

FINAL SCOPING REPORT

BUFFALO RESOURCE MANAGEMENT PLAN REVISION PROJECT



**United States Department of the Interior
Bureau of Land Management
Buffalo Field Office, Wyoming**

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ACRONYMS AND ABBREVIATIONS

| | |
|--------|---|
| ACEC | Area of Critical Environmental Concern |
| APD | Application for Permit to Drill |
| AQRV | Air Quality Related Value |
| AUM | Animal unit month |
| BFO | Buffalo Field Office |
| BLM | Bureau of Land Management |
| CBNG | Coalbed natural gas |
| CEQ | Council on Environmental Quality |
| CFR | Code of Federal Regulations |
| COA | Condition of Approval |
| DOI | Department of the Interior |
| EIS | Environmental impact statement |
| EPA | Environmental Protection Agency |
| FLPMA | Federal Land Policy and Management Act |
| GIS | Geographic information system |
| GPS | Global positioning system |
| HAP | Hazardous air pollutant |
| IMPLAN | Impact Analysis for Planning |
| NAAQS | National Ambient Air Quality Standards |
| NEPA | National Environmental Policy Act of 1969 |
| NOI | Notice of Intent |
| NOA | Notice of Availability |
| NRHP | National Register of Historic Places |
| NSO | No Surface Occupancy |
| OHV | Off-highway vehicle |
| PM | Particulate matter |
| POD | Plan of Development |
| PSD | Prevention of significant deterioration |
| RFD | Reasonable foreseeable development |
| RMP | Resource Management Plan |
| ROD | Record of Decision |
| ROW | Right-of-Way |
| U.S. | United States |
| U.S.C. | United States Code |
| USDA | United States Department of Agriculture |
| VOC | Volatile organic compound |
| WSA | Wilderness Study Area |
| WSR | Wild and Scenic River |

1.0 INTRODUCTION

1.1 Project Overview

The United States (U.S.) Department of the Interior (DOI) Bureau of Land Management (BLM), published a notice of intent (NOI) in the *Federal Register* on November 14, 2008, to revise the resource management plan (RMP) for the Buffalo Field Office (BFO) Wyoming and prepare an associated environmental impact statement (EIS) Public lands within the planning area are currently managed according to the 1985 Buffalo RMP and a subsequent 2001 Buffalo RMP update. The BFO will issue a record of decision (ROD) and approved RMP at the completion of the project. The Buffalo RMP revision is anticipated to be completed in the fall of 2012.

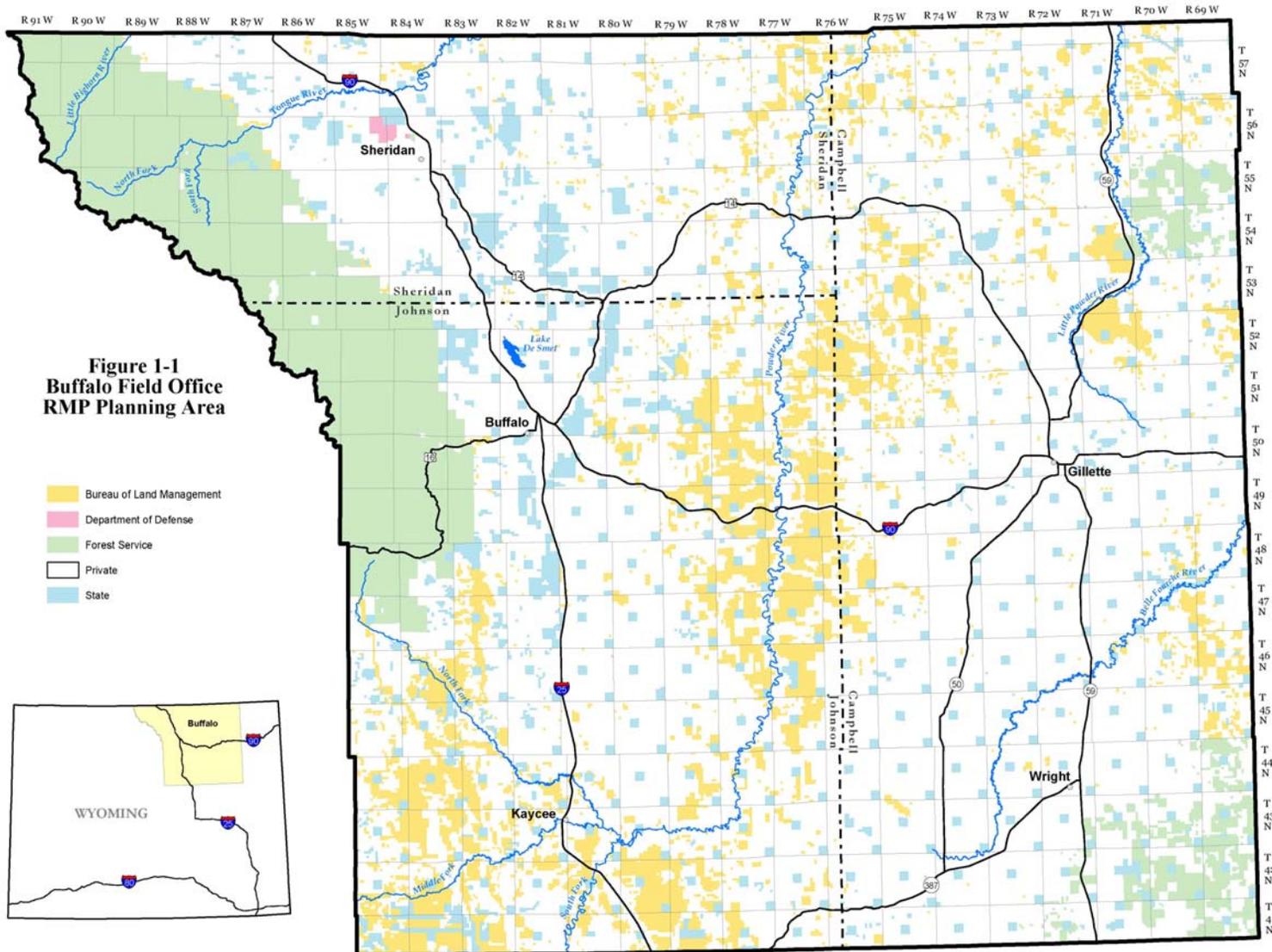
The RMP and EIS will address the management of BLM-administered lands, including federal surface lands and federal mineral estate in the planning area (Figure 1-1). The Buffalo planning area includes approximately 782,000 acres of BLM-administered surface land and 4.8 million acres of BLM-administered mineral estate in Campbell, Johnson, and Sheridan Counties in north-central Wyoming. The Buffalo RMP revision will establish broad-scale desired conditions and allowable uses and actions anticipated to achieve the desired outcomes.

1.1.1 Purpose and Need for the Plan Revision

An RMP is a land use plan designed to ensure that the public lands are managed in accordance with the Federal Land Policy and Management Act (FLPMA) (43 United States Code [U.S.C.] 1701 et seq.), under the principles of multiple use and sustained yield. The management decisions in RMPs shape future land management actions, and set the framework for site-specific land management decisions to come. The RMP establishes desired outcomes for the management of public land resources along with the management prescriptions needed to achieve these outcomes. These management prescriptions are expressed as management actions and allowable uses (i.e., lands that are open or available for certain uses [including any applicable restrictions] and lands that are closed to certain uses).

The 1985 Buffalo RMP and 2001 Buffalo RMP update that currently govern the BLM's land management activities in the planning area do not satisfactorily address all of the new and emerging issues facing the area. Laws, regulations, policies, and issues regarding management of BLM-administered lands have changed during the life of the plan. The BLM is developing a new RMP to ensure compliance with current mandates and to address current issues in the planning area. During the revision process, decisions in the existing RMP that are determined to still be valid may be brought forward in the BFO RMP revision. When completed, the revised RMP will replace the existing RMP.

Under the National Environmental Policy Act (NEPA) of 1969 (Public Law 91-190) and the Council on Environmental Quality (CEQ) regulations for implementing NEPA, federal agencies are required to consider the environmental impacts of their proposed actions before implementing these actions. Major federal actions are subject to NEPA. The Buffalo RMP revision is considered a major federal action and is subject to the requirements of NEPA.



1.1.2 Public Involvement in the Plan Revision

Public involvement, which includes the scoping process, is a vital component of FLPMA and NEPA. Through the public involvement process, the public is able to participate in the planning process. NEPA requirements for public involvement are set forth in CEQ regulations 40 Code of Federal Regulations (CFR) 1500–1508. Additional BLM guidance and direction for public involvement is provided in the BLM Land Use Planning Handbook (BLM Handbook H-1601-1) and the BLM NEPA Handbook (BLM Handbook H-1790-1).

1.2 Scoping Process

The purpose of the public scoping process is to identify issues and planning criteria that should be considered in the RMP and EIS and to initiate public participation in the planning process. The BLM follows the public involvement requirements according to the CEQ regulations set forth in 40 CFR 1501.7, which states, “there should be an early and open process for determining the scope of issues to be addressed and for identifying the process for determining the scope of issues to be addressed during the planning process.” During the scoping process, the BLM solicits comments from the public and relevant agencies, organizes and analyzes all of the comments received, and then distills the comments to identify the issues to be addressed during the planning process. The BLM and cooperating agencies consider comments provided during scoping and refine the issues and planning criteria, formulate alternatives, and conduct impact analyses.

Scoping for the Buffalo RMP revision took place from November 14, 2008 to January 5, 2009. Under CEQ regulations, the public comment period must last for at least 30 days; the BLM provided a 53 day public comment period. Although the formal comment period has ended, the BLM encourages public involvement and will continue to review all comments received during the RMP process to ensure no key issues or concerns have been missed.

1.2.1 Federal Register Notice of Intent and Preliminary Planning Criteria

The scoping process for the Buffalo RMP revision began with the publication of the NOI (Appendix A) in the Federal Register on November 14, 2008. The BLM posted the NOI on the project website (<http://www.blm.gov/wy/st/en/programs/Planning/rmps/buffalo.html>). The NOI served to notify the public of the BLM’s intent to revise the RMP for the Buffalo planning area and identify the preliminary issues and preliminary planning criteria to be utilized in the RMP revision process.

Preliminary Planning Criteria

Planning criteria are based on laws and regulations, guidance provided by the BLM Wyoming State Director, results of consultation and coordination with the public, input from other agencies and governmental entities, Native American tribes, analysis of information pertinent to the planning area, public input, and professional judgment.

Planning criteria are the constraints or ground rules that are developed to guide and direct the RMP revision. The planning criteria serve to: ensure the planning effort is consistent with and

incorporates legal requirements; provide for management of all resource uses in the planning area; focus on the issues; identify the scope and parameters of the planning effort; inform the public of what to expect from the planning effort; and help ensure the RMP revision process is accomplished efficiently.

The BLM’s preliminary planning criteria were published in the November 14, 2008 NOI, available in Appendix A of this document or the on the project website (<http://www.blm.gov/wy/st/en/programs/Planning/rmps/buffalo.html>).

