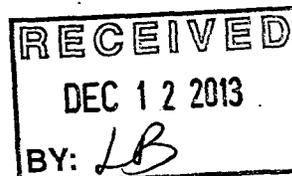


**GREATER YELLOWSTONE COALITION • WYOMING OUTDOOR
COUNCIL • WYOMING WILDERNESS ASSOCIATION • CLARK
RESOURCE COUNCIL**

December 12, 2013

Via Telefax

Mr. Don Simpson, State Director
Bureau of Land Management
5353 Yellowstone Road
Cheyenne, WY 82009



**RE: PROTEST OF PARCELS TO BE OFFERED AT BLM'S
FEBRUARY 11, 2014 COMPETITIVE OIL & GAS LEASE SALE**

Dear Mr. Simpson:

In accordance with 43 CFR 3120.1-3, the Greater Yellowstone Coalition, the Wyoming Outdoor Council, the Wyoming Wilderness Association and the Clark Fork Council protest the following parcels being offered at the Bureau of Land Management's (BLM) February 11, 2014 competitive oil and natural gas lease sale: We protest the sale of lease parcels WY-1402-156, WY-1402-157, WY-1402-158, WY-1402-159, and WY-1402-160. These parcels, which total 6389.25 acres, are located within two proposed Areas of Critical Environmental Concern (ACEC's) within the Bighorn Basin Draft Resource Management Plan in the Cody Field Office and/or would negatively impact important habitat for greater sage-grouse, long-billed curlew and mountain plover.

I. THE PARTIES

The **Greater Yellowstone Coalition (GYC)** is a non-profit conservation organization with more than 500 members in Wyoming and nearly 20,000 supporters dedicated to protecting the lands, waters, and wildlife of the Greater Yellowstone Ecosystem, now and for future generations. GYC is actively involved in energy development issues on federal lands in the region and its staff and members fully participate in all aspects of BLM oil and gas projects by submitting comments and attending public meetings. The organization has members that live within the Cody Field Office area and many GYC members live near and use these parcels and other nearby lands for hiking, birding, hunting, photography, and other forms of quiet recreation. Thus, GYC and its members would be negatively impacted by the sale of this lease parcel and have an interest in this lease sale.

The **Wyoming Outdoor Council (WOC)** is a non-profit conservation organization with over 1,500 members in Wyoming, other states and abroad. WOC is dedicated to the protection and enhancement of

Wyoming's environment, communities and quality of life. We have members that live in the Cody Field Office area where the protested parcels are located. WOC members utilize land and water resources within and near these areas for hiking, fishing, camping, recreational and aesthetic purposes. Interested members include Ken and Kathy Lichtendahl who live in Clark. WOC is actively involved in BLM oil and gas activities in this region and participates in all aspects of BLM oil and gas projects by involving its staff and members in submitting comments and attending public meetings. Among other things WOC has been deeply involved in oil and gas development issues related to the revision of the BLM Bighorn Basin Resource Management Plan, the proposed Rocktober oil and gas project on BLM lands in the Cody Field Office, and proposed oil and gas development projects and leasing on the nearby Shoshone National Forest. WOC's long-standing commitment to environmentally sound oil and gas leasing and development throughout Wyoming stems over 40 years. Consequently, the Wyoming Outdoor Council and its members would be adversely affected by the sale of the lease parcels that are protested, and it has an interest in this lease sale.

The **Wyoming Wilderness Association (WWA)** is a non-governmental, not-for-profit organization first created in 1979 by a group of wilderness advocates and outdoors people who envisioned the Wyoming Wilderness Act. WWA was incorporated in the State of Wyoming in 1994 in response to the need for a local voice for the protection of wilderness and roadless areas. With a membership base of over 700 people, WWA works to protect wild watersheds, intact ecosystems, old growth forests, important wildlife habitat, and wildlife migration corridors – a diversity of wild landscapes that truly deserve lasting protection.

The **Clark Resource Council (CRC)** is affiliated with the Powder River Basin Resource Council. Clark Resource Council includes approximately 100 members who are dedicated to maintaining the special places and values of the land and community of the Beartooth Front. Clark Resource Council is dedicated to responsible energy development and recognizes the need to balance energy exploration and natural resource preservation for future generations. Clark Resource Council believes these sustainable assets also provide a healthy environment for viable communities.

