

National Audubon Society The Wilderness Society Wyoming Outdoor Council

Submitted by email and BLM's Online comment portal

November 9, 2018

Merry Gamper
Project Lead
BLM Wyoming State Office
5353 Yellowstone Road
Cheyenne, Wyoming 82009

Re: Supplemental Comments on the WY BLM Fourth Quarter Competitive Oil and Natural Gas Lease Sale Environmental Assessment: DOI-BLM-WY-0000-2018-0004-EA

Dear Ms. Gamper:

The following supplemental comments are submitted in response to the BLM's recent notice extending the comment period on the above-referenced EA. The notice states, in part:

To comply with a Preliminary Injunction entered on Sept. 21, 2018, by the District Court, the BLM is extending the comment period through through Nov. 9, 2018, for 578 parcels in Greater Sage-grouse habitat. These parcels will now be analyzed as part of a supplemental sale expected to occur in February 2019. After accepting and analyzing comments, we will post a sale notice announcing the supplemental sale and initiate a 30-day protest period. The BLM initially released the analysis for a 14-day comment period on Aug. 29, 2018. You can find the environmental documents for the sale at <https://go.usa.gov/xUAjm>. Submit your comments, including name and mailing address, at this site by 4 p.m. on Nov. 9.

See <https://www.blm.gov/programs/energy-and-minerals/oil-and-gas/leasing/regional-lease-sales/wyoming>

Our groups previously submitted comments on the above-referenced EA. Those comments and the exhibits included therein are incorporated by reference as if fully set forth below. These supplemental comments reiterate and expand on our concern with the BLM's failure to take a hard look at the direct, indirect and cumulative impacts of leasing in migration corridors and crucial winter range for mule deer; and its failure to consider alternatives to leasing in these important habitats. We also bring to BLM's attention: i) important new science on mule deer migrations; ii) a new stipulation developed by the Office of State Lands and Investments for oil and gas leases within mule deer migration corridors; iii) two new migration corridor designations by the Wyoming Game and Fish Department; and iv) errors in the EA concerning improper identification of parcels within migration corridors and the absence of the Special Lease Notice for ungulate migration on parcels located within corridors. Finally, we offer additional arguments to support deferral of parcels within the Red Desert to Hoback migration corridor, as well as other priority migration corridors identified by the Wyoming Game and Fish Department.

Our specific comments follow.

BLM must recognize and disclose impacts to newly designated migration corridors.

Since the publication of the EA, the WGFD has designated two new mule deer migration corridors: the Platte Valley and Baggs corridors. *See* WYOMING ACTION PLAN for Implementation of Department of the Interior Secretarial Order 3362: “Improving Habitat Quality in Western Big-Game Winter Range and Migration Corridors” at 29 (“WGFD has formally designated three corridors to date: the Sublette Mule Deer, Platte Valley and Baggs Mule Deer Corridors with the Wyoming Range probably coming later this year.”). <https://www.nfwf.org/westernmigrations/Documents/wyoming-state-action-plan.pdf>

The EA must be revised to: 1) analyze the direct, indirect and cumulative impacts of oil and gas leasing in these designated corridors, and 2) consider alternatives to leasing in these corridors, such as deferring leasing, or leasing with NSO stipulations or other protective measures. The EA should evaluate deferring leasing in each of the “top five” high priority corridors discussed in the Wyoming Action Plan pending the consideration of alternative management options in RMP amendments and revisions, such as the Rock Springs RMP revision now underway.

The EA must consider the effects of the proposed action on the WGFD’s Action Plan for Implementing SO 3362.