1.2.2 Public Notification of Scoping

News Release

The BLM issued a news release to local media on August 13, 2008 announcing plans to revise the Buffalo RMP. On November 10, 2008, the BLM issued a news release describing the public scoping period and listing the time, date, and location of the public scoping meetings. The news releases went out to numerous radio stations and newspapers within and outside of the planning area (Table 1). Copies of the news releases can be viewed in Appendix C.

Table 1. Media Distribution List

| Media Outlet | Region |
|-------------------------------------|-------------------|
| TV | |
| KTWO-TV (2) | Casper, WY |
| KFNB-TV (20) | Casper, WY |
| KWYF-TV(26) | Casper, WY |
| KGWC-TV(14) | Casper, WY |
| KCWY_TV(13) | Casper, WY |
| KSGW-TV(12) | Sheridan, WY |
| Radio | |
| KLGT-FM/KBBS-AM | Buffalo, WY |
| KTWO-AM / KMGW-FM / KWYY-FM / | Casper, WY |
| KRVK-FM / KKTL-AM / KTRS-FM | Casper, WY |
| KASS/KQLT/K MLD/KHOC/KVOC/KERM-KGOS | Casper, WY |
| KKTY-AM | Douglas, WY |
| KYOD- FM | Douglas, WY |
| KIML-AM/KAML-FM | Gillette, WY |
| KGOS-AM / KERM-FM | Torrington, WY |
| KASL-AM | Newcastle, WY |
| KWYO-AM/KROE-AM/KZWY-FM/KYTI-FM | Sheridan, WY |
| KFBS-AM/KYDT-FM | Sundance, WY |
| KYCN-AM/KZEW-FM | Wheatland, WY |
| Northern Broadcasting System - MT | Statewide-Montana |
| Ag Network | Statewide-Wyoming |
| WY Public Radio-Laramie | Statewide-Wyoming |
| Wyoming Outdoor Radio | Statewide-Wyoming |
| Newspapers | |
| Buffalo Bulletin | Buffalo, WY |
| Billings Gazette | Billings, MT |

Table 1. Media Distribution List

| Media Outlet | Region |
|------------------------------|-------------------|
| Casper Star Tribune | Casper, WY |
| Casper Journal | Casper, WY |
| Our Town - Casper | Casper, WY |
| Douglas Budget | Douglas, WY |
| Gillette News Record | Gillette, WY |
| Glenrock Independent | Glenrock, WY |
| Guernsey Gazette | Guernsey, WY |
| Kaycee Community Voice | Kaycee, WY |
| Lingle Guide | Lingle, WY |
| Lusk Herald | Lusk, WY |
| Moorcroft Leader | Moorcroft, WY |
| Newcastle Newsletter Journal | Newcastle, WY |
| Sheridan Press | Sheridan, WY |
| Sundance Times | Sundance, WY |
| Torrington Telegram | Torrington, WY |
| Weston County Gazette | Upton, WY |
| Platte County Record Times | Wheatland, WY |
| Wyoming Livestock Roundup | Statewide-Wyoming |
| Wyoming Business Report | Statewide-Wyoming |
| Wyoming Associate Press | Statewide-Wyoming |

Project Bulletin

Another means of outreach prior to the public scoping meetings included a bulletin announcing the scoping meetings. This bulletin included general information about the planning process and planning area for the RMP; contact information and comment submission instructions; and a list of the dates, times, and locations of the public scoping meetings. The BLM mailed the bulletin to potentially interested individuals and organizations who had participated in past BLM projects. The bulletin is included in Appendix C.

Website

The website provides background information on the project, a description of the scoping process and meeting locations, instructions on how to submit comments, a general overview of potential planning topics, and copies of public information documents such as the NOI and the existing RMP. The website is one of the methods used to communicate project news and updates to the public. The website may be accessed at:
<http://www.blm.gov/wy/st/en/programs/Planning/rmps/buffalo.html>.

1.2.3 Scoping Meetings

The BLM hosted five scoping meetings to provide the public with an opportunity to learn and ask questions about the project and the planning process and to submit their issues and concerns to the BLM. As previously described, the times and locations of public scoping meetings were advertised to the public using a variety of outreach methods.

During the week of December 1, 2008, the BLM hosted scoping meetings in five locations across the planning area. All meetings ran from 3:00 p.m. until 8:00 p.m. Table 2 lists the scoping meeting locations, dates, and the number of people in attendance. The BLM gave two formal presentations, one at 3:30 p.m. and one at 6:00 p.m., each of which was followed by an open house format discussion between the BLM and meeting attendees. The formal presentations were designed to provide participants a good foundation in the RMP revision process, how to provide effective comments, and some of the resource issues to be covered in the RMP revision. Each formal presentation also included a question and answer session. The open house portions of the meetings were designed to allow attendees to learn about the project at their own pace and to enable them to ask BLM representatives questions in an informal one-on-one setting.

In addition to members of the BLM interdisciplinary team, a total of 129 people attended the scoping meetings. The BLM provided four handouts and displayed a series of four 3-panel table top boards at each scoping meeting (Appendix C).

The BLM encouraged meeting attendees to comment by submitting written comment forms (either at the meetings or via mail), or by sending an email. Comment forms were available to attendees at all meetings (Appendix B), as was a computer kiosk where the public could type and submit their comments. The BLM also provided an easel with a pad of paper for meeting attendees to write comments on.

Table 2. Schedule of Public Scoping Meetings for the Buffalo Resource Management Plan Revision

| Date and Time | Location | Number of Attendees |
|---|--|----------------------------|
| Monday December 1, 2008 3:00 p.m. to 8:00 p.m. | Wright Branch Library 105 Wright Blvd. Wright, WY 82732 | 0 |
| Tuesday December 2, 2008 3:00 p.m. to 8:00 p.m. | Johnson County Library Meeting Room 171 North Adams Buffalo, WY 82834 | 33 |
| Wednesday December 3, 2008 3:00 p.m. to 8:00 p.m. | Campbell County Library Wyoming Room 2101 South 4 J Road Gillette, WY 82718 | 47 |
| Thursday December 4, 2008 3:00 p.m. to 8:00 p.m. | Sheridan County Library Inner Circle Meeting Room 315 West Alger Sheridan, WY 82801 | 29 |
| Friday December 5, 2008 3:00 p.m. to 8:00 p.m. | Kaycee Community Library 231 Ritter Street Kaycee, WY 82639 | 20 |

Meeting Handouts

The BLM distributed four meeting handouts (Appendix C) to all people attending the five scoping meetings. The handouts provided the following:

- A description of the scoping process and opportunities for submitting public comments.
- An agenda for the scoping meeting, an explanation of the NEPA process, a brief project description, and instructions on how to submit effective comments.
- A preliminary list of resources that will be considered in the RMP revision.
- A comment sheet containing conventional mail and email addresses for submitting comments.

Displays

Four, 3-panel tabletop display boards (Appendix C) guided meeting participants visually through the RMP/EIS process and issues. The first display board contained a summary of the RMP revision process, a flowchart of the RMP/EIS timeline, potential resource areas to analyze, and a general project description. The remaining three boards contained explanations of the current status and potential issues related to recreation and special designation areas such as Wilderness Study Areas (WSAs) and Areas of Critical Environmental Concern (ACECs), vegetation and habitat management, and energy and mineral resources in the planning area.

Project Mailing List

The BLM compiled a list of 1,217 individuals, agencies, and organizations that participated in past BLM projects or requested to be on the general mailing list. The BLM mailed the initial project bulletin (previously described) to each individual on this list. Visitors to the scoping meetings were asked to fill out the project sign-in sheet (Appendix C) and provide their mailing address so that they could also be added to the mailing list. Other additions to the mailing list included those individuals who had submitted requests to be added to the list or scoping comments. Duplicate entries, changes of address, and return-to-sender mailings were deleted from the official project mailing list as they were identified. Through this process, the general mailing list was revised to approximately 1,500 entries. Requests to be added to or to remain on the official mailing list will continue to be accepted throughout the planning process.

1.3 Collaborative Involvement Process

1.3.1 Cooperating Agencies

A cooperating agency is any federal, state, or local government agency or Native American tribe that enters into a formal agreement with the lead federal agency to help develop an environmental analysis. More specifically, cooperating agencies “work with the BLM, sharing knowledge and resources, to achieve desired outcomes for public lands and communities within statutory and regulatory frameworks” (BLM Land Use Planning Handbook H-1601-1).

The benefits of collaboration among agencies in preparing NEPA analyses include disclosing relevant information early in the analytical process; applying available technical expertise and staff support; avoiding duplication with other federal, state, tribal, and local procedures; and establishing a mechanism for addressing intergovernmental issues.

The BLM invited local, state, federal, and tribal representatives to participate as cooperating agencies on the Buffalo RMP revision project. The BLM invited the agencies listed below to become cooperating agencies. A Memorandum of Understanding will be signed with all agencies accepting cooperating agency status.

Counties

- Campbell County Commissioners
- Johnson County Commissioners
- Sheridan County Commissioners
- Crook County Commissioners

Conservation Districts

- Campbell County Conservation District
- Lake DeSmet Conservation District
- Powder River Conservation District
- Sheridan County Conservation District

State of Wyoming Congressionals

- U.S. Senator Michael Enzi's Office
- U.S. Senator John Barrasso's Office
- U.S. Representative Cynthia Lummis' Office

State Agencies

- Wyoming State Planning Office
- Wyoming Department of Agriculture
- Wyoming Department of Revenue
- Wyoming State Geological Survey
- Office of State Lands and Investments
- Wyoming Oil and Gas Conservation Commission
- Wyoming State Historic Preservation Office
- Wyoming State Engineer's Office
- Wyoming State Forestry Division
- Wyoming Department of State Parks and Cultural Resources
- Wyoming Trails
- Wyoming Water Development Commission
- Wyoming Department of Environmental Quality
- Wyoming Department of Transportation
- Wyoming Game and Fish Department
- Office of the Governor

Federal Agencies

- U.S. Environmental Protection Agency
- U.S. Fish and Wildlife Service
- USDA – Bighorn National Forest
- USDA – Medicine Bow-Routt National Forest, Thunder Basin National Grasslands
- U.S. Nuclear Regulatory Commission
- U.S. DOI – Office of Surface Mining

Tribes

- Cheyenne River Sioux
- Crow
- Eastern Shoshone
- Ft. Peck/Assiniboine/Sioux
- Northern Arapahoe
- Northern Cheyenne
- Oglala Sioux
- Three Affiliated Tribes

1.3.2 Consultation with Tribes

The BLM anticipates consulting with the following tribal governments:

- Cheyenne River Sioux
- Crow
- Eastern Shoshone
- Ft. Peck/Assiniboine/Sioux
- Northern Arapahoe
- Northern Cheyenne
- Oglala Sioux
- Three Affiliated Tribes

2.0 COMMENT SUMMARY

2.1 Comment Collection

The official scoping period ended on January 5, 2009, and all comments post-marked by that date are included in this report. The BLM considers scoping to be an important and ongoing process; therefore, comments received after the end of the official scoping period have been incorporated into this report to the extent possible. All comments received during the RMP revision process will continue to be reviewed to ensure no key issues or concerns have been overlooked. The issues identified in this report will be considered in the formulation of alternatives and in the analysis of effects.

