

**RESPONSE TO PUBLIC COMMENTS Monticello Field Office DNA DOI-BLM-UT-Y020-2019-0004  
March 2019 Oil and Gas Lease Sale**

#	COMMENT SOURCE	Issue	COMMENT	RESPONSE
1.	Friends of Cedar Mesa	NEPA Process	The analysis of this sale is being tiered to an analysis with many procedural and substantive shortcomings that we protested in 2018.	Section C of the DNA identifies the RMP and the March 2018 lease sale EA as providing adequate NEPA analysis for the proposed action. The analysis in these NEPA documents remains valid as indicated by the ROD/RMP signed on November 17, 2008; and the Decision Record for the March 2018 Oil and Gas Lease Sale to select Alternative A of the EA and signed on May 17, 2018. The RMP contains allocation decisions for land uses and resources under the authority of the BLM Monticello Field Office. These decisions remain in effect until the RMP is amended or replaced. After evaluation of existing conditions, it was determined that the existing analyses from these documents adequately describes impacts anticipated from the proposed action.
2.	Friends of Cedar Mesa	NEPA Process	As it did with the December 2018 Lease Sale, the BLM asserts that it needs to do no new analysis under NEPA for this new March 2019 Lease Sale. It is issuing this sale under a Decision of NEPA Adequacy (DNA), as opposed to an Environmental Assessment (EA), claiming the areas considered for lease are substantially the same and have the same issues as those offered under the March 2018 Lease Sale.	BLM correctly determined the parcels are “essentially similar to the parcels analyzed in this EA. For example, several parcels from both sales are contiguous and have essentially similar resources.”
3.	Friends of Cedar Mesa	NEPA Process	With each passing lease sale filling in nearly all unleased BLM-managed land in eastern San Juan County, it becomes more implausible for the BLM to argue it has fulfilled its requirements to analyze cumulative effects from oil/gas leasing in the area.	See response 1. Additional analysis is unnecessary because the relevant decisions regarding the documents listed in Section C of the DNA remain valid. Impacts to other resources occurring from oil and gas exploration, development, and production are adequately analyzed in these documents. Leasing does not directly result in impacts, however, there is some expectation that exploration could occur that may result in indirect impacts from the leasing action. Any subsequent ground disturbing activity would have to first be authorized as a lease operation but only through additional NEPA analysis. Actual surface disturbing activity from oil and gas exploration and development activity has been substantially below the RMP RFD estimate, and therefore within the scope of the effects analysis conducted in the documents identified in the DNA. While the one well per parcel is used to analyze impacts to cultural resources, actual surface disturbance from the March 2018 oil and gas lease sale as documented in Appendix F of the EA is approximately 11 wells and 122 acres for the next 10 years.

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4.	Friends of Cedar Mesa	Reasonably Foreseeable Development Scenario (RFD)	We continue to believe it's unrealistic to assume an oil/gas company would lease hundreds of acres to only drill one oil well.	Monticello Oil and Gas drilling records show no wells have been drilled on any of the approximately 75,000 acres of leases authorized subsequent to the 2008 RMP. The Monticello BLM is currently processing three APDs that have been filed for leases authorized subsequent to the RMP.
5.	Friends of Cedar Mesa	RFD	If the RFD is a minimum for the drilling that will occur in the area, the number of leases now issued and offered means the BLM agrees it's likely that dozens of new wells will be drilled in this area.	See response 3. The one well per lease parcel is for cultural resource analysis purposes only. As specified in the March 2018 EA, Appendix F predicts approximately 11 wells and 122 acres for the next 10 years.
6.	Friends of Cedar Mesa	NEPA Process	Other cumulative impacts, such as those to viewsheds, endangered species, air quality and night skies, should also be carefully analyzed before this sale proceeds.	See responses 1, 2, 3, and 12
7.	Friends of Cedar Mesa	NEPA Process	The BLM failed to analyze a full range of alternatives in both the March and December Lease Sales.	As stated in response 1, the DNA lists in Section C the RMP, 2008 and the March 2018 oil and gas lease sale EA. The RMP includes a full range of alternatives. The March 2018 lease sale EA included the proposed action and the no action alternatives.
8.	Friends of Cedar Mesa	NEPA Process	The BLM did not take a "hard look" at direct, indirect and cumulative impacts, as required for a Determination of NEPA Adequacy (DNA). Because of this failure to take a "hard look", FCM disagrees with the Finding of No Significant Impact (FONSI) in the March 2018 EA.	The DNA identifies in Section C those NEPA documents where the proposed action is adequately analyzed. After evaluation of existing conditions, it was determined that the existing analyses from these documents adequately describes impacts anticipated from the proposed action.
9.	Friends of Cedar Mesa	NEPA Process	The BLM cannot rely on a DNA when they are unable to determine if direct, indirect, or cumulative effects would be different than those analyzed in an existing NEPA document if they have not properly analyzed such effects.	See responses 1, 2, 3, and 12
10.	Friends of Cedar Mesa	NEPA Process	The BLM failed to commit to mandatory and adequate mitigation measures, which are required in order to issue a FONSI.	The RMP analyzed numerous stipulations applicable to oil and gas leasing to mitigate impacts to other resources, resource values and users. These stipulations and other mitigation, such as lease notices, are attached to the leases as detailed in Attachment A of the DNA.
11.	Friends of Cedar Mesa	NEPA Process	The BLM cannot rely on a DNA when new information or circumstances exists. For the December 2018 Lease Sale, we provided dozens of pages of new information in our scoping comments and attached a Notice of Intent to Sue under the Endangered Species Act based on listed species information that has not been analyzed. Additionally, new circumstances regarding competitive lease sales change the development outlook.	As noted in Department Manual 11.6, the mere presence of new information does not preclude the use of existing documentation. Rather, the Responsible Official may use existing NEPA analysis when "the proposed action is adequately covered by relevant existing analyses, data, and records" and when "there are no new circumstances, new information, or unanticipated or unanalyzed environmental impacts that warrant new or supplemental analysis." Thus, the BLM may evaluate information provided during scoping to determine if such information is applicable to the proposed action to a degree of warranting new or supplemental analysis. For this project, it was determined that analyses contained in existing