In response to Secretarial Order 3362, the Wyoming Game and Fish Department has identified the state’s “top five migration mule deer corridors.” *See* WYOMING ACTION PLAN for Implementation of Department of the Interior Secretarial Order 3362: “Improving Habitat Quality in Western Big-Game Winter Range and Migration Corridors.” The priority corridors include Platte Valley, Wyoming Range, Dubois, Sublette, and Baggs mule deer herds. Among other things, the Action Plan explains the basis for prioritization, provides spacial location information, and summarizes habitat types, stopover areas, land ownership and uses, and risks/threats. Importantly, energy development is identified as a threat in four of the five priority corridors. Three of the priority corridors have now been officially designated by the WGFD: Sublette (a.k.a., Red Desert to Hoback), Platte Valley, and Baggs.

The BLM is offering at its supplemental February 2019 competitive oil and gas lease sale dozens of parcels in at least two of the priority migration corridors identified by the WGFD. The EA must be revised to i) disclose the fact that the BLM is proposing to sell oil and gas leases that allow the placement of oil and gas wells and associated surface infrastructure within priority corridors, ii) fully evaluate how leasing and future development on these parcels –all of which allow for surface occupancy– is consistent with the State’s plan for maintaining the functionality of the corridors, and iii) fully evaluate reasonable alternatives to the proposed action that include deferring leasing until management plans can be updated to address and incorporate the state’s action plan.

New mule deer science must be considered.

Our earlier comments on the EA pointed out BLM’s failure to consider significant new science on mule deer, particularly Hall Sawyer’s landmark 2017 study of mule deer in the Pinedale Anticline project area, *Mule deer and energy development—Long-term trends of habituation and abundance*. Attached and available online at: <https://onlinelibrary.wiley.com/doi/full/10.1111/gcb.13711>. This study documents a 36% decline in mule deer abundance during the development of the Pinedale Anticline oil and natural gas development project despite aggressive onsite mitigation efforts that included

directional drilling and liquids gathering systems. The study shows that impacts of oil and gas development “can be long term, if not permanent, and mitigation measures should be accordingly long term.” *Id.* at 4527. Given the significant implications for the management of mule deer statewide, the BLM should defer the leasing of parcels in mule deer crucial winter range to allow a review of RMP-level management direction -including oil and gas lease stipulations that were shown to be ineffective in this study- without further compromising the integrity of these important habitats.

In addition, since the publication of the EA, new science has emerged that builds on findings of earlier studies regarding mule deer migration. The findings of one such study are detailed in a new paper -- "Functional attributes of ungulate migration: landscape features facilitate movement and access to forage" -- published in the scientific journal *Ecological Applications*. The study was conducted in two areas of Wyoming, the upper Green River basin and the Atlantic Rim area which, coincidentally, are the areas where BLM is proposing to issue oil and gas leases in the BLM February 2019 sale. Key observations and findings reported in the paper are excerpted below (internal citations omitted):

The primary function of a migratory route, to provide the connection between two seasonal ranges, is obvious; however, migratory routes themselves have functional attributes that yield important benefits beyond simple connectivity. For example, some route segments are used primarily for movement (i.e., movement corridors), whereas in other route segments, forward movement slows to remain in sync with vegetation phenology as those areas (i.e., stopover sites) are used for extending foraging bouts. Other functional attributes such as parturition areas or security habitat exist for some migrations, but movement corridors and stopovers are common among ungulates that migrate long distances. Previous research has revealed that mule deer synchronize their initiation and movement during migration to correspond with plant phenology, which allows individuals to exploit young, protein-rich plants that are highly digestible.

Construction of impermeable barriers along a migratory route can result in the loss of connectivity and benefits obtained from seasonal ranges, which can lead to population collapse.

Encroachment of anthropogenic features onto migratory routes may not sever the connectivity between seasonal ranges, but may reduce the functionality and thus, the benefits of the route itself. For example, disturbance associated with energy development caused mule deer to increase their rate of movement during migration, which disconnected their timing of arrival on summer range from plant phenology. Indeed, a better understanding of the functional attributes of migratory routes and what landscape features dictate why they occur where they do is warranted, especially because migration by large herbivores often occurs along traditional routes with high fidelity both within and between seasons and years among individuals.