The BLM received a total of 95 unique written comment documents and 101 identical form letters. Comments were delivered in person, submitted via email, or mailed to the field office. A list of commenters, including form letter commenters, is included in Appendix E. All unique comment letters, including form letters containing additional unique material and an example of an unaltered form letter, can be viewed in Appendix F. E-mail was the most commonly used submission method. The comment submission method for all comments is shown in Table 3.

Table 3. Number of Comments Received by Document Type

| Comment Document Format | Number of Comment Documents |
|--|-------------------------------------|
| Standard Mail | 29 |
| E-mail | 163 (Including 101 form letters) |
| Public Scoping Meetings ¹ | 4 |
| Total Comment Documents Received During Scoping ² : | 196 |

¹Includes comments entered via the computer at the scoping meetings and the scoping meeting comment form.

²Includes the 101 form letters received during the scoping period.

The complete list of the comment documents arranged by commenter, organization, and document number is provided in Appendix E; this information can be used to locate specific comment documents in Appendix F. The 95 unique comment documents resulted in approximately 710 separate comments, since most of the comment documents contained multiple comments.

Comment documents were tracked upon receipt to assure all relevant comments were captured. First, comment documents were logged, given a unique identifier (referred to as a document number), and scanned into an electronic file. Comment documents were then printed and individual comments from within each comment document were identified and placed in issue categories based on the topic of the comment. To assist with the analysis of scoping comments, the BLM then uploaded the comment documents into a comment tracking and analysis program known as CommentWorks®. Using this software, the BLM reviewed the

categorization of individual comments, and moved comments into other existing or new categories as needed.

2.2 Summary of Public Comments

2.2.1 Submissions by Affiliation

Table 4 shows the affiliation of each entity that submitted comments during the scoping period. Individuals who did not identify an affiliation provided the largest number of total comment documents during the scoping period. No comments were received from tribal governments. A list of all commenters and their affiliations can be viewed in Appendix E.

2.2.2 Submissions by Geographical Area

Appendix D shows the number of submissions received by the city, state, and zip code of the commenter. Only those commenters who supplied their address are included, and therefore, the totals shown here do not match the total number of comments received. The BLM received approximately 49 comment documents from within the planning area and 133 from outside of the planning area. Comments from residents within the planning area were submitted primarily by individuals and those who did not identify an affiliation. The BLM treats all comments equally, regardless of geographic origin or commenter affiliation.

Table 4. Number of Comment Documents by Affiliation

| Commenter Affiliation | Number of Comment Documents |
|------------------------------|------------------------------------|
| No Affiliation Indicated | 147 |
| Federal Agency | 3 |
| State Agency | 4 |
| County Government | 1 |
| City Government | 0 |
| County Conservation District | 2 |
| Elected Official | 1 |
| Private Organization | 17 |
| Business | 21 |
| Tribal Government | 0 |
| Total | 196 |

2.2.3 Comments by Planning Issue Category

The BLM received a total of 710 comments related to RMP planning issues. In addition, the BLM received a number of comments on topics that will not be addressed in the RMP including: requests for changes to regulations and policies, issues outside the scope of the planning process, comments that were too vague, and comments on how the planning or public involvement process should work. Comments that will not be addressed in the RMP are

discussed in greater detail in Section 3.4. The 710 comments were categorized into 12 planning issue categories. Table 5 shows the number of comments received for each planning issue. Section 3.3 provides a basic summary of the comments received for each category. Full comment documents are available in Appendix F.

The comment count by planning issue category in Table 5 provides an estimate for the number of comments based on comment topic. However, because of the unstructured nature of the comment process (i.e., commenters were not answering specific questions, but rather speaking to their concerns), the BLM often received comments that touched on multiple issue categories. In these cases, the comment was placed into the category where it seemed most appropriate. For example, a comment requesting protection for riparian areas in the planning area through designation as an ACEC to protect wildlife habitat and water quality was coded in the Special Designations issue category, even though the comment also applies to the Water Quality and Wetlands/Riparian Areas and the Biological Resources: Vegetation, Fish, Wildlife, and Special Status Species issue categories. It is important to note that while comments of this type were not coded into multiple categories, the issue statements in Section 3.2 do represent all of the comments relevant to that planning topic, regardless of the issue category where the comment was grouped.

Table 5. Number of Individual Comments by Planning Issue Category

| Planning Issue Category | Number of Individual Comments |
|--|--------------------------------------|
| Air Quality and Climate Change | 43 |
| Water Quality and Wetlands/Riparian Areas | 52 |
| Mineral and Energy Resources | 143 |
| Biological Resources: Vegetation, Fish, Wildlife, and Special Status Species | 156 |
| Invasive Species and Pest Management | 13 |
| Cultural and Paleontological Resources and Tribal Concerns | 22 |
| Lands and Realty and Rights-Of-Way | 42 |
| Trails and Travel Management | 69 |
| Recreation | 21 |
| Livestock Grazing | 43 |
| Special Designations | 82 |
| Socioeconomic Resources | 24 |
| Total | 710 |

Table 6 provides a list of the planning issue categories and the comment documents that contained unique comments on each category. Please refer to Appendix E, Table 1 for a list of individual comment documents and the issue categories where their comments were summarized.

Table 6. Planning Issue Categories and Contributing Comment Documents

| Planning Issue Category | Comment Documents ^{1,2} |
|--|--|
| Air Quality and Climate Change | 1016, 1017, 1022, 1025, 1039, 1056, 1060, 1062, 1071, 1072, 1079, 1083, 1110, 1120, 1142, 1192 |
| Water Quality and Wetlands/Riparian Areas | 1010, 1016, 1017, 1018, 1019, 1022, 1023, 1033, 1037, 1039, 1043, 1043, 1051, 1056, 1058, 1062, 1071, 1080, 1083, 1192 |
| Mineral and Energy Resources | 1010, 1013, 1016, 1017, 1018, 1019, 1022, 1029, 1030, 1031, 1032, 1033, 1034, 1036, 1037, 1038, 1039, 1040, 1043, 1047, 1051, 1052, 1055, 1056, 1061, 1062, 1071, 1072, 1073, 1077, 1082, 1083, 1094, 1192 |
| Biological Resources: Vegetation, Fish, Wildlife, and Special Status Species | 1012, 1016, 1017, 1018, 1019, 1022, 1029, 1033, 1036, 1037, 1038, 1039, 1042, 1043, 1044, 1051, 1055, 1056, 1058, 1063, 1064, 1066, 1068, 1071, 1072, 1077, 1079 |
| Invasive Species and Pest Management | 1012, 1015, 1018, 1022, 1023, 1039, 1043, 1054, 1064, 1071, 1083 |
| Cultural and Paleontological Resources and Tribal Concerns | 1007, 1010, 1012, 1014, 1022, 1023, 1032, 1056, 1059, 1071, 1083 |
| Lands and Realty and Rights-Of-Way | 1015, 1018, 1019, 1022, 1023, 1032, 1033, 1034, 1036, 1043, 1044, 1059, 1068, 1071, 1072, 1077, 1079, 1081, 1191 |
| Trails and Travel Management | 1001, 1006, 1019, 1022, 1023, 1024, 1043, 1044, 1048, 1065, 1071, 1077, 1080, 1083 |
| Recreation | 1002, 1008, 1009, 1015, 1016, 1020, 1022, 1023, 1024, 1025, 1034, 1035, 1044, 1066, 1070, 1081 |
| Livestock Grazing | 1012, 1014, 1015, 1018, 1019, 1022, 1034, 1039, 1044, 1056, 1060, 1064, 1065, 1071, 1075, 1077 |
| Special Designations | 1007, 1011, 1012, 1015, 1017, 1018, 1020, 1021, 1022, 1023, 1029, 1031, 1032, 1033, 1034, 1037, 1039, 1042, 1043, 1044, 1045, 1046, 1050, 1051, 1056, 1065, 1067, 1068, 1069, 1071 |
| Socioeconomic Resources | 1012, 1014, 1017, 1019, 1023, 1029, 1030, 1032, 1034, 1036, 1040, 1045, 1047, 1052, 1053, 1056, 1061, 1073, 1076, 1082 |

¹ Identical comments from form letters were only bracketed once, in the master form letter (Comment Document #1192).

² The number of comment documents listed for each issue category in Table 6 does not equal the number of comments for that issue category in Table 5 because a single comment document could contain more than one comment on a given issue.

3.0 ISSUE SUMMARY

Issue identification is the first step in the RMP planning process. Planning issues are controversies or concerns about existing and potential land and resource allocations, levels of resource use, production, and related management practices. Issues may include public concerns or needs to be considered in the planning process. Planning issues may result from changed circumstances from the previous planning process or new data that was previously unavailable.

3.1 Planning Issue Development

The BLM used a multi-step process to categorize and distill the issues presented in the RMP scoping comments. Scoping comments were compiled and evaluated to identify issue categories. Issue categories are broad resource topics used to consolidate comments expressing similar areas of concern. These issue categories were then used to group individual comments, and these grouped comments were used to develop discreet planning issue statements. The process of issue category and issue statement development was iterative; as comment summaries were written based on the original issue categories, these categories and issue statements were sometimes divided or condensed to more appropriately reflect the range of topics discussed in the comments. The current planning issue statements are presented in the section below. The purpose of these planning issue statements is to highlight the key issues as described in comments received during the scoping process.

3.2 Issues Identified During Scoping

One or more planning issue statements have been developed for each of the 12 planning issue categories, for a total of 18 issue statements (written in the form of questions). These planning issue statements summarize the issues and concerns raised by the public during the scoping process. Adjustments to the planning issues will continue to be made as needed during the planning process as the BLM receives additional input from the public and cooperators. The 18 planning issue statements are identified below for each of the planning issue categories.

3.2.1 Air Quality and Climate Change

- How can the BLM manage activities occurring on public lands to ensure they do not contribute to air quality-related impacts to human health or resource values?
- How should the BLM incorporate climate change into its land management practices?

3.2.2 Water Quality and Wetlands/Riparian Areas

- How should the BLM manage the use and development of public lands to ensure surface and groundwater resources are available and of sufficient quality for public, wildlife, and other uses?
- How can BLM-administered lands be managed to protect wetland and riparian areas?

3.2.3 Mineral and Energy Resources

- Which areas should be open to mineral and energy development and how will the BLM address issues related to split-estate lands?
- What management and leasing actions are needed for mineral and energy developments to protect natural, biological, and cultural resources?

3.2.4 Biological Resources: Vegetation, Fish, Wildlife, and Special Status Species

- What management actions or development actions are needed to protect, improve, or restore terrestrial and aquatic habitats for fish, wildlife, and special status species (including greater sage-grouse)?
- How can the BLM manage forests resources to protect ecosystem health and preserve multiple use?

3.2.5 Invasive Species and Pest Management

- What development stipulations and management actions are appropriate to control and prevent the spread of noxious weeds, pests, and invasive species?