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				NEPA documents sufficiently addressed the issues associated with the nominated parcels at the level of decision-making being considered.
12.	Friends of Cedar Mesa	Section 7 Consultation	<p>. On October 25, 2018, Friends of Cedar Mesa issued a Notice of Intent to Sue the BLM for Violations of the Endangered Species Act Regarding Impacts of the Bureau of Land Management’s March 2018 Utah Oil and Gas Lease Sale Environmental Assessment DOI-BLM-UT-Y010-2017-0240-EA. Specifically, the BLM has issued oil and gas leasing permits within habitat of Mexican spotted owl, Southwestern willow flycatcher, Yellow-bill cuckoo, and the Colorado pikeminnow, humpback chub, bonytail, and razorback sucker without first consulting with the U.S. Fish and Wildlife Service about the impacts of its actions on these species and any designated critical habitat. Instead, the BLM has relied on an old and outdated programmatic biological opinion prepared for a resource management plan, which fails to evaluate the impacts of oil and gas leasing may have on these listed species. In a prior biological opinion BLM acknowledges its obligation to consult on site- specific implementation projects, like BLM’s oil and gas leasing decisions at issue here. <i>See, e.g.</i>, Record of Decision and Approved Monticello Resource Management Plan (Monticello RMP) at 36-37, 50-51, 54, 80-81 (“All site specific projects designed under the proposed Resource Management Plan would be subject to consultation requirements under Section 7 of the Endangered Species Act</p> <p>Although BLM admitted that these listed species may occur in the project area, BLM did not prepare a Biological Assessment, as required under the ESA. 16 U.S.C. § 1536(c)(1); 50 C.F.R. § 402.12. Nor did BLM consult with the U.S. Fish and Wildlife Service over its lease sale, noting only that BLM “mailed a letter with information and the preliminary list [of potential listed species in the lease area] on May 5, 2017.” March 2018 Oil and Gas EA at 74. Importantly, the BLM did not determine that the proposed leasing would have “no effect,” on these listed species, as required to side-step Section 7 consultation requirements. <i>Id.</i> at Appx. D.</p> <p>Now, the BLM has reissued the March 2019 Lease Sale DNA without a full analysis under NEPA or ESA and this analysis is tiered to an EA that violates their requirements under the Endangered Species Act. Therefore, the March 2019 Lease Sale</p>	<p>The Field Office specialists evaluated the habitats in the parcels and determined which T&amp;E species could potentially occur in the parcels. The Utah State Office is coordinating with FWS for this lease sale by sending them a parcel list on December 15, 2018 with a list of T&amp;E species potentially occurring in the parcels and the corresponding lease stipulations and notices that are attached to those parcels.</p> <p>A BA was prepared for the programmatic consultation on the Monticello 2008 RMP. The programmatic consultations do include an evaluation of impacts of oil and gas leasing on T&amp;E species. Although the BLM didn’t complete analysis in an EA, it made an effects determination for all the species, including Mexican spotted owl, southwestern willow flycatcher, yellow-billed cuckoo, and the four Colorado River Endangered fish, that the proposed lease sale was “not likely to adversely affect” them. and attached species-specific lease notices and stipulations to the parcels. The protection and avoidance measures prescribed by these notices and stipulations foresee potential impacts to the species (as analyzed in the programmatic consultation) and describe the measures that will remove or reduce those impacts.</p> <p>The FWS has yet to concur with: 1) our determination about the species that could potentially occur in the parcels, 2) the appropriateness of the lease stipulations and notices that are attached to the parcels, 3) our effects determination for potential impacts to the species, and 4) our conclusion that this lease sale does not exceed the effects analyzed in the programmatic consultation for the 2008 Monticello RMP, however the BLM expects a response prior to offering the parcels for lease on March 25-26. If necessary, parcels can be deferred from the sale if the FWS does not concur with the BLM’s findings.</p> <p>Site specific analysis and further Section 7 Consultation will occur at the APD stage.</p>