II. STATEMENT OF INTEREST

Standing Is Not Required to Protest the Sale of Lease Parcels

In its decision on a Wyoming Outdoor Council protest of the November 2013 oil and gas lease sale, BLM raised the issue of standing and asserted that we might not meet standing requirements for an appeal to the Interior Board of Land Appeals (IBLA). This is a completely off-point concern and issue. In the November lease sale protest as well as here we are not appealing a lease sale decision to the IBLA, we are protesting the sale of lease parcels to BLM. Consequently there is no need for us here to demonstrate that we meet the standing requirements for an appeal to the IBLA—demonstration that the appellant is a "party to a case" and that it is "adversely affected." The only requirement here is that we meet the requirements for a protest to the BLM. As BLM recognized in its November protest decision, its regulations governing protests "do not describe any limitations as to who may protest inclusion of lands in a sale

notice." 43 C.F.R. § 3120.1-3. The only limitation is the requirement in BLM's lease sale notices that a protest "must state the interest of the protesting party in the matter." The above statements more than meet that requirement.

While it may be necessary to submit declarations from members demonstrating they have a direct interest and connection to the parcels under appeal to the IBLA, there is no similar declaration requirement for lease protests to the BLM. We only need to show we have an interest in the lease sale parcels, which we have done. In the November lease protest decision the BLM cited the IBLA case of *Biodiversity Conservation Alliance et al.* to support its concerns about our ability to appeal the lease sale decision to the IBLA. But actually BCA supports our view that we have met the protest requirements. In BCA the IBLA stated, "[W]hile an individual or group has the right under 43 C.F.R. 4.450-2 to protest all parcels offered at a lease sale, dismissal of such a protest does not guarantee the right to appeal the dismissal decision as to all parcels." *Biodiversity Conservation Alliance* 183 IBLA 97, 108 (Jan. 8, 2013) (quoting *Wyoming Outdoor Council* 153 IBLA 379, 384 (2000)) (emphasis added). Under 43 C.F.R. 4.450-2, action on a protest is to be "taken as is deemed to be appropriate in the circumstances." BLM has defined what is appropriate relative to lease protests—the protesting party must show they have an interest in the matter but nothing more. Consequently, there is no doubt the parties to this protest have an interest in this lease sale, and therefore this protest is appropriate and valid.

III. PROTEST OVERVIEW

Our protest of the February 11, 2014 Competitive Oil and Gas Lease Sale pertains to the sale of lease parcels WY-1402-156, WY-1402-157, WY-1402-158, WY-1402-159, and WY-1402-160, totaling 6389.25 acres. Due to the proximity of these agency-managed surface sections within two proposed Areas of Critical Environmental Concern within the Bighorn Basin Draft Resource Management Plan and/or within important habitat for greater sage-grouse, long-billed curlew and mountain plover, the sale of these parcels warrants special attention. As part of the Greater Yellowstone Ecosystem, these public lands that are adjacent to the Absaroka-Beartooth Front provide vital habitat for a rich diversity of wildlife, as well as great recreational and hunting value for both locals and visitors. It is our collective opinion that strong conservation prescriptions for this landscape are warranted and oil and gas development should be avoided.

In particular, we oppose the lease sale of the identified parcels for reasons discussed in further detail below. To summarize, our points of disagreement include: lease parcels should not be sold within areas holding pending land conservation designations within a Draft Resource Management Plan; lease parcels should not be sold that pose a direct negative impact to special status species; and, the BLM's oil and gas parcel leasing decisions and subsequent stipulations should reflect Best Management Practices prior to and during the process of issuing a lease sale.

The BLM has a mandatory duty to protect lands for "multiple use," including the wildlife and human recreational values mentioned above. The lands within the protested parcel provide habitat for a number of sensitive bird species such as greater sage-grouse, long-billed curlew and mountain plover. Golden eagle nests are documented throughout the area and red-tailed hawks, Swainson's hawks, Northern Harriers, American Kestrels and rough-legged hawks are frequently observed at different times of the year. These lands serve as quiet places of natural beauty. They offer solitude, and as such, they provide excellent recreational opportunities for hiking, birding, wildlife viewing, hunting, and enjoyment of open spaces.

Unnecessary oil and gas development along the Absaroka-Beartooth Front threatens all of the above mentioned resources. Oil and gas development has already caused, and will continue to lead to, fragmented habitat and surface disturbances through well pad construction, oil and gas well rigs, increased vehicular traffic, miles of roads, pipelines and power lines, and noise from generators and compressor stations. All of these associated activities serve to disrupt habitat, destroy nesting and brood rearing habitat, and disturb wildlife. These activities can significantly impact mule deer, pronghorn, greater sage-grouse, and many other resident species. Oil and gas development also impairs natural characteristics, such as opportunities for solitude, and opportunities for primitive or unconfined recreation.