Mule deer displayed “strong avoidance” of human disturbance in both migration corridors and stopover areas, causing increased rate of movement which altered the net benefit of migration.

Based on standardized selection coefficients, variables with the greatest influence on patterns of selection for movement corridors were **anthropogenic disturbance**, elevation, CTI, slope, and timing of spring, even though patterns of selection for slope and timing of spring were opposing between the two regions (Fig. 3B). With every 1-unit increase in anthropogenic disturbance, odds of selection decreased by 1.5% in the Upper Green and 2.9% in the Atlantic Rim. For every 100-m decrease in elevation, odds of

selection increased >11% in both areas. Odds of selection for movement corridors increased by >9% in both areas for every 1-unit decrease in wetness (CTI). For every 1% decrease in slope, odds of selection in the Upper Green increased by 3.6%, whereas odds of selection decreased by 6% in the Atlantic Rim. With every 1 d that spring occurred earlier (after correcting for elevation), odds of selection increased by 4% in the Upper Green but decreased by 30% in the Atlantic Rim.

Overall, selection of stopovers was similar between study areas and associated with areas of low anthropogenic disturbance, low wetness, low elevation, early spring green-up, and south-southwesterly aspects.

Although deer selected for dry sites with early spring green-up for both movement corridors and stopovers, site wetness and time of spring green-up were far more influential for selection of stopovers than movement corridors. Nevertheless, **deer exhibited similar avoidance of anthropogenic disturbance for stopovers and movement corridors.**

Migration, and the resulting occupancy of summer and winter ranges, has long been known to play key roles in the dynamics of ungulate populations, whereas ranges traversed during migration were traditionally viewed as a minor component in the life of a migratory animal because of their ephemeral use when compared with other seasonal ranges. Nonetheless, comprehensive and complementary research in recent years has called to attention the importance of connectivity between seasonal ranges to sustain viable populations of migratory ungulates, **a conservation challenge that is dependent upon a firm understanding of the landscape components associated with functional attributes of migratory routes.** Migratory routes not only function to transport individuals from one seasonal range to another (i.e., movement corridors), but also to prolong access to foods that are potentially more diverse or at a prime phenological state compared with that available on an often impoverished winter range or a summer range exposed to inclement weather. We evaluated separately, the landscape features associated with movement corridors and stopovers, which are thought to be key functional attributes of migratory routes in mule deer that migrate long distances. Although patterns of selection for landscape attributes for movement corridors and stopovers were similar, in support of our hypothesis, landscape features associated with movement corridors aligned better with areas that facilitated movement, whereas selection of stopovers aligned with sites that facilitated foraging.

Avoidance of anthropogenic disturbance is common among most large herbivores and is particularly well documented in mule deer. We expected selection of stopovers to be more sensitive to disturbance than migratory corridors, because forward movement ceases within stopovers and deer generally spend more time in stopovers than they do in movement corridors. In contrast to our prediction, avoidance of anthropogenic disturbance was evident and similar in magnitude among both movement corridors and stopovers (Fig. 3). Similarly during spring migration, mule deer migrating through natural gas fields in Colorado, USA, increased rate of movement and consequently, failed to maintain synchrony with advancing plant phenology because of delayed departure from winter range and premature arrival to summer range. With high levels of disturbance (e.g., road density 1.1 km/km²; well pad densities 1.5 km/km²), deer may detour from established routes, while increasing rate of movement and reducing use of stopovers. **Avoidance of anthropogenic disturbance for both movement corridors and stopovers during migration provides further evidence of the sensitivity of mule deer to anthropogenic features on the landscape and emphasizes that such**

factors must be considered carefully in conservation planning because although connectivity may be maintained, functionality may be compromised.