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			also violated ESA requirements.	
13.	Friends of Cedar Mesa	Cultural Resources	DNA predetermines adequacy of forthcoming Cultural Resources Report ... It would be inappropriate for the BLM to conclude that the Cultural Resources Report adequately summarizes Tribal and Section 106 consultation	As stated in the ID Team Checklist, "BLM's Section 106 cultural analysis, consultation with the Utah State Historic Preservation Office, Native American Tribes, and other consulting parties are ongoing." Appropriate edits to the DNA will be made prior to the final signing of the Decision Record by the authorized officer.
14.	Friends of Cedar Mesa	Lands with wilderness characteristics	FCM encourages the BLM to consider protecting the wilderness values of these areas by not including suitable areas in the lease sale.	As previously stated, the RMP decision remain valid until such time as they are changed through RMP amendment or revision. The current RMP designates which lands with wilderness characteristics are to be managed for their wilderness characteristics. None of the areas referred to by the commenter are designated as such in the RMP.
15.	Friends of Cedar Mesa	Cultural Resources	Failure to consider and analyze proposed archaeological districts.	The presence of an archaeological district, whether as a preliminary proposal, as a formal and official nomination, or as an officially recognized district on the National Register of Historic Places, would not change the nature of potential impacts to the cultural sites that comprise district. The existing analyses contained in the documents described in Section C describe the potential impacts to cultural resources from oil and gas leasing and development at the scale commensurate with the level of detail available for these levels of decision-making. As noted in Department Manual 11.6, the mere presence of new information does not preclude the use of existing documentation. Rather, the Responsible Official may use existing NEPA analysis when "the proposed action is adequately covered by relevant existing analyses, data, and records" and when "there are no new circumstances, new information, or unanticipated or unanalyzed environmental impacts that warrant new or supplemental analysis." Thus, the BLM may evaluate information provided during scoping to determine if such information is applicable to the proposed action to a degree of warranting new or supplemental analysis. For this project, it was determined that analyses contained in existing NEPA documents sufficiently addressed the issues associated with the nominated parcels at the level of decision-making being considered.
16.	National Park Service	Deferral of Parcels	Therefore, we respectfully request the Bureau of Land Management to withdraw the subject parcels from the March 2019 lease sale.	Deferral of the parcels in the proposed action would be inconsistent with the RMP and contrary to current BLM policy as stated in WO IM 2018-034.