Through extensive planning during the Bighorn Basin Draft Resource Management Plan, BLM managers identified the region containing the protested parcels as having special wildlife and paleontological qualities. As a result of this heightened recognition of the value of this resource, conservation measures were crafted to designate two Areas of Critical Environmental Concern as part of the conservation alternative B of the Draft RMP. If implemented, most of the landscape addressed within this protest would carry a No Surface Occupancy mineral development stipulation. We are concerned that without a No Surface Occupancy (NSO) stipulation on these leases, the sale of this parcel would put sensitive resources at risk and surrender surface use rights to energy development, thus in turn limiting the BLM's ability to protect lands and resources for unique conservation purposes. These parcels warrant site-specific NEPA analysis, particularly before being delegated to a single, industrial use within proposed ACEC's.

Given this level of importance, the Parties are filing this Protest and request that the BLM remove the listed parcels from the upcoming sale.

IV. ISSUES WARRANTING PARCEL PROTEST

Lease Parcels Should Not Be Sold Within Areas Holding Potential Land Conservation Designations within a Pending Draft Resource Management Plan

The suggested lease parcels WY-1402-158, WY-1402-159, and WY-1402-160 are located in two proposed Areas of Critical Environmental Concern — the Chapman Bench ACEC (23,326 acres) and Clarks Fork Basin/Polecat Bench West Paleontological Area ACEC (23,895 acres). The boundaries of these two ACEC's are delineated in "Map 68 – Special Designations – Alternative B," included as part of the BLM Bighorn Basin Draft Resource Management Plan and Draft

Environmental Impact Statement. Conservation groups have asked the BLM to designate these two adjacent ACEC's and implement stipulations that make both areas "administratively unavailable for mineral leasing", pursuant to Alternative B of the Draft Bighorn Basin Resource Management Plan (RMP). The comments submitted on behalf of our conservation groups in support of the two proposed ACEC's are part of the public record for the Bighorn Basin RMP revision. BLM resource planners in the Cody Field Office have acknowledged the unique bird and paleontological resource values of both Chapman Bench and Polecat Bench. With regards to the Chapman Bench ACEC, the Bighorn Basin Draft Environmental Impact Statement explains:

The proposed Chapman Bench ACEC (23,326 acres) is north of Heart Mountain National Landmark and east of Highway 120 in an area of predominantly BLM-administered land. The area contains sagebrush habitat used by sensitive bird species and other wildlife.

The proposed ACEC is an Audubon Society-designated important bird area, and the area contains a diverse and abundant bird population. The Chapman Bench area supports at least 12 sensitive species. Greater sage-grouse, long-billed curlew, and mountain plover occur in this sagebrush steppe; all three are BLM sensitive species, and the mountain plover is a proposed threatened species under the ESA. Sagebrush-obligate species in the area also include the sage thrasher, sage sparrow, Brewer's sparrow, and loggerhead shrike. This area provides nesting habitat for one of the highest concentrations of these species together in the Bighorn Basin. In addition, this area provides pronghorn and mule deer crucial winter range. Visitors travel the area, which provides views of the Absaroka Mountain foothills, on their way to Yellowstone National Park.¹

With regards to the Clarks Fork Basin/Polecat Bench West Paleontological Area ACEC, the Bighorn Basin Draft Environmental Impact Statement explains:

The proposed Clarks Fork Basin/Polecat Bench West Paleontological Area ACEC (23,895 acres) is west of Powell, Wyoming, in Park County, in the northwestern corner of the Planning Area. The ACEC is proposed to protect the area's stratigraphic contact zone and the paleontological and geochemical values associated with these rock layers, which are exposed in only a few areas worldwide. The area contains mammalian and botanical fossil resources and its geologic information relates to global warming and paleoclimate change. This stratigraphic boundary represents a transition from the Paleocene Epoch to the Eocene Epoch, and produces fossils and geochemical data used in the study of a major Carbon Isotope Excursion recorded during a period of global warming (the Paleocene-Eocene Thermal Maximum). The area also contains scenic and colorful badlands and eroded features.