Stopovers are areas of high-quality forage along a migratory route that allow animals to move in synchrony with advances in plant phenology and maximize forage intake rather than speed while migrating. In support of the hypothesis that stopovers would be associated with landscape features offering high-quality forage in spring, standardized selection coefficients indicated that selection for stopovers was driven primarily by the wetness of a site, with strong selection for dry sites (Fig. 3). Selection for dry locations would not only provide snow-free areas for movement and foraging, but also would yield areas with early access to emergent forage in spring. Indeed, selection of stopovers was associated with locations on the landscape that did not necessarily green-up early in any one particular year, but on average across 10 yr exhibited earlier green-up than other available sites (Fig. 3). Temperate ungulates often migrate along gradients in plant phenology created by elevation and topography and as our results indicate the resulting patterns of snow accumulation and snowmelt in spring. Doing so yields access to forage plants early in development that are highly digestible and high in protein, thereby enhancing replacement of fat and protein losses incurred over winter. Consequently, migratory ungulates follow nutritious forage across the landscape by both synchronizing their timing of departure from a foraging patch and subsequent arrival to the next patch in accordance with vegetation phenology, a pattern that is evident temporally and spatially (Fig. 3). Such synchronized movements are in accordance with optimal foraging theory in that relocation to a different foraging patch (i.e., stopover) occurs when the quality of the current stopover becomes equal to or less value than that of another, change in relative value of the current stopover likely being more a function of phenological shifts than of resource depletion.

Although some large terrestrial herbivores do not use stopovers on their migrations and do not remain in synchrony with a wave of vegetation green up, stopovers appear to be especially common in large herbivores that migrate long distances, which may underscore their importance in sustaining long-distance migrations. Selection for migratory corridors was linked poorly with emerging forage associated with spring green-up, and in the instance of the Atlantic Rim study area, it was associated with sites with delayed vegetation phenology (Fig. 3). In contrast, selection for stopovers in both study sites was associated with dry locations on south-southwesterly slopes with early green-up and low anthropogenic disturbance, which supports the hypothesis that **stopovers are critical locations on a migratory route that facilitate refueling and energy gain**. Indeed, mule deer in western Wyoming, USA, spent >95% of their time in stopovers during migration, and timing of occupancy of each stopover closely tracks that of plant phenology.

Selection for slope and spring green-up in movement corridors differed between our two study populations, and in other populations, patterns of selection during migration are not ubiquitous. Selection for elevation, aspect, agricultural lands, and slope, in particular, varies across populations, and in some instances, selection for stage of plant phenology may vary across species and populations. Interannual variability in plant phenology may cause nuanced differences in habitat selection across years or even species, especially if the foundation for selection of their migratory route is determined by memory and fidelity. With strong fidelity to seasonal ranges and migratory routes, habitat selection associated with plant phenology and associated landscape features reflects a long-term mean of vegetation phenology as opposed to timing of movement, which is an annual decision. Moreover, variable patterns of selection of some landscape features indicate that over time, selective processes have had localized influences.

Nevertheless, **we observed strong avoidance of human disturbance** and selection of foraging areas associated with stopovers with early spring green-up (Fig. 3), a pattern consistent across multiple species of temperate ungulates, which reinforces the notion that **movement during migration has a nutritional underpinning and disturbance potentially alters the net benefits of migration. Indeed, barriers to migration or alterations to routes that force detours may displace animals onto wetter habitat with delayed spring green up, thereby hampering forward movement and forage gain.**