3.2.6 Cultural and Paleontological Resources and Tribal Concerns

- How can the BLM protect paleontological resources, cultural and heritage sites, and traditional cultural properties?
- How can the BLM effectively involve Native Americans in the RMP revision and BLM decision making?

3.2.7 Lands and Realty and Rights-Of-Way

- How can land tenure and management adjustments be used for access and development, while also protecting natural, biological, and cultural resource values?
- Which areas should be available for renewable energy development and how should this development be managed to protect other resource values and uses?

3.2.8 Trails and Travel Management

- How should travel, including off-highway vehicle (OHV) use be managed for recreational and commercial access, while also protecting natural, biological, and cultural resources?

3.2.9 Recreation

- How should the BLM manage recreation on public lands to provide a full spectrum of recreational opportunities, while ensuring public safety and the protection of resources values?

3.2.10 Livestock Grazing

- How should the BLM manage livestock grazing and related development on public lands to ensure the protection of natural, biological, and cultural resources while maintaining grazing-dependent socioeconomic and heritage values?

3.2.11 Special Designations

- What areas contain sensitive resources requiring special management and what, if any, special designations are appropriate to protect them?

3.2.12 Socioeconomic Resources

- How can the BLM protect natural, biological, and cultural resources while managing BLM-administered lands to support local economies and traditions tied to these lands?

3.3 Summaries of Public Comments by Planning Issue Category

This section provides summaries of the public comments received during the public scoping process for each planning issue category. As discussed previously, the BLM received and reviewed approximately 710 comments (from 95 unique comment documents and form letters with additional information) during the scoping period. In the issue category summaries below, the BLM has attempted to capture the primary needs, uses, and concerns presented in these comments. With the exception of form letters, all written submissions have been reproduced in their entirety in Appendix F.

3.3.1 Air Quality and Climate Change

The BLM received 43 comments concerning air quality and climate change related issues.

Air Quality

Multiple commenters expressed concerns about air quality, or the deterioration of air quality, in the planning area as a result of activities on BLM-administered lands. Activities and developments that commenters identified as detrimental to air quality were: dehydration units, coal mining operations, uranium mining, coal-fired power plants, unpaved roads and road dust, flaring of natural gas, drilling and stimulation fluids, mud pits, oil and gas condensate production, purification (refining, water and carbon dioxide removal), and two-stroke engine use.

Multiple commenters requested the RMP and EIS include a detailed analysis of air quality impacts. One commenter stated that a qualitative analysis would be insufficient for the EIS. Another commenter stated that the RMP should provide the following information to guide future planning: whether additional leasing and development could proceed without affecting National Ambient Air Quality Standards (NAAQS) and other air quality values, such as visibility; the rate of oil and gas leasing or development; appropriate leasing stipulations; and/or necessary mitigation measures to include in drilling permits. This commenter also requested that the BLM provide the predicted effects from direct, indirect, and cumulative sources of emission “in the surrounding areas be compared against the NAAQS, the prevention of significant deterioration (PSD) Increments, the Air Quality Related Values (AQRVs), hazardous air pollutants (HAPs) Relative Exposure Limits and chronic inhalation exposure guidelines” when describing a proposed action. The commenter stated that if the RMP were to include plans for significant oil and gas development, air quality dispersion modeling should be conducted for areas in and out of the planning area. This commenter also suggested the factors that could provide an indication as to whether a detailed air quality analysis should be conducted for the EIS, and also stated that a vetted Air Quality Modeling Protocol be developed prior to any

analysis of air quality impacts. The commenter requested that the BLM provide specific and detailed mitigation measures if the effect on air quality were determined to be significant.

Health concerns, such as asthma and other lung diseases, related to emissions from energy develop were mentioned by multiple commenters. One commenter stated that precautions to limit diesel emissions, road dust and other sources of fugitive dust should be taken to protect workers and the public. Several commenters asked that the BLM analyze and consider the direct, indirect, and cumulative effects of air pollutants on health. Commenters mentioned particulate matter (PM) 2.5 and PM 10 emissions, nitrogen dioxide, and sulfur dioxide emissions as being of particular concern to human health or contributors to regional haze. Another commenter mentioned the importance of addressing ozone pollution, noting that levels had recently exceeded Environmental Protection Agency (EPA) NAAQS. The commenter also mentioned the potential increase in volatile organic compounds (VOCs) from mineral development.

Multiple commenters asked that actions occurring on BLM-administered lands be held to aggressive standards or federal/state standards, and one commenter requested the BLM add requirements to halt actions that were shown to be violating such standards. A commenter asked that oil and gas operators be held to the same air quality standards and dust management practices as the mining industry and another asked that oil and coal producers pave roads to reduce dust and modify the trucks they use to limit pollution. One commenter disagreed with the characterization that livestock transport and heavy construction activities were significant contributors to air quality problems. Another comment stated that the BLM should acknowledge its limited role in regulation air quality issues in the RMP and EIS.

Multiple commenters stated that the RMP and EIS should require limits on activities that cause regional haze and related impacts to viewsheds. Some of these commenters specifically mentioned the importance of protecting viewsheds in visual resource management Class I areas, such as the Wind Cave National Park, Northern Cheyenne Indian Reservation, Fitzpatrick Wilderness Area, and other current and potential Wilderness Areas. Other commenters simply noted that regional haze was a problem in areas like the Big Horn and Wind River Mountains. One commenter recommend that the analysis of impacts to visibility in Class I areas or other sensitive airsheds be performed using CALPUFF, and that screening-level models be required for projects that need less extensive air quality modeling.

Climate Change

The BLM also received several comments on the topic of climate change, with some favoring climate change and greenhouse gas emissions being considered in the RMP and EIS and some opposed. One commenter expressed concern about the characterization of livestock as major sources of greenhouse gasses because of variability of emissions from this source. Another commenter claimed that the scale of the global warming issue and the responsibility for managing it was such that a BLM RMP should not address the issue. Another commenter agreed and cautioned the BLM in reviewing energy related carbon dioxide emissions at the land use planning level because of the lack of national standards and issues related to conducting analyses that this absence creates. Several other commenters requested the BLM incorporate climate change and greenhouse gas reduction policies into the RMP revision and another asked

that management complications related to climate change be taken into account during the RMP revision. One commenter asked the BLM to analyze the cumulative effects from emissions of greenhouse gases resulting from permitted activities managed under the Buffalo RMP.

3.3.2 Water Quality and Wetlands/Riparian Areas

The BLM received 52 comments concerning the management of wetlands, riparian areas, and water quality within the planning area.

Water Quality and Quantity

Multiple commenters stated that the BLM should analyze its management actions in terms of their effects on surface and groundwater quality and availability. One commenter requested the RMP include standards on acceptable levels of hydrographic (hydrologic) change, change in water quality, and aquatic indicator species that would trigger changes in management. A commenter requested that the BLM disclose past water quality impacts, analyze future impacts, and provide a list of mitigation measures as part of its plan revision.

The BLM received a number of comments expressing concern about the effects of specific land uses on water quality. Multiple commenters mentioned the contamination of groundwater and surface water resources due to mineral development (gas, coal, and uranium) and the effects of the dewatering of coal seams on groundwater availability. Several commenters requested that past and projected future impacts on groundwater wells and water quality from mineral development be included in the RMP, and one requested and that replacement sources be identified when impacts were found to have occurred. Several commenters stated the importance of source water protection for agriculture, ranching, or household use; areas of split-estate mineral ownership were mentioned as being of particular concern for source water protection. One commenter expressed concern about the drawdown of water on a nearby Indian reservation. Other commenters requested monitoring and management actions related to livestock grazing, such as restricting livestock use of riparian areas, to ensure water quality degradation by pathogens, such as fecal coliform bacteria, did not occur. A commenter also asked that the RMP and EIS include clarification of BLM's responsibility related to water quality versus those of the state of Wyoming.

Several commenters requested the RMP identify specific steps to improve water quality in areas identified as water-quality impaired stream segments or those not meeting state standards, such as segments on the 303(d) list. One commenter suggested using buffer zones around waterways and road construction/ OHV use restrictions in riparian area for those segments not meeting applicable standards. One of these commenters identified the Powder River as being of particular concern, while another commenter requested that no deterioration be allowed in the stream segments designated as Class 1 or Outstanding Waters.

Several commenters mentioned water development on BLM-administered lands. One commenter asked that flow control devices be installed on all new wells and spring developments. Another commenter was concerned about the time constraints put on water development.

The BLM received several comments concerning waterways and streamflow. One commenter stated that the RMP should clearly identify and describe surface and groundwater resources in the area of analysis. Another commenter felt that the RMP should state that the BLM will pursue whatever mechanisms are available to it, to preserve minimum stream flows for wildlife habitat, fisheries, and recreation. Several commenters mentioned intermittent waterways, asking that they be defined and mitigation measures to protect this resource be presented in the RMP. Another commenter asked that the BLM avoid actions with the potential to alter streamflows or flooding. This commenter also requested that wastewater be reinjected or used for agricultural/municipal purposes instead of being released in local waterways, particularly when impacts to water quality or aquatic species could occur. Another commenter stated that allowing the dumping of water onto private property from outfalls/reservoirs had to be prevented and requested that landowners be given a role in determining how such water could be put to use on their property.

The BLM received several comments related to erosion and channel stability. Several commenters stated that the BLM needed to monitor treated and untreated discharges to waters to prevent stream degradation from erosion/sediment loading and discharges from nonpoint sources (such as produced water from oil and gas). One commenter asked the BLM to analyze the effects of increased flow rates from produced water and increased surface disturbance from energy development on stream channel stability and water quality. The commenter also stated that disturbed areas should be reclaimed quickly and monitored to limit erosion and water quality impacts. Other commenters expressed concerns about surface disturbance on steep slopes and a perceived lack of sufficient erosion control. Another commenter stated that there was no problem with erosion on BLM-administered land.

Riparian Areas and Wetlands

The BLM received many comments on the topics of riparian area/wetland management and analysis. Several commenters requested the BLM set riparian area/wetland objectives and desired future conditions, and asked that the RMP include riparian area/wetland protections. Suggestions from commenters on how to protect these areas included: specific steps to bring riparian areas to Proper Functioning Condition or maintain this status if achieved; the exclusion of OHVs from riparian areas except on designated routes; following the Fundamentals of Rangeland Health in riparian areas; monitoring programs; the restoration/protection of riparian vegetation; restrictions or No Surface Occupancy (NSO) stipulations for mining in riparian/wetland areas; and the creation of buffers between surface-disturbing activities and riparian areas, wetlands, and streams. One commenter requested that the RMP define buffer zones around perennial and intermittent waterways. One commenter requested riparian areas be restored to serve as natural fire breaks. Finally, a commenter stated that potential travel routes that avoided streams, wetlands, and other environmentally sensitive areas should be given preference by the BLM.