¹ BLM Bighorn Basin Draft Resource Management Plan and Draft Environmental Impact Statement. April 2011. Pg. 3-189.

Management challenges for this area include soil instability, erosion potential, and fossil occurrence that make it vulnerable to surface disturbance and the loss of its identified resource values.²

In addition, the Bighorn Basin Draft Resource Management Plan and Draft Environmental Impact Statement also identify the opportunity to "manage the Chapman Bench ACEC for the retention, enhancement, and success of the greater sage-grouse, mountain plover, and long-billed curlew"³ – species whose populations are in notable decline.

To summarize, this unique region of Wyoming includes:

- 1) "an Audubon Society designated important bird area"
- 2) "at least 12 sensitive species;"
- 3) "proposed threatened species under the ESA;"
- 4) "one of the highest concentrations of sage brush obligate species found together" in the Bighorn Basin;
- 5) "pronghorn and mule deer crucial winter range;"
- 6) mammalian and botanical fossil resources with corresponding geologic information that "relates to global warming and paleoclimate change;"
- 7) "soil instability, erosion potential, and fossil occurrence that make it vulnerable to surface disturbance and the loss of its identified resource values"

Collectively this area is too valuable to risk biological and paleontological resource damage – the common consequences of oil and gas development. The potential designation of the Chapman Bench ACEC and Clarks Fork Basin/Polecat Bench West Paleontological Area ACEC, as delineated by the BLM in the Bighorn Basin Draft Resource Management Plan and Draft Environmental Impact Statement, bring clear attention to the value of these resources and highlight the opportunity to protect them from the deleterious side-effects of energy development.

It would be inappropriate and premature to offer the protested parcels for leasing until final decisions are made in the RMP regarding the designation of two ACEC's and availability of this area for future leasing. Therefore, we ask the BLM to relinquish the aforementioned protested parcels.

Lease Parcels Should Not Be Sold Where Energy Development Poses a Direct Negative Impact to Special Status Species

The sagebrush landscape that contains the proposed parcels WY-1402-156, WY-1402-157, WY-1402-158, WY-1402-159, and WY-1402-160 hosts at least a dozen sensitive species of

² BLM Bighorn Basin Draft Resource Management Plan and Draft Environmental Impact Statement. April 2011. Pg. 3-189.

³ BLM Bighorn Basin Draft Resource Management Plan and Draft Environmental Impact Statement. April 2011. Pg. 2-181.

biological concern.⁴ Perhaps drawing the most recent attention of all these species is the greater sage-grouse. The greater sage-grouse is recognized as an icon of western sagebrush ecosystems because they are so highly dependent on sagebrush for cover and feed. The Bighorn Basin is considered among one of the world's strongholds for greater sage-grouse populations.⁵ Greater sage-grouse conservation is urgent. Once seen in great numbers across sagebrush landscapes of the West, sage-grouse have declined in number over the past one hundred years because of the loss, degradation, and fragmentation of sagebrush habitats essential for their survival. Greater sage-grouse now occupy only about 56% of the habitat that was available to them before the arrival of settlers of European descent. Because Sagebrush ecosystems are home to a surprisingly abundant number of wildlife species that depend on this complex and often fragile ecosystem type, if greater sage-grouse populations are in trouble, it means other sagebrush-dependent species are, too.

According to the BLM's "Map 32 Biological Resources – Special Status Species" included as part of the Bighorn Basin Draft Resource Management Plan, the vast majority of WY-1402-160 and part of WY-1402-159 are situated within greater sage-grouse key habitat areas. The area hosts roughly half a dozen greater sage-grouse leks, as highlighted in Maps 32 and 34 of the draft RMP. During the May 15-19, 2013 Spring Into Yellowstone Birding and Wildlife Festival, a collaborative event in Cody, Wyoming hosted by the BLM, Cody Country Chamber of Commerce, Buffalo Bill Center of the West, Shoshone National Forest and Greater Yellowstone Coalition, BLM staff led festival attendees to one of the Chapman Bench area leks, which hosts 40 – 100 males.⁶ Map 32 of the draft RMP also illustrates that large portions of parcels WY-1402-156, WY-1402-157, WY-1402-158, and WY-1402-159 are situated within greater sage-grouse lek 0.6 mile and 3 mile buffer protections.

