greater sage-grouse general habitat and is within a four-mile buffer of an occupied lek. Additionally, it is significant for a variety of big game: it provides bighorn sheep, elk, moose, mule deer, pronghorn antelope, Rocky Mountain goat, and white-tailed deer seasonal ranges. It is a split-estate parcel and is within a larger mosaic of split-estate lands in a community actively involved in—and devoted to—balancing oil and gas development and rural quality of life.	Master Leasing Plan development is beyond the scope of this document. MLPs are developed in the RMP process. The proposed boundaries for the Bighorn Basin RMP are disclosed in Appendix Y of the DEIS. 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 allocations 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. Where there are no recommended changes in stipulations from the existing RMP to the Draft Bighorn Basin RMP, leases are appropriately stipulated and recommended for sale. This action does maintain the integrity of the planning process pursuant to CEQ guidance on maintaining alternative under review as well as guidance found in WO IM 2004-110, Change 1. The BLM Wyoming State Office conducted screening for Greater Sage-Grouse per BLM WY guidance (IM WY-2012-019), consistent with national policy. The parcels

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			meeting criteria for core habitat and manageability using the Fluid Mineral Leasing Screen were identified for deferral on this basis. Parcels not meeting the criteria were offered for sale. Parcel WY 1508-237 T. 58 N., R. 102 W., 06th PM, WY, sec. 30, SE1/4NW1/4, SE1/4SE1/4. This parcel area has been leased in whole or in part four (4) previous times between 1982-2007. Serial Patent 49-67-0004 was patented 8/29/1966, and Serial Patent 49-67-0015 was patented 1/20/1967, by the authority in Sale-Title 32 Chapter 7 (RS 2353 43 USC 672). The mineral estates of coal, oil, and gas, and the rights to construct ditches and canals, were reserved to the United States. The Line Creek Wilderness Subdivision was created as of September 8, 1971. Other private surface lands within the subdivision may have been patented under various authorities or laws. Lease Stipulation 1 prohibits surface use within 1/4 mile of occupied dwellings. Development cannot be reasonably determined at the leasing stage, nor can impacts realistically be analyzed at this time. If development should be proposed, a full analysis of these resources will be completed at that time.
93	WOC	The BLM has not formally sought public comment on the MLPs for this RMP revision. The Outdoor Council has submitted comments on what we believe the boundary for the Absaroka-Beartooth Master Leasing Plan should be, but has not received	Master Leasing Plan development is beyond the scope of this document. MLPs are developed in the RMP process. The proposed MLP boundaries for the Bighorn Basin MLP are disclosed in Appendix Y of the DEIS. The August 2015

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		BLM's formal analysis (pending, we are told, the release of the final environmental impact statement and proposed RMP). Moreover, no formal public input has been sought on the boundary or management prescriptions for this MLP. We believe the BLM should defer this parcel as it is within a proposed master leasing plan area—as it has for other parcels that fall within the Absaroka-Beartooth Front evaluation area (see Appendix Y in the Bighorn Basin draft RMP). Without the benefit of having full public participation to assist in analyzing the MLPs in this RMP revision, the BLM has deferred other lease parcels and we ask that it do so again.	Sale does not provide an opportunity to challenge or protest BLM's on-going land use planning efforts.
94	WOC	Landowners adjacent to and near to this parcel were impacted by the Windsor Energy Group's 25-3 gas well blowout in 2006 and have endured negative effects since then to air and water quality,and human health. This is prime location for the proactive leasing analysis done in the development of master leasing plan, which are designed for landscapes that have likely resource conflicts. Leasing WY 1508-237 ahead of the in-depth analysis done in a master leasing plan, and, importantly, ahead of any public involvement in the design of the master leasing plan is inappropriate. Parcel 1508-237 should be deferred until the public can engage and comment on the MLP, especially for a parcel with such significant wildlife values and amidst a community that is intimately involved with the impacts of oil and gas development.	Master Leasing Plan development is beyond the scope of this document. MLPs are developed in the RMP process. The proposed MLP boundaries for the Bighorn Basin RMP are disclosed in Appendix Y of the DEIS. If development should occur, proposals shall be analyzed in site specific NEPA documents, which shall addresses resource concerns. Please note: the Windsor Energy's 25-3 well is private surface and private minerals, and not under the authority of Federal oil and gas leasing.
95	WOC	Finally, we also note that parcels along the Beaver Rim in the Lander Field Office, but outside the MLP, have the appropriate sage-grouse core area stipulations attached to them, and, more importantly, these parcels contain no surface occupancy stipulations because of the Beaver Rim Area of Critical	Thank you for your comments.

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		Environmental Concern values and the Hudson-Atlantic City decision made pursuant to the Lander RMP Record of Decision. We support BLM's recognition of the importance of making these parcels no-surface occupancy so as to protect the important wildlife, visual, geological, and paleontological resources in this area. Thank you for your consideration of this matter. Julia Stuble, Public Lands Advocate, Wyoming Outdoor Council	