A commenter stated that substantial degradation diminishes the effectiveness of wetlands to provide ecosystem services. This commenter requested that the RMP and EIS include the following information to allow for a determination as to whether such degradation could occur as a result of the proposed management actions: acreage of affected wetlands; reasoning for

non-avoidance; the function/value of affected wetlands and risks from the loss of these functions/values; measures to reduce or remediate for any affects; adjacent area wetland monitoring and management activities; and the anticipated short and long term effects to wetland/riparian area from any proposed management actions. The commenter also suggested the BLM require delineation and marking of perennial seeps, springs and wetlands before any activity were allowed to occur.

3.3.3 Mineral and Energy Resources

The BLM received 143 comments related to energy and minerals management. Topics included economic feasibility, reasonably foreseeable development, leasing, and exploration and development.

Economic Feasibility and Reasonably Foreseeable Development Scenarios

Commenters asked the BLM to consider the economic feasibility of various minerals management alternatives, including options that would make it uneconomical or technically infeasible to develop minerals. They asked the BLM to update operation cost projections to reflect future markets by using a sensitivity analysis that would be able to demonstrate the effects of changes to drilling costs on the economy of the project area, to quantify the cost of diminishing potential mineral supply when setting aside land under special designations, and to discuss economic impacts of different surface management options on future minerals development. A commenter requested that the BLM conduct a suitability analysis to identify economically appropriate areas as well as areas of uneconomic recovery or where extreme environmental or socioeconomic impacts would occur from development.

Commenters suggested the Reasonable Foreseeable Development (RFD) address and estimate all potential development scenarios, including the maximum possible RFD for oil and gas, coal mining, coalbed natural gas (CBNG), bentonite, and uranium. They also asked that the RFD reflect technological advancements in mineral recovery. A commenter suggested that current lack of mineral potential should not be the sole grounds for closing an area to future minerals development. Commenters requested that the BLM collaborate with industry to collect data and develop the RFD scenarios, including estimates of surface disturbance, projected pipeline and compression capacity needs, well closures, and well spacing changes. Many commenters reiterated that the BLM should provide language in the RMP to explain that the RFD is a tool for analyzing future impacts and does not itself set limits on future development.

Other commenters suggested the RFD should identify wildlife habitat, water, and travel management impacts related to future development. Another comment stated that economic recoverability should guide the BLM's development of the RFD scenario, instead of job growth and revenue forecasts or technically recoverable resources, because those data unrealistically inflate the potential for oil and gas development. A commenter requested that BLM prohibit leasing whenever the RFD scenario is exceeded, particularly related to new technologies not subject to previous environmental review.

Leases

A commenter asked the BLM to define the purpose and need for future minerals development-related lease activities in the planning area and suggested the RMP should guide and regulate the configuration, acreage, and timing of lease offerings. A commenter requested that the BLM consider no new leases as an alternative in the RMP process, while another suggested that BLM adopt the lease categories used in the Pinedale RMP, which include: “intensively developed fields,” “traditional leasing areas,” and “unavailable areas.” While some commenters requested that leasing be suspended until approval of the final RMP, others noted that leasing and development activities are not prohibited during the planning process. A commenter requested that lease applications be made more accessible to the public.

Many commenters requested that BLM include language in the RMP to clarify that new management direction under the RMP, such as Conditions of Approval (COAs), will not apply to those lands already leased. A commenter requested that the BLM not impose blanket mitigations measures or COAs to Applications for Permits to Drill (APDs) or Plans of Development (PODs), and instead employ the least restrictive site-specific measures. Another commenter asked BLM to analyze leases for overlapping restrictions that would make minerals development economically infeasible. Many commenters requested that BLM use site-specific analysis in setting lease stipulations. However, another commenter asked BLM to consider using NSO stipulations and phased development as management tools. Commenters suggested various well spacing acreages, based on the type of mineral extraction and methods for minimizing impacts on other natural resources.

Split-Estate and Adjacent Properties

One commenter raised concerns that mineral development adjacent to private property or property administered by another agency could affect shared mineral resources, and encouraged the BLM to establish a withdrawn development buffer if the adjacent property owner elected to begin minerals development.

Many commenters raised concerns regarding property rights related to split-estate and asked the BLM to work cooperatively with surface owners to reduce mineral development impacts on surface lands. One commenter asked the BLM to focus its application of COAs on areas of significant BLM oversight. Another commenter asked the BLM to provide written advanced notification of lease sales as well as information and resources for surface treatment, minimized industrial footprint, proper water storage, handling and availability for beneficial use, elimination of water trespass, and reclamation requirements. A commenter requested that site-specific analysis be done for all split-estate leases and the surface owner be given 45-day advanced written notice of the proposed leasing decision and opportunity to comment, including recommending specific lease stipulations.

Exploration and Development

Multiple commenters asked the BLM to consider management options that would protect or enhance opportunities to explore for and develop oil and gas resources. A commenter suggested that exploration methods with the least impacts, such as shot-hole seismic exploration, be identified as the preferred exploration method, unless specific archaeological,

paleontological, or water resource concerns preclude the use of this method. A commenter also requested that existing roadways be used in the exploration process and heli-portable drills and hand-laying of geophone lines be mandated for sensitive areas. Another commenter said that vested property rights on leased lands should only apply if a valuable mineral discovery is made and the mineral recovery cost, including mitigation, is economically feasible.

A commenter requested that development incorporate reasonable protections for physical and biological resources. During development, commenters requested that: the BLM create reasonable mitigation measures to limit or avoid impacts to surface resources; avoid off-road travel on steep or unstable soils during wet weather; wells be sidetracked from existing wells, drilled from existing wellpads, or drilled from cluster pads adjacent to roads; pads be constructed at intervals that create the minimum footprint; no new roads be created for development unless exceptional difficulties are demonstrated; maintain no net loss in undeveloped lands; and new technologies, such as pitless drilling, be employed unless a alternative with less impacts is identified. One commenter encouraged the BLM to favor development in existing fields and discourage or prohibit it in undeveloped areas. Several other commenters requested only reasonable restrictions be placed on oil and gas development or no new overlapping complicating rules be put in place. Some commenters ask the BLM to consider the economic impacts of limiting mineral development, while others encouraged BLM to consider the economic value of other non-extractive uses of public land as well.

Some commenters supported phased minerals development, particularly to protect sensitive habitat areas or to allow landscapes to recover from previous impacts. However, others commented that phased development is often inconsistent with the practical aspects of minerals development and extends the period of disturbance from months to years.

Commenters suggested that the BLM identify preferred new drilling technologies, when economically feasible, such as directional or horizontal drilling methods that would minimize impacts. Others asked the BLM to analyze and set policy for future use of new technologies, such a carbon sequestration, coal gasification, bentonite, uranium, and hardrock mining, or shale formation developments. A commenter also requested that BLM not require technologies that would make projects economically unfeasible. Some commenters requested that BLM address conflicting mineral development uses in the planning area, such as conflicts between CBNG production or horizontal directional drilling and traditional coal mining. One commenter suggested that gas well life extending technology, such as liquid ring compression, and the advance of coal mining into deeper cover could create such problems.

Commenters asked BLM to identify mitigation measures to reduce or avoid impacts to other resource values, not only in lease stipulations but also with area-wide standards and guidelines. One commenter asked for site-specific mitigation to lessen impacts on livestock grazing. Another commenter asked that BLM require pitless drilling permits and smaller well pads, and eliminate reserve pits. Additionally, commenters asked BLM to address noise-related impacts from minerals development and production.

Many commenters advocated for more stringent reclamation stipulations and practices under the revised RMP. One commenter suggested that no new development should be allowed until all existing reclamations projects are complete. Commenters asked BLM to implement

increased bonding amounts to cover all necessary reclamation costs, including reclamation of discharge locations, stream channels and outfalls, and additional infrastructure reclamation. Another commenter said that low reclamation potential areas should not restrict multiple use. One commenter stated that facilities and reclamation efforts in disturbed areas should blend into the natural landscape to reduce visual impacts. Other commenters asked that suitable sub and topsoil for reclamation be identified, while another commenter asked that topsoil be salvaged during mineral development and other surface-disturbing activities. Several commenters asked that the BLM adhere to specific soil layer sampling and testing requirements or that developers avoid soil related impacts (such as soil compaction) during surface-disturbing and other activities.

Many commenters argued that minerals development should not supersede other resource uses and asked that specific desired outcomes for minerals development be outlined in the RMP. However, others suggested that minerals development is a short-term use and does not necessarily preclude other multiple uses and can support habitat post reclamation. Those commenters also requested that minerals development not be precluded in core greater sage-grouse habitat areas, and that they instead be managed with site-specific COAs. Many commenters asked that energy development be balanced against other uses. They suggested increased levels of protection for mineral development withdrawals in sensitive wildlife habitat, geologically or culturally-sensitive, recreation, wetlands, and wilderness areas. Suggestions from commenters included: using a landscape-scale planning approach to habitat management; developing buffers around core greater sage-grouse habitat; staging development in crucial winter ranges, severe winter relief ranges, and elk calving ranges; withdrawing lands near raptor nests and prairie dog towns; withdrawing areas within the 100-year floodplain of permanent or intermittent streams or within 500 feet of natural water sources or riparian vegetation; withdrawing or nullifying leases in WSAs, ACECs, and land classified as Visual Resource Management Classes I and II; using underground coal extraction in acceptable areas to limit impacts on raptors; creating five-mile buffers around historic trails, Native American Trails, and National Register of Historic Places (NRHP) eligible locations as well as tribal cultural sites identified by tribes; and withdrawing areas used primarily for residential or related purposes.

Produced/Discharged Water

Many commenters raised concerns regarding the effects of produced or discharged water on other resources, particularly water discharged from CBNG and uranium production. They asked BLM to analyze past impacts and prevent future impacts from dissolved solids (such as salt, selenium, or other heavy metals) on groundwater, grazing, agriculture, soils, wildlife, wetlands and riparian areas, and human use. One commenter asked BLM to prohibit the use of hazardous chemicals used in hydraulic fracturing and drilling fluids and to specify spill prevention and cleanup requirements in the RMP; another commenter asked for a requirement that documentation of the content of these fluids be provided to maintain worker and resident safety and that a Health Impact Assessment be performed as part of the EIS. One commenter stated that the BLM should consider and seek to implement CBNG development moratoriums in areas where minimal natural gas is being produced, but vast amounts of produced water is being removed (such as the Crazy Woman Creek and Clear Creek drainages identified by the

Wyoming State Geological Survey). The commenter stated that such situations could constitute a wasting of produced water, which is required by state law to be put to beneficial use.

3.3.4 Biological Resources: Vegetation, Fish, Wildlife, and Special Status Species

The BLM received 156 comments related to biological resources. Many commenters supported compatible multiple use with appropriate protections to maintain the integrity of vegetation, fish and wildlife, and special status species.