Nomadic or migratory movements that vary by season or year create difficulties for conservation planning and understanding seasonal movements; **however, the strong fidelity to seasonal ranges and migratory routes displayed by most temperate ungulates offers a valuable opportunity to delineate and target areas for conservation. The strong link between fitness and nutritional condition in temperate ungulates underscores the importance of migratory tactics that enhance nutritional gain. Therefore, it is critical for migrating animals to not only have access to stopovers where snow recedes and green-up occurs predictably early, but to also have readily traversable pathways that connect them. Maintaining connectivity between seasonal ranges as well as the functionality of migratory routes is now a critical focus of conservation. One of the greatest shortcomings of effective conservation has been a fragmentary understanding of migration, of which has been improved by recent works focused on the impetus and population-level consequences of migration. Understanding the evolutionary underpinnings of migration and its effects on population dynamics is critical, but more pressing is the need to effectively manage and conserve migratory populations in an increasingly altered landscape. Therefore, identifying migratory routes and the landscape attributes associated with them are keys to mitigating, enhancing, and protecting the migratory habitat needed to sustain ungulate populations.**

See Monteith, Kevin L., et al., 2018, *Functional attributes of ungulate migration: landscape features facilitate movement and access to forage*. *Ecological Applications* 2018 pp. 1-12, attached and available online at: <https://esajournals.onlinelibrary.wiley.com/doi/full/10.1002/eap.1803> (emphasis added, internal citations omitted).

The BLM's EA fails to take a hard look at any of the primary functional attributes of the migration corridors in which oil and gas lease parcels are offered. The EA lacks any discussion or analysis addressing the potential impacts of oil and gas development to the key functional attributes within the corridors, nor is there discussion addressing whether mitigation measures suggested by the BLM could effectively avoid or reduce impacts to a degree necessary to maintain corridor functionality. For example, although "stopovers are critical locations on a migratory route that facilitate refueling and energy gain," the EA is silent on whether stopover areas are present within the offered leases and if they are present, how oil and gas development may impact mule deer use of and movement through, the corridors. The BLM must revise its EA to address the specific threats from oil and gas leasing and development to the key functional attributes comprising the Baggs, Red Desert to Hoback, and Platte Valley mule deer migration corridors.

BLM should defer parcels pending development of a new migration corridor stipulation.

Attendees at a stakeholder meeting held in Cheyenne on October 23rd learned that the Wyoming BLM is developing a new lease stipulation for ungulate migration corridors. According to BLM officials present at the meeting, this stipulation will be included in the soon-to-be-released Rock Springs draft RMP/DEIS. We have recommended in previous EA comments that a lease stipulation –rather than an unenforceable lease *notice* – is necessary to

ensure an adequate level of protection for corridors, so this announcement comes as welcome news. It also underscores the point that we have stressed in our comments on recent BLM leasing EAs: that issuing oil and gas lease parcels in migration corridors without appropriate stipulations precludes the opportunity to add effective stipulations when an application for permit to drill (APD) is being considered, i.e., after the lease is issued. As BLM knows, development on a lease is subject to the terms and conditions of the lease. Stipulations alter the terms and conditions of a lease — lease notices do not. New stipulations cannot be added to a lease after it has been issued. The EA explains that:

Once a parcel is sold and the lease is issued, the lessee has the right to use as much of the leased lands as is necessary to explore and drill for all of the oil and gas within the lease boundaries, subject to the stipulations attached to the lease, restrictions derived from specific non-discretionary statutes, and other reasonable measures to minimize adverse impacts (see 43 § CFR 3101.1-2).

In accordance with BLM Handbook H-1624-1 (“Planning for Fluid Mineral Resources” January 28, 2013), the Federal Government retains certain rights when issuing an oil and gas lease. While the BLM may not unilaterally add a new stipulation to an existing lease that it has already issued, the BLM can subject development of existing leases to reasonable conditions, as necessary, through the application of COAs at the time of permitting. The new constraints must be in conformance with the applicable land use plan and not conflict with rights granted to the holder under the lease. The Interior Board of Land Appeals has made clear that, when making a decision regarding discrete surface-disturbing oil and gas development activities following site-specific environmental review, the BLM has the authority to impose reasonable measures not otherwise provided for in lease stipulations, to minimize adverse impacts on other resource values.

EA at 1-3 (internal citations omitted).