What is more, the Wyoming Game and Fish Department's "Wyoming Sage-Grouse Core Management Area Map Version 3, implemented on June 29, 2010, also includes core habitat in parcels WY-1402-158, WY-1402-159, and WY-1402-160. Should the BLM adapt the 3 mile buffer management restriction in the Final Bighorn Basin RMP, energy development would appropriately be prohibited throughout most of the Chapman Bench and west Polecat Bench area. It is also noteworthy to point out that a 3 mile buffer around greater sage-grouse leks does not meet the recommendation of the federally created National Technical Team (NTT) report on sage grouse management. As expounded in a later section below, the NTT report recommends implementing a 4 mile buffer to reduce the threat of energy development impacts on greater sage-grouse populations. It is important to remember that these conservation measures are intended to rebuild and enhance the greater sage-grouse population, a species currently listed as "warranted but precluded" for the Endangered Species Act.⁷ We are disappointed that the

⁴ BLM Bighorn Basin Draft Resource Management Plan and Draft Environmental Impact Statement. April 2011, Pg. 3-189

⁵ Harrell, D. 2008. Peak lek attendance for greater sage-grouse within the northern Bighorn Basin, Wyoming. Technical Note 424. U. S. Department of Interior, Bureau of Land Management, Cody Field Office, Wyoming.

⁶ Personal Communication. Destin Harrell, Biologist Bureau of Land Management, Cody Field Office. December 10, 2013.

⁷ Federal Register. 50 CFR Part 17. March 4, 2010.

BLM's preferred alternative D of the Draft Resource Management Plan currently does not come close to meeting the NTT's recommendations.

Other than priority greater sage-grouse habitat that is well documented in the area, raptor nests abound in this region of the Bighorn Basin as well. According to Kochert et al., golden eagle nesting densities in Wyoming's Bighorn Basin are among the highest documented densities across the North America.⁸ Dr. Charles Preston of the Buffalo Bill Center of the West, in a 2011 publication, also documented that active nest densities for golden eagles was highest in the Polecat Bench area of the Bighorn Basin.⁹ The BLM's Bighorn Basin Draft RMP Map 32 illustrates this density and, importantly, documents raptor nests scattered across township/ranges 56N 102W, 56N 101W, and 56N 100W – all township/ranges that fall within the geographic parameters of the protested parcels WY-1402-156, WY-1402-157, WY-1402-158, WY-1402-159, and WY-1402-160.

With such a high density of gold eagle nests, we can infer that the region contains a substantial amount of golden eagle activity. Any golden eagle behavior associated with these nests is protected under the "disturb" clause of the Bald and Golden Eagle Protection Act.

The Bald and Golden Eagle Protection Act (16 U.S.C. 668-668c), enacted in 1940, and amended several times since then, prohibits anyone, without a permit issued by the Secretary of the Interior, from "taking" bald eagles, including their parts, nests, or eggs. The Act provides criminal penalties for persons who "take, possess, sell, purchase, barter, offer to sell, purchase or barter, transport, export or import, at any time or any manner, any bald eagle ... [or any golden eagle], alive or dead, or any part, nest, or egg thereof." The Act defines "take" as "pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb."

For purposes of these guidelines, "disturb" means: "to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, 1) injury to an eagle, 2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or 3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior."

In addition to immediate impacts, this definition also covers impacts that result from human-induced alterations initiated around a previously used nest site during a time when eagles are not present, if, upon the eagle's return, such alterations agitate or bother an eagle to a degree that interferes with or interrupts normal breeding, feeding, or sheltering habits, and causes injury, death or nest abandonment.¹⁰

⁸ Kochert, M. N. and K. Steenhof. 2002. Golden Eagles of the U. S. and Canada: status, trends, and conservation challenges. *J. Raptor Research* 36:32-40.

⁹ Preston, C. 2011. Golden Eagle Nesting Ecology in the Bighorn Basin: Influence of Landscape Composition, Energy Development and other Human Activity on Golden Eagle Nesting Distribution, Success, Productivity, and Diet 2010 – 2013. Buffalo Bill Center of the West.