Vegetation

Commenters requested that BLM consider habitat protection in sagebrush, aspen, juniper woodlands, and montane forest areas as well as for cryptobiotic soil. One commenter asked BLM to assess the ecological impact sagebrush treatments have on bird species and avoid treatments within three miles of greater sage-grouse leks, while another suggested grazing as a method to control sagebrush. Another commenter questioned what would happen to greater sage-grouse if natural fires were allowed to simply burn. Commenters suggested that BLM implement Best Management Practices to protect vegetation in riparian areas. Other commenters asked that BLM maintain all current special management areas and preserve species of concern. Several commenters mentioned a need to evaluate, protect, or restore cryptobiotic soil crusts from activities such as grazing, mineral development, and OHV use. Multiple commenters stated that fire should be allowed to play a role in maintaining ecological and vegetation health, but one commenter asked that the BLM prohibit road building to accomplish vegetation treatments for fire management. One commenter asked that only native plants be used for post-fire reclamation, while a second asked that nonnatives be considered for the short-term in erosion prone areas where invasive species infestation was a concern.

Many commenters discussed forest thinning and prescribed fire actions to control future fire danger and insect-related disease. Forest management suggestions included: focus thinning on the understory; address buildups of fine fuels such as brush; avoid only cutting older trees; retain snags to benefit wildlife, hold soil, and serve as “nurse trees;” avoid clearcutting; maintain age diversity in the remaining stand or thinning in subalpine forests; avoid mechanical thinning in proposed and designated wilderness areas; match the natural forest fire cycle for the region; use timber harvests to cost effectively manage fire risks; and avoid building new roads in areas of crucial wildlife habitat, such as elk habitat or NSO-restricted areas. One commenter urged BLM to utilize site-specific analysis to determine the appropriate forest management technique, while a second commenter asked that fire related vegetation management be focused on the wildland-urban interface. Another commenter asked that the RMP address past and future uses of fire and how it should be applied to improve wildlife and vegetation, as well as monitoring and post fire management of areas treated with fire and information on the management of wildfires. A commenter asked that scenic qualities be considered and protected to the extent possible in areas proposed for vegetative and forest land treatment.

Regarding reclamation, a commenter asked BLM to define measurement of composition, diversity, and success in reclamation efforts. A commenter asked BLM to consider the pre-

existing conditions of an area in reclamation planning, and urged BLM to not use crested wheatgrass during reseeding. Additionally, a commenter suggested that BLM adjust livestock stocking rates in forests and vegetation treatment areas to minimize impacts on plant regeneration.

Fish and Wildlife Resources

Many commenters suggested that BLM protect and maintain crucial habitat, both in quality and quantity, throughout the year for a range of species, including: raptors, migratory birds, golden eagles, rodents, prairie dogs, ferrets, swift fox, mule deer, pronghorn, elk, and wild horses. One commenter suggested that BLM reintroduce beaver into the planning area.

Commenters differed on how to handle habitat fragmentation. Some commenters suggested that BLM address habitat fragmentation at the planning-level, maintain large contiguous habitat areas and minimize edge, and set binding limits on development. Others asked BLM not to use fragmentation as a reason to close areas to recreational use. Many commenters suggested that BLM document and map existing habitat and wildlife population according to size. They also wanted the BLM to develop wildlife monitoring and mitigation scenarios, including off-site mitigation options, and enforcement measures for any development. One commenter suggested that BLM set stipulations to protect range and develop performance-based thresholds for development projects.

Suggestions on how to improve fish and wildlife habitat included: maintain habitat diversity for all wildlife life stages; trap and reestablish populations; set seasonal stipulations on crucial range; evaluate how vegetation treatments would affect habitat quality; identify and protect potential raptor habitat; maintain required instream flows; allow spring flushes to scour spawning gravel for fish; evaluate the impacts of linear rights-of-way (ROWs) on bird species and maintain minimal distances in important areas; maintain existing undeveloped areas distributed throughout the planning area; address bird electrocutions due to powerlines; create development buffers around nesting areas; limit development in forest habitat; address how minerals development affects water quality for bird species; and allocate enough forage for wildlife. One commenter requested the BLM to monitor population trends of species sensitive to management activities, known as indicator species, as a means to tell when management changes were required.

One commenter asked that BLM remove illegal fences and limit future fence construction to allow for pronghorn passage. Others suggested that BLM protect game species both for wildlife value and for hunting. Another encouraged BLM to integrate wildlife conservation efforts in the area through cooperative conservation opportunities with other agencies and private landowners.

Special Status Species

Commenters discussed the protection of many different special status species, including Species of Greatest Conservation Need, listed species, and sensitive species. These included the burrowing owl, ferruginous hawk, yellow-billed cuckoo, mountain plover, white-tailed and black-tailed prairie dog, greater sage-grouse, black-footed ferrets, Ute ladies'-tresses, blowout penstemon, and orchids. Many encouraged BLM to document and map existing species

distribution in the planning area. Commenters encouraged BLM to develop management, monitoring, and mitigation plans for all sensitive species and include standards that guarantee species viability and potential recovery in the RMP.

Commenters differed on how to address greater sage-grouse in the planning area. Some commenters cautioned BLM to allow flexibility in the development of stipulations related to protecting greater sage-grouse and encouraged BLM to ground truth greater sage-grouse data before implementing stipulations. They also stated that minerals development on greater sage-grouse focus areas should be regulated through site-specific stipulations. Others outlined conservation measures, including: follow the core population area strategy outlined by the State of Wyoming; assess and limit the cumulative impacts from development-related habitat fragmentation and degradation; protect land for all greater sage-grouse life stages including wet meadows, springs, seeps, as well as brood-rearing and wintering areas; establish NSO buffers and limit insecticide use within three miles of greater sage-grouse leks; encourage sagebrush re-establishment during reclamation; control predator populations; and shift on-off dates for minerals development. Many commenters encouraged BLM to take measures to keep greater sage-grouse off the Endangered Species List. The state of Wyoming asked BLM to prepare a Candidate Conservation Agreement for greater sage-grouse conservation.

Commenters also suggested that BLM avoid siting powerlines within two miles of prairie dog colonies to limit avian predation. Another commenter suggested that grazing is necessary for healthy rangelands and shouldn't be removed to protect endangered species.

3.3.5 Invasive Species and Pest Management

The BLM received 13 comments related to invasive species and pest management. Multiple comments requested BLM place more emphasis on invasive species management with many of the comments encouraging the BLM to direct more energy to preventative measures. Several commenters requested the BLM to limit or require preventative measures for activities such as OHV use, mining, post-prescribed fire reclamation, and grazing in order to limit the spread of weeds. Early recognition and control of new infestations was encouraged, with one commenter requesting the BLM prioritize weed control methods in areas with Threatened, Endangered, or sensitive plants. One commenter suggested the presence of invasive species, like cheatgrass, should be used as a determining factor in how fire is managed, while another requested the eradication of more flammable invasive species and the restoration of less flammable native species as a way to reduce fire frequency.

The need for a comprehensive plan for the control of noxious weeds and invasive species was also discussed. Commenters suggested the plan contain a combination of prevention and control methods including mechanical, chemical, biological treatment, and education. One commenter encouraged the BLM to provide technical and financial assistance to permit holders or lessees, and another requested the BLM establish monitoring plots to determine the effectiveness of various weed control methods. In addition, several commenters requested the use of chemical treatments on public land to prevent the spread of noxious weeds onto neighboring private property.

3.3.6 Cultural and Paleontological Resources and Tribal Concerns

The BLM received 22 comments related to cultural and paleontological resources and tribal concerns. Multiple commenters expressed concern about damage to cultural and paleontological sites due to their fragility and irreplaceable nature. Many commenters expressed a desire for the BLM to take an active role in protecting these sites by identifying those that are at risk and taking measures to protect them. Several commenters stated that adverse impacts to rock art and other archeological sites occurred in areas where BLM provided access to public land. Comments suggested that access to sensitive sites should be limited, while other comments stated that BLM should provide access to such sites or manage for resource protection in ways that would not limit access.

The BLM received multiple comments that related to cultural and paleontological site inventories and monitoring. Some commenters suggested an area wide inventory be conducted to identify cultural or paleontological sites, and others requested that consultations and inventories be conducted prior to any surface disturbance. Some comments suggested that known cultural and paleontological sites be documented and mapped using a global positioning system (GPS). One comment called for a specialist to be on site when any development occurs within 450 feet of a cultural site. Another requested that all paleontological resources be preserved in place and for landowners to be notified of any resources present on their property. Several commenters stressed the importance of examining the effects of other land uses on cultural and paleontological resources while others felt that certain surface-disturbing activities would not have an adverse impact on these sites. One commenter requested ROWs projects require appropriate avoidance methods and include in-house training of heavy equipment operators to identify cultural resources.

Several commenters called for protections of specific areas. One commenter stated it was important to preserve western heritage and culture by protecting sites such as historic mines, cabins, railroads, and settlements. Others mentioned specific sites including historic trails and rock art that deserved special designations. One commenter recommended evaluation of a section of the Bozeman Trail for NRHP eligibility and requested the BLM recognize the NRHP eligible Texas Trail, Sawyers Expedition Variant, and the Chicago, Burlington and Quincy Railroad for historic purposes. Another commenter expressed concerns about alterations to the historic Deadwood Trail. Several commenters suggested that culturally sensitive sites including Native American sites be closed to mineral leasing and grazing while others believed they should be given special protection such as ACEC designation. A list of the areas identified in comments as deserving of ACEC designation or other special management protections (such as the Pumpkin Buttes and Cantonment Reno) are available in the Special Designations, Including Nominations section of this document.

In addition to requests for protection of Native American cultural sites, multiple commenters mentioned issues related to tribal lands and consultation. A number of commenters requested that the BLM consult and engage affected tribes on decisions related to traditional cultural properties (such as the Pumpkin Buttes area) and other areas of religious or cultural significance. One commenter expressed concern about the drawdown of water on a nearby Indian reservation and the potential for the drainage of oil and gas resources from the

reservation due to leasing on adjacent federal lands. The commenter requested the BLM establish a buffer around the reservation to protect unleased tribal gas reserves. Another commenter requested the BLM promote the availability of wireless communications on tribal lands by granting access to federal lands for wireless infrastructure.

3.3.7 Lands and Realty and Rights-Of-Way

The BLM received 42 comments related to lands and realty. Comments of this type discussed changes in land ownership, renewable energy projects, and ROWs.

Lands and Realty

Many comments dealt with issues around the exchange or disposal of BLM-administered lands. Several commenters expressed support for disposal, through sale or exchange, of isolated or difficult to manage parcels. Some of the reasons commenters gave for supporting exchanges were to: protect biological diversity; consolidate holdings of sensitive areas; increase management efficiency; protect wildlife habitat and use areas; and protect wetland/riparian areas. One supportive commenter stated that adjacent landowners should be given priority in land sales. As a condition of land exchanges, a commenter requested the BLM not allow pieces of large, accessible, and useful land to be disposed of except in exchange for parcels of greater value to hunters and fishermen. Another commenter asked that the RMP identify lands eligible for disposal, areas to focus efforts to create contiguous blocks of land that would benefit users, and areas of inaccessible public land in need of easements or ROWs to secure public access. To aid in management, one commenter stated that BLM-administered lands should be clearly demarcated at their borders with private property.