The forthcoming issuance of a new oil and gas stipulation for migration corridors warrants deferral of lease parcels within migration corridors, not only in the Rock Springs area, but statewide as well, in order to preserve the application of the stipulation as a viable management alternative in future RMP revisions and amendments.

The proposed approach outlined by the BLM in the EA (surface occupancy with unenforceable special lease notice) is rife with uncertainty. Will the BLM recommend or require reasonable measures at the APD stage to protect migration? Will the operator agree to those measures, or challenge them as occurred in the Yates case? If reasonable measures are implemented, will they will be effective? How will effectiveness be determined?

For these reasons, the BLM should defer parcels located in WGFD-identified / designated ungulate migration corridors until such time that a proper, science-based stipulation can be developed and attached to those parcels. Deferring parcels pending the development of stipulations avoids making an “irreversible and irretrievable commitment of resources” thereby maintaining decision space for BLM to consider in the Rock Springs RMP revision a range of alternative management scenarios for corridor protection, including a no-leasing-in-corridors alternative, along with several alternatives that would analyze and evaluate the use of enforceable protective stipulations, such as no surface occupancy (NSO), timing limitations (TLS), and controlled surface use stipulations (CSU). Having announced its intention to develop a new stipulation for migration corridors, deferral of parcels in those corridors is also required by the CEQ’s NEPA regulations which prohibit the agency from taking actions during the

preparation of an EIS that would prejudice consideration of reasonable alternatives, the heart of the NEPA process. *See* 40 CFR §1506.1 Limitations on actions during NEPA process (Until an agency issues a record of decision as provided in § 1505.2, no action concerning the proposal shall be taken which would have an adverse environmental impact; or limit the choice of reasonable alternatives). Issuing oil and gas lease parcels in migration corridors without enforceable lease stipulations would clearly have an adverse impact and would limit the choice of reasonable alternatives that could be considered in the Rock Springs draft RMP/DEIS.

Further continued leasing in ungulate migration corridors with inadequate lease notices attached to those leases would preclude the BLM from giving meaningful consideration to (or adopting) a “no-leasing in corridors” alternative, and/or other lease stipulations such as No Surface Occupancy that may be required to protect WGFD-designated “vital” habitat areas within corridors such as bottlenecks and stopover areas.

The BLM should also consider the fact that that Wyoming Office of State Lands and Investments (OSLI) has determined that a new stipulation to protect migration corridors is necessary. According to OSLI Director Bridget Hill, the lands office deferred leasing state school trust lands located within migration corridors while the new stipulation was being drafted. The new stipulation, #146, provides that:

Resource Issue: Designated Ungulate Migration Corridor. This lease is issued subject to, and conditioned upon, lessee’s acknowledgment and agreement that the parcel of land encompassed by this lease is located wholly or partially within an Ungulate Migration Corridor as designated by the Wyoming Game and Fish Department (WGFD). Exploration and development activities shall be undertaken and managed as a controlled surface use. Prior to exploration and development, lessee is required to submit to WGFD a plan to protect and/or mitigate impacts to the migration corridor including strategies to avoid bottleneck and stopover areas. Plans must be approved by the Director, in consultation with the WGFD, before exploration and development activities can occur. The maximum surface restriction imposed by this stipulation will be a restriction of one oil or gas pad per 640 acres. All attempts should be made to avoid and minimize impacts to the surface in order to maintain habitat functionality within the ungulate migration corridor.

Available online at: <http://lands.wyo.gov/minerals/oilandgas2>

While one may argue over the adequacy of the stipulation, what is not debatable is that: 1) the State lands office determined that a stipulation, rather than a lease notice, is necessary; 2) the State lands office deferred oil and gas leasing within the Red Desert to Hoback migration corridor while the stipulation was being developed; and, 3) the stipulation is an enforceable and legally binding provision in the lease. The BLM should follow the lead of the Office of State Lands and Investments and defer in corridors leasing until such time that an effective lease stipulation is developed.