¹⁰ Bald and Golden Eagle Protection Act of 1940. <http://www.fws.gov/midwest/Eagle/guidelines/bgpepa.html>

The leasing of parcels WY-1402-156, WY-1402-157, WY-1402-158, WY-1402-159, and WY-1402-160 and any subsequent drilling activity would likely directly impact the nesting and fledging success of these golden eagle nests — a direct violation of the “disturb” clause of said act. A BLM technical note prepared in cooperation with Hawk Watch International demonstrated that during the greatest oil and gas development expansion (1999–2002) in the Rawlins, Wyoming and Price, Utah, Field Offices, golden eagles used nest clusters that were farther from oil and gas development hotspots than were unused clusters.¹¹ The report explained that as more oil and gas development occurred, golden eagle nest cluster use decreased, and nesting activity declined within 0.8 km. Golden Eagle nest cluster use increased within 2.0 km, as did activity within 0.8 km and 2.0 km, when there was a greater density of primary and secondary roads (i.e., roads that were not constructed to access oil and gas well sites).¹²

It is also noteworthy that there are no stipulations attached to these protested parcels related to the golden eagle/raptor nest protection. The lease sale of a parcel near a golden eagle nest — an action that could likely lead to future “disturbance” in violation of the Bald and Golden Eagle Protection Act — is a poor precedent to set on behalf of a federal land agency such as the BLM. In the event that any future energy development activity directly impacts golden eagles in the area, the species also has further protection under the federal Migratory Bird Treaty Act.

Oil and gas activity in this area is an inappropriate use of these public lands and such activity would have direct impacts on a valuable, and protected, wildlife resource. The BLM, therefore, should abandon the sale of the aforementioned parcel so as to avoid potential negative impacts to a high density of nesting golden eagles, greater sage-grouse and other sage steppe obligate species in the area.

Leasing Decisions and Subsequent Stipulations Should Reflect Best Management Practices Prior To and During the Process of Issuing a Lease Sale

The 0.25 mile lek buffer that is delineated as a stipulation associated with parcel WY-1402-159 in the February 11, 2014 Notice of Competitive Oil and Gas Lease Sale does not meet Best Management Practices. To ensure BLM management actions are effective and based on the best available science, the National Policy Team created a National Technical Team (NTT) in August of 2011. The BLM’s objective for chartering this planning strategy effort was to develop new or revised regulatory mechanisms, through Resource Management Plans (RMPs), to conserve and restore the greater sage-grouse and its habitat on BLM administered lands on a range-wide basis over the long term. One of the recommendations of the NTT Report (referenced above) is: “Do not allow new surface occupancy on federal leases within priority habitat, this includes winter concentration areas.”¹³

¹¹ BLM Technical Note 432. Raptor Nesting Near Oil and Gas Development: An Overview of Key Findings and Implications for Management Based on Four Reports by Hawk Watch International.

¹² Ibid.

¹³ A Report on National Greater Sage-Grouse Conservation Measures. Sage Grouse National Technical Team. December 21, 2011. Pg.23.

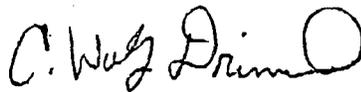
To be clear, the NTT was tasked to: provide specialized sources of expertise not otherwise available; provide innovative scientific perspectives concerning management approaches for the greater sage-grouse; provide assurance that relevant science is considered, reasonably interpreted, and accurately presented; and that uncertainties and risks are acknowledged and documented. So, to make such a bold recommendation that prohibits surface occupancy in priority habitat areas is a scientifically driven prescription that should carry weight in the policy world.

The NTT Report makes a few exceptions for energy development within priority sage-grouse habitat in which a 4-mile NSO buffer or a 3% surface disturbance per 640 acres is prescribed. We are pleased to see the incorporation of these NTT Report recommendations in the BLM Bighorn Basin Supplemental Environmental Impact Statement (Alternative B sub-alternative 1). In the event that the BLM were to follow the expertise of its own National Technical Team, which represent the best available science on sage grouse conservation, the protested parcels (WY-1402-156, WY-1402-157, WY-1402-158, WY-1402-159, and WY-1402-160) would need to be abandoned for lease sale. A 4-mile NSO buffer encompasses these parcels and this stipulation should be implemented to protect priority greater sage-grouse habitat.

V. CONCLUSION AND REQUEST FOR RELIEF

For the foregoing reasons the Parties request that the protested parcels not be offered for sale at the February 11, 2014 Competitive Oil and Gas Lease Sale.

Respectfully submitted,



Charles Drimal,
Greater Yellowstone Coalition
1285 Sheridan Ave. Suite 215
Cody, WY 82414

And on Behalf of and with Authorization from All Parties

Wyoming Outdoor Council (authorized by Bruce M. Pendery, chief legal counsel)

Wyoming Wilderness Association (authorized by Jennie Trefren, BLM community organizer)

Clark Resource Council (authorized by Deb Thomas, field organizer)