One commenter requested land sales be made open to the public and conducted at market price. Several other commenters stated that appraisal values for exchanges should be publicly available or that adequate public notice and opportunities for involvement be given before land exchanges occurred. The low value land the BLM could offer in exchanges, as well as its ability to control trespassers in situations where public access was acquired across private property, were mentioned by one commenter.

The importance of securing access across private land to public areas was mentioned by multiple individuals. Commenters supported the use of exchanges, easements, requirements for public access as a condition on grazing permits, and cooperative arrangements as ways to acquire such access. One commenter asked that all BLM-administered lands be described in terms of whether legal public access is possible. Another commenter stated that land exchanges should include provisions to preserve public access across the parcel to any remaining public lands.

Additionally, a commenter suggested the BLM disclose locations for potential power plants, various industrial facilities, and wastewater treatment plants due to the potential for these structures to affect the environment.

Rights-of-Way

The BLM received a number of comments regarding the management of ROWs. One commenter asked for corridors to be sited along existing ROWs or roads, and another

commenter requested the BLM attempt to bundle ROWs to minimize surface disturbance and resource impacts. This commenter also requested ROW exclusion areas be created and no communication sites be allowed in crucial wildlife habitat, ACECs, large prairie dog colonies, Threatened and Endangered species habitat, and within specified distances of active raptor nests and greater and sharp-tailed sage-grouse leks. The same commenter requested the 100-year floodplain and within 500 feet of water sources or riparian areas be designated ROW avoidance areas. Additionally, one commenter requested the BLM consider how requests for ROWs across mineral containing lands should be handled.

One commenter described a need to facilitate the creation of wireless communication sites on BLM-administered land in order to respond to increased demand for wireless communication. The commenter stated that existing corridors were not designed to accommodate current infrastructure needs. This commenter stated that siting wireless communications infrastructure would not have a adverse impact on environmental or cultural resources, and could provide beneficial safety/emergency communications abilities to the BLM and others. The commenter also stated that wireless communication capabilities could improve the local economy by allowing increased safe tourism/recreational use and promoting rural and tribal-land wireless communication.

Renewable Energy

Multiple commenters mentioned renewable energy development in the planning area. The suitability of lands in the planning area for wind generation was mentioned by several commenters. Some commenters expressed support for wind and/or solar energy projects, but stated that the BLM needed to take the siting of such developments into account to protect historic and cultural values, wildlife, as well as other resources in the planning area. These commenters felt that any analysis of renewable energy should also address the adverse environmental consequences of such development. Several commenters mentioned the importance of planning access routes or corridors for renewable energy projects. Others requested the BLM include areas available for renewable energy projects in the RMP. One of these commenters also asked that potential mitigation and best management practices related to renewable energy be included in the RMP. One commenter expressed a desire for the BLM to increase its use of renewable energy and increase energy efficiency in its operations.

3.3.8 Trails and Travel Management

The BLM received 69 comments related to trails and travel management. While some commenters requested that BLM minimize the trail and road network, many others advocated for increased access for motorized recreation use.

Commenters provided a range of management suggestions for existing trails, including: maintain or increase the existing trail routes; set aside routes strictly for motorized use, and allow OHV travel on forest roads; consider handicapped concerns in allowing motorized travel; designate more single-track trails and create curvier trails; implement loop trails; allow off-trail travel up to 300 feet; make the Fortification Creek area motorized accessible; develop motorized trails from urban areas onto BLM trail networks; analyze the costs of maintaining different types of trails per number of users; identify any documented user conflicts; set

exhaust noise limits for vehicles; update trail designations to reflect current use and periodically review these designations; build less permanent roads for short-term projects; control speeds or alter routes to avoid disturbing wildlife; and establish a standard for trail signage.

Regarding trails closures, some commenters suggested that BLM: evaluate all trail closures for historic use, site-specific motorized recreation value, and cumulative impacts; minimize closures and set a goal for no net loss of motorized trails; leave open challenging motorized routes; apply trail closures to all recreation activities; simplify seasonal trail closures and consider allowing winter OHV use; and limit travel on soft or wet ground, steep slopes, stream crossings, and critical habitat. Some commenters asked that WSAs, critical wildlife habitat, and winter ranges be made off-limits to motorized traffic, while another suggested that motorized recreation be allowed in WSAs until they are officially designated as wilderness.

Many commenters asked BLM to promote and inform the public about motorized recreation opportunities. Others raised concerns about road-related impacts to water, wilderness, grazing, scenic values, and wildlife resources. They asked BLM to develop a travel management plan that would set total permissible road miles, outline allowable habitat impacts, limit motorized travel to appropriate designated roads and trails, and outline enforcement measures. However, some commenters stated that significant impacts to resources such as wildlife, habitat connectivity, and water quality were occurring as a result of OHV use or roads. Additionally, commenters asked BLM to consider the socioeconomic and environmental justice impacts of other resource uses, such as timber harvesting, on trail closures.

3.3.9 Recreation

The BLM received 21 comments related to recreation and visitor use. Many of the comments stressed the importance of maintaining and improving recreational access to BLM-administered lands. Several commenters mentioned the public's right of gun possession on BLM-administered land and requested the BLM keep areas of public land open to target shooting and hunting. One commenter also requested that all dispersed campsites remain open.

Some commenters stated that they were pleased with the BLM's current recreational management practices, while others called on the BLM to invest more in recreational planning and obtain more accurate visitor use numbers. Several commenters suggested preserving recreational areas through a special designation and one commenter stated that they were pleased with the action the BLM had already taken in consolidating land holdings to improve recreational access. Another commenter expressed concern about the effects of increased recreational use and suggested an educational campaign to inform public land users about the rules, regulations, and personal responsibility associated with public land recreation.

The BLM also received comments addressing the importance of recreational-based tourism. Many of these commenters called on the BLM to consider mitigating noise levels, odors, litter, and light pollution while one commenter believed requiring effective signs were important to reduce user conflicts and improve visitor's recreational experiences.

3.3.10 Livestock Grazing

The BLM received 43 comments related to livestock grazing. Many commenters supported continued grazing on BLM-administered lands. Some supportive commenters cited an economic or heritage/cultural value to grazing, while others mentioned the importance of livestock water development and salt/minerals for local wildlife. Multiple commenters stated that grazing was important for rangeland vegetation and soil health, or grazing had led to an improvement in rangeland health or a reduction in fire hazards. One commenter also stated that grazing was not incompatible with special status species survival in areas where current habitat and historic grazing overlapped. Multiple commenters felt the BLM should address livestock grazing issues in the RMP. One commenter asked for consideration of the impacts of other land uses (such as mineral development) on grazing permittees as well as information on potential mitigation available to offset any effects. Other commenters, however, expressed concerns about livestock overgrazing and the potential for impacts to soil, the reproduction and viability of wildlife (including elk, mule deer, and greater sage-grouse), and habitat.

Many commenters suggested general changes to current livestock grazing management or standards and guidelines the RMP should incorporate. Several commenters mentioned that grazing management set out in the RMP should adhere to standards for rangeland or vegetation health, such as the *Standards for Healthy Rangelands and Guidelines for Livestock Grazing Management for the Public Lands Administered by the BLM in the State of Wyoming* or the *Proper Functioning Condition for Riparian Areas*. Several commenters also requested the BLM adopt the *Fundamentals of Rangeland Health*, while another commenter requested adoption of the *Rangeland Reform Measures* and the *Standards and Guidelines for General Application to All Components of the Rangeland Ecosystem*. One commenter asked for grazing practices that reflected a “conservation stocking rate” which would reduce stocking during drought and maintain vegetation diversity. Several other commenters asked that grazing management be designed in accordance with soil and vegetation capabilities, water quality issues, and livestock and wildlife grazing requirements. A commenter requested management aim at moving range conditions to “good” or “excellent” status. One comment requested the BLM establish rangeland programs that include structural practices and would increase rangeland health and livestock distribution. Several commenters, however, stated no changes were needed to the current livestock grazing management.

Multiple commenters also made specific requests for managing livestock grazing. One commenter requested the fluctuating cost of animal unit months (AUMs) be taken into consideration. Another commenter requested small exclosures be constructed in each allotment to serve as baselines for monitoring the effects of grazing. Commenters also discussed the imposition of limited grazing for two to three years following fires, the protection of wildlife from livestock-transferred diseases, the enforcement of requirements for proper fence construction and placement, and the creation of “forage banks” to allow deferment of livestock from degraded areas. Several commenters supported fencing livestock out of springs or riparian areas. One commenter requested an alternate water source be provided nearby if animals were fenced out of a water source. A commenter supported the inclusion of requirements to test and monitor springs, riparian areas, and upland areas and cryptobiotic

(microbiotic) crusts, and to remediate these areas if impacts from grazing occurred. This commenter also asked the RMP to identify grazing adjustments that would be required in forestry or vegetation treatment areas to minimize effects on vegetative regeneration. Additionally, the commenter requested livestock not be allowed to congregate in riparian areas or heavily graze sagebrush habitat. Finally, a commenter suggested shifting livestock allotment use, where necessary, or stock driveways to avoid greater sage-grouse strutting and nesting areas.

3.3.11 Special Designations

The BLM received 82 comments related to special designations or requests for special management of a specific area or resource. Numerous commenters requested continued protection or special designations for WSAs; crucial wildlife habitat (including areas with special breeding, feeding or sheltering value for wildlife such as cliff areas used by raptors, prairie dog colonies, nesting areas for species such as the mountain plover, and caves); migration and other ecological corridors; archeological, historical, and paleontological sites; and recreation areas. Other commenters opposed any additional special designations and requested areas be removed from special designation. Some comments requested buffer zones be created around special designations and others requested that the BLM expand the boundaries of existing special designations. Many commenters were concerned about the economic impact to the region from the restrictions placed on certain activities in special management areas such as timber harvesting, grazing and mining. Several commenters requested special designations be reevaluated for compliance with established criteria, legal precedent and local land use laws. A number of commenters asked for clarification of the location and exact geographic boundary of certain proposed specially designated areas, such as the South Big Horn Mountains.

Many comments received by the BLM requested that all current ACECs in the planning area retain their designation and urged that they be managed for their special characteristics. Some commenters added that where ACECs did not overlap with WSAs or Citizens' Proposed Wilderness Areas, protective stipulations (such as NSO) should be put in place to ensure their preservation. Several commenters called for all ACECs to be off limits to energy development, while one commenter requested multiple-uses be encouraged within existing ACECs in the Powder River Basin. Several commenters recommended an increased focus on wildlife ACEC designations, or other special designations to prevent damage to special value wildlife habitat, especially areas such as designated big game crucial winter ranges and riparian areas. Commenters also requested several historical sites and historic trails be protected by special designation, such as an ACEC designation. Numerous commenters requested ACEC status or protections for the Fortification Creek area, and some others requested that the area be off limits to future mineral leasing.

Several commenters requested the BLM recommend Wilderness designation for all potential WSAs to Congress; however, others were opposed to such action. Several comments called for all oil and gas development within or near WSAs to be prohibited, while another commenter requested that the BLM preserve all areas with wilderness and roadless characteristics found within the planning area. Many commenters requested special protections for the Citizens' Proposed Wilderness Areas. One commenter stated that all areas with wilderness qualities,

including the Citizens' Proposed Wilderness Areas and all visually based ACECs should be managed as visual resource management Class I to preserve the existing character of these landscapes. Another commenter requested the same classification for viewsheds along National Trails.