The EA is riddled with errors.

Inaccuracies, inconsistencies and errors in the EA make it impossible for the public to understand and meaningfully comment on the BLM’s proposed action. For example, the EA (at 3-25) states that seventeen whole or partial parcels are located in the Red Desert to Hoback mule deer migration corridor, but then identifies twenty-four parcels. EA at 3-26. The EA states (at page 4-17) that the BLM will attach a special lease notice to parcels located in migration corridors, but then fails to do so. Specific examples of errors/omissions are provided below.

Example 1. Math error. The EA states: “Seventeen parcels, whole or in part, are proposed to be offered and are located within this migration corridor; these parcels are comprised of approximately 31,469.80 acres. These parcels include 218, 220, 264, 304, 656, 657, 658, 659, 660, 664, 665, 667-677, 679 and 680 and are shown in the following Map.” See EA at 3-25, 26. In fact, the total number of parcels listed in this section is twenty-four, not seventeen, as stated.

Example 2. Lack of required Special Lease Notice. The EA states: “The BLM and WGFD agreed to add a Special Lease Notice to those parcels being offered within the Red Desert to Hoback migration corridor” EA at 4-17. However, upon inspection of the EA parcel list, it appears that only two of the twenty-four Red Desert to Hoback parcels listed in the EA on page 2-16 contain the required Special Lease Notice: parcel 218 and parcel 220. All of the remaining parcels lack the Special Lease Notice.

Example 3. Incomplete/incorrect application of Special Lease Notice. The parcel list shows only seven parcels containing the required Special Lease Notice: 179, 180, 218, 219, 220, 263, and 323. See EA section 5.1 *Lease Sale Parcel List with Proposed Stipulations and Noted Deletions/Deferrals*. And only one of those parcels (218) is shown in the list of parcels on page 3-26.

Example 4. Conflicting information. EA section “5.7 *Lease Parcel Disposition*,” beginning on page 5-91, displays a list of parcels and their disposition. The table shows that a total of 27 parcels will have the Special Lease Notice for migration corridors: 180, 218, 219, 220, 263, 304, 323, 656-662, 664-673, 677, 679, and 680. This list of 27 parcels – not seventeen parcels as stated in the EA-is very different from information displayed elsewhere in the EA.

Individually, any of these errors and omissions could be forgiven. But collectively, they demonstrate a careless and unprofessional approach toward NEPA compliance and, perhaps more importantly, have the effect of undermining public trust and confidence in BLM’s ability to be responsible and accountable stewards of our public lands and resources. We appreciate that the Wyoming BLM is under great pressure from BLM’s political leadership to expedite oil and gas leasing and drilling on the public’s lands, and therefore attribute the errors in this EA to the unreasonable goals and timeframes mandated by Washington. It seems that the local BLM offices simply do not have sufficient time to do their jobs properly when rushing to meet arbitrary mandates and deadlines. This situation is untenable, and should be communicated as such to BLM leadership. In any event, the EA must be corrected to display accurate information about the location of parcels in migration corridors and the correct use of the Special Lease Notice.

We appreciate BLM’s compliance with the Idaho court order that extended the comment period on leasing EAs and would appreciate being notified of any additional comment or protest opportunity associated with the special February, 2019 oil and gas lease sale.

Thank you.

Sincerely,

/s/ *Dan Heilig*

¹ 5.1 Lease Sale Parcel List with Proposed Stipulations and Noted Deletions/Deferrals

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On behalf of the Wyoming Outdoor Council, The Wilderness Society, and the National Audubon Society

Attachments:

Sawyer, Hall, et al., 2017. Mule deer and energy development—Long-term trends of habituation and abundance, *Global Change Biology* 23:4521-4529.

Monteith, Kevin L., et al., 2018. Functional attributes of ungulate migration: landscape features facilitate movement and access to forage. *Ecological Applications*, 0(0) pp. 1-12.