Some commenters requested the BLM recommend certain river stretches for Wild and Scenic River (WSR) designation. For those rivers eligible for WSR designation, many commenters called on the BLM to put additional protections in place until a determination could be made by Congress.

3.3.12 Socioeconomic Resources

The BLM received 24 comments concerning socioeconomic issues in the planning area. Many commenters mentioned the importance of energy development to the local economy and tax revenue. Commenters requested a comprehensive analysis of the current and historic socio-economic impacts of minerals development in the RMP. Multiple commenters expressed general agreement and support for the economic benefits of energy development in the planning area. Several commenters also discussed the role of Wyoming's energy resources in meeting national energy production needs. One commenter stated that the No Action Alternative should consider lost social and economic benefits from decreased energy development, while several others requested the BLM evaluate the economic impact of restrictive leases, closing lands to oil and gas, and other stipulations. However, one commenter felt that Wyoming was too dependent on the "boom-bust" prone energy industry, leading to economic instability and strains on local community services. Another commenter requested the BLM analyze the socio-economic costs of energy development on communities (housing, schools, waste and wastewater handling facilities, and increased road traffic and associated potential consequences) and provide ways to avoid or minimize any potential impacts.

Other commenters emphasized non-energy development economic values of BLM-administered land. Several commenters requested that the economic contribution of hunting, fishing, non-consumptive uses of wildlife, or recreation be considered when making management decisions in the RMP. Another commenter noted tourism was the number two industry in Wyoming and requested protection for historic sites and landscape as key factors in this type of economic development. Several comments stated open space preservation was important to stabilizing the economy against "boom-bust" energy economic cycles and luring new businesses to the state. One of these comments expressed the opinion that energy development lured away employees from tourism jobs and small businesses. However, another commenter expressed an opinion that maintaining access to BLM-administered land for extractive industries made for a stable economy that supported opportunities for hunters and tourists as well the extractive industries. Several commenters mentioned the importance of livestock grazing or agriculture, and one requested that the economic impacts of the RMP on these activities be considered. One commenter asked that the BLM recognize the importance of outdoor recreation, quality-of-life development, and ecosystem services to the future of the western United States and develop a balanced plan to address this economic situation. Finally, a commenter supported granting franchise rights to public resources, which they felt would maximize public benefits and lower resource production costs.

Several commenters identified the BLM-administered lands in the planning area as being important to local communities because of their heritage or lifestyle value. A commenter stated that important components of the local quality of life and culture were the ability to access and enjoy public lands in the area, and did not want a loss of access to motorized recreation. Another stated that the rural and self-reliant character of the area needed to be considered and preserved.

3.4 Issues and Comments for No Further Analysis in the RMP Revision

Most of the comments received were related to planning issues that will be addressed in the RMP revision (as discussed in preceding sections); however, a number of comments presented suggestions and concerns that cannot be addressed in the revised RMP. Comments of this type included issues that would need to be addressed through administrative or policy actions (such as comments on the public involvement process or requests that BLM revise/follow laws, existing agency-wide policies, or regulations), actions outside of the agency's jurisdiction (such as requests to take actions that are the sole purview of other agencies or groups), requests for specific implementation level management actions that are not appropriately handled at the broad RMP level (such as activity-level planning issues requiring on-site actions), and comments on the planning and public involvement process. Comments which are not addressed in the RMP revision will still be considered by the BLM where appropriate. Additional information about the types of comments identified for no further analysis in the revised RMP along with examples appear below.

- Administrative and policy issues involved requests for changes to, or continuation of, the administration of the BLM or state or national BLM policies and regulations. An examples of comments on non-RMP related administrative issues included requests for an analysis of the adequacy of staffing levels. Examples of policy and regulation comments included requests that the RMP comply with laws, such as the Clean Air Act or Clean Water Act, or national BLM policies, such as the management criteria of the BLM's Visual Resource Management policy. The formulation of policies, regulations, or laws, is done by the BLM at the national level.
- Issues outside the scope of the planning process included requests for the BLM to take actions outside of the agency's jurisdiction. Examples of comments of this type included a request that the RMP not apply to private property owners or that encouraged BLM to work with local governments regarding Threatened and Endangered species listing and delisting decisions; the BLM does not have authority over private property or the listing and delisting of species under the Endangered Species Act.
- Comments on specific implementation level management actions can not be addressed in a planning area wide document like an RMP. An example of this type of comment included a complaint about a lack of certain amenities along a specific trail segment.
- Planning and public involvement process comments included requests that the BLM follow required planning statues (such as NEPA or FLPMA) or that changes be made to the process for development of the RMP or EIS. Examples of comments of this type included statements that comments from particular individuals or organizations should

be given greater weight in the planning process, requests that certain tribes or agencies be consulted, requests for extensions of the scoping period, or comments requesting a reasonable range of alternative be developed or an analysis of cumulative effects be conducted in the RMP and EIS. As stated in the planning criteria published in the November 14, 2008 NOI (Appendix A), the BLM will follow all applicable laws, regulations, and policies.

The BLM also considered comments specific to the ongoing Fortification Creek RMP amendment to be outside of the scope of the Buffalo RMP. Comments related to the Fortification Creek RMP amendment will be addressed as part of that planning process.

3.5 Anticipated Decisions to be Made

This scoping report does not make any decisions, nor does it change current management direction set forth in the existing RMP. It merely summarizes those issues identified during the scoping period for the RMP plan revision. Issues identified in the scoping report, as well as subsequently identified issues, will be used by BLM to help formulate a reasonable range of alternatives during the next phase (i.e., alternative formulation) of the RMP revision process. Each identified alternative (including continuation of existing management) will represent a complete and reasonable plan for managing BLM-administered lands in the planning area. The BLM's evaluation of identified alternatives will be documented in an EIS prepared as part of the RMP revision process.

FLPMA requires the BLM to plan for and manage public lands administered by the Secretary of the Interior, specifically through the BLM. The planning area is currently being managed in accordance with decisions made in the 1985 Buffalo RMP and 2001 Buffalo RMP update. Future decisions to be made for the planning area will occur at two levels: (1) the RMP level, and (2) the implementation level. In general, only RMP-level decisions will be made as part of the RMP revision process. Implementation level decisions will be consistent with the broad resource management planning framework established in the revised RMP.

3.6 Valid Existing Management to be Carried Forward

The BLM is reviewing the condition of the existing environment and the management situation to identify which management decisions should be carried forward or modified and where there are opportunities for change. This information will be summarized in the Summary of the Analysis of the Management Situation and posted on the project website in the near future.

3.7 Special Designations, Including Nominations

Commenters requested the following sites for special designations or otherwise indicated that they required special protection:

- Pumpkin Buttes
- Dry Creek Petrified Tree Environmental Education Area
- Hell's Half Acre
- Cantonment Reno

- Cow Creek Breaks
- Powder River
- Middle Fork of the Powder River
- North Fork of the Powder River
- Along the Powder River from Willow Creek to Wild Horse Creek
- South Bighorn Mountains
- Hole-in-the-Wall
- Fortification Creek
- Bear Trap Creek
- Gardner Mountain
- Weston Hill Recreation Area
- Mosier Gulch Recreation Area
- Powder River Basin
- Tongue River
- Encampment River
- Dull Knife Battlefield
- Ft. Phil Kearney
- Bozeman Trail
- Deadwood Trail
- Sawyer Wagon Trail
- Texas Trail
- Chicago, Burlington and Quincy Railroad

4.0 DATA SUMMARY/DATA GAPS

The development of the RMP and EIS will use both updated existing and new data. Multiple commenters suggested that the BLM conduct baseline studies of the resources in the planning process, including: water quality, wetland and riparian resources; soil resources; wildlife and special; vegetation; air quality; and cultural resources; access; energy and mineral resources. The BLM is currently collecting new baseline data, or updating existing data, where such information is needed to develop alternatives or complete the analysis of resource impacts. This new resource data is being generated and digitized into geographic information system (GIS) themes.

GIS data will be the building blocks used to quantify resources and display information during the planning process. GIS data themes are at various stages of completeness, ranging from no data collected to themes that are completely digitized and have all supporting metadata. Some of this information needs to be compiled and put into appropriate formats for use in the planning process for the RMP and EIS. Both new and existing data will meet Federal Geographic Data Committee standards, as required by Executive Order 12906, as well as other applicable BLM standards and will become part the publicly available administrative record for the planning process.

As part of the plan revision, the BLM is also updating Economic Profile System county level data and Economic Profile System Community level data. The BLM will then use the economic

modeling software Impact Analysis for Planning, known as IMPLAN, to describe the affected economic environment and predicting economic impacts using these two data.

5.0 SUMMARY OF FUTURE STEPS IN THE PLANNING PROCESS

Following the completion of the scoping process, the BLM will develop its goals, objectives, and alternatives in partnership with cooperating agencies. Alternatives will be responsive to the planning issues identified in this report (as well as any other raised following scoping, but before publication of the Draft RMP and EIS) and will achieve the planning process goals and objectives. Following the development of the alternatives, the BLM will perform an analysis of all the alternatives and will select its preferred alternative. The preferred alternative in an RMP is often composed of management options from the other alternatives, combined in a way that the BLM believes will provide the most beneficial combination of different land uses and resource values.

The next designated public comment period starts with the publication of the Draft RMP and EIS. The draft document will be distributed to individuals, agencies, and organizations on the general mailing list, as well as all cooperating agencies. The Draft RMP and EIS will also be available via the RMP revision website:

<http://www.blm.gov/wy/st/en/programs/Planning/rmps/buffalo.html>. The availability of the Draft RMP and EIS will be announced in a Federal Register Notice of Availability (NOA). A 90-day public comment period will begin following publication of the NOA. Publication of the Draft RMP and EIS is anticipated in the fall of 2010.

Following the Draft RMP and EIS public comment period, all public comments the BLM has received will be considered and revisions will be made if warranted. After any changes are made, the publication of a Proposed RMP and Final EIS will be announced in the Federal Register. A 30-day public protest period will begin following publication. The Governor of Wyoming will review the document during the public protest period to assure the RMP is consistent with state and local level plans and policies. If significant substantive alterations are made as a result of protests, the BLM will publish a Federal Register notice requesting additional comments.

The BLM will address any public protests or inconsistencies identified by the Governor and will publish a Record of Decision and Approved RMP. A Federal Register notice will be published to announce the Record of Decision and Approved RMP.

The BLM is committed to keeping the public informed concerning the RMP revision. All of the materials and documents related to this RMP revision will be made available on the project website. Dates for the official public comment and protest periods, along with other relevant project dates, will also appear on this website. For additional information on the planning process, to be added or removed from the mailing list, or to submit a comment on the RMP revision, please contact the RMP Project Manager, Linda Slone at 2987 Prospector Drive, Casper, Wyoming 82604. Members of the public can also email a request to BRMP_Rev_WYMail@blm.gov.