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17.	National Park Service	Air Quality	<p>direct, indirect, and cumulative effects on air quality and air quality related values</p> <p>Consistent with the Interagency Memorandum of Understanding concerning air quality analyses and mitigation for federal oil and gas decisions, we ask that BLM consult with the NPS Air Resources Division and other members of the Utah air resources technical advisory group in determining the most appropriate type of air quality analyses to conduct if these parcels are leased and subsequently developed..</p>	<p>As stated in the comment response for the March 2018 EA; “Due to the estimated limited level of oil and gas development activity predicted by the Appendix F RFD (11 wells and 122 acres of surface disturbance) and the absence of any amount of definitive development, BLM determined that additional consultations with the NPS Air Resources and the Utah BLM’s air resources technical advisory group (AiRTAG) would not be appropriate at this time. This consultation would be more appropriate at the lease development stage when a proposal would be subject to site-specific NEPA analysis.”</p> <p>Additionally the air quality modeling analysis presented in the March 2018 EA were performed in consultation with NPS Air Specialists and the AiRTAG. These model analysis include the Cane Creek project, the Moab MLP, and CARMMS. The modeling evaluated direct, indirect and cumulative impacts on air quality and air quality related values from oil and gas development.</p>
18.	National Park Service	Heavy vehicle traffic	We recommend that heavy vehicle traffic routes to any parcels that may be leased be restricted to distances greater than one mile from any of the Hovenweep units.	It is not possible at the leasing stage to determine if certain routes of access would result in unacceptable impacts to resources. If the BLM should receive an APD to explore a lease additional NEPA analysis would then be conducted and appropriate mitigation considered.
19.	National Park Service	VRM/Dark Night Skies	Visual resources of concern to the NPS include scenic views impacted by regional haze, and dark night skies seen from Hovenweep. In order to protect views to the north and northwest, we suggest adding stipulation UT-S-157 (No Surface Occupancy/Controlled Surface Use/Timing Limitation—Visual Resources) to parcels 417, 418, and 419.	Stipulation are specified in the RMP and cannot be changed outside a plan revision or amendment process. Stipulation U-S-157 is designated for the Vernal Field Office RMP. There is no corresponding stipulation for the Monticello RMP. When the BLM receives an APD proposal additional NEPA analysis will be conducted. If appropriate, mitigation can be considered at that time.
20.	National Park Service	Soundscapes	impacts of oil and gas exploration and drilling activities on natural soundscape conditions experienced in Hovenweep.	In order to mitigate impacts of oil and gas exploration, development and production BLM has attached UT-LN-125 to all parcels in this lease sale.
21.	National Park Service	Ground Water Resources	<p>impacts of exploration and development activities on water resources in Hovenweep. The Monument depends on groundwater for all administrative and visitor uses,</p> <p>hydraulic fracturing associated with oil and gas production has the potential to introduce contaminants into groundwater systems.</p> <p>BLM include a lease notice informing all potential lessees that protection of groundwater quantity and quality are of paramount</p>	The drilling program submitted in an APD is subject to the casing and cementing requirements of Onshore Oil and Gas Order No. 2. All APD drilling programs are subject to review by a BLM petroleum engineer. Compliance with Order No. 2 will ensure protection of useable ground water aquifers from drilling, completion and production operations.

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			importance	
22.	National Park Service	Earthquakes	potential for earthquakes that could result from lubrication of faults, bedding planes, formation contacts, and other subsurface geologic structures by injection of fluids during hydraulic fracturing or injection of produced water.	As stated in the comment response for the March 2018 EA: The BLM is not aware of any increased earthquake activity within the proposed action area associated with oil and gas operations.
23.	URARA	NEPA Process	BLM is using the March 2018 Competitive Oil and Gas Lease Sale, Environmental Assessment (EA), DOI-BLM-UT-Y010-2017-0240-EA (March 2018 EA) to determine NEPA Adequacy, which recommended a decision of No Adverse Effect.	BLM is including the March 2018 EA in Section C of the DNA along with the RMP as documents that adequately analyze the proposed action. BLM is in the process of preparing a cultural report, conducting Native American Consultation and meeting with Consulting Parties for the March 2019 Lease Sale. When this process is complete BLM will make a determination of effect for the March 2019 sale.
24.	URARA	Cultural Resources	new oil and gas development threatens to further degrade these unique cultural resources.	Refer to the impact analysis contained in the NEPA documents listed in Section C of the DNA.
25.	URARA	Cultural Resources	we believe that the BLM's current assumptions do not adequately predict the potential for adverse effect in culturally rich areas.	See responses 4 and 23.
26.	URARA	Cultural Resources	we believe that it will be impossible to access the proposed lease parcels without adversely impacting cultural sites.	See responses 18, 23 and 24.
27.	URARA	Cultural Resources	the determination of No Adverse Effect does not adequately take into account the cultural importance of setting	See response 23.
28.	URARA	Cultural Resources	the cumulative effects of exploration and development of oil and gas fields in areas of high concentration of cultural resources will inevitably damage rock art and archeological resources.	See response 23 and 24
29.	URARA	Cultural Resources	vast majority of the Monticello FO parcels, there is a high probability of the presence of cultural resources.”	This is a correct statement. Because of cultural resources present on all lease parcels in this sale, the BLM prepares a cultural report, conducts Native American and Consulting Parties consultation, and, when this process is complete, makes a determination of effect.
30.	National Wildlife Federation	Various		The BLM National Environmental Handbook (H-1790-1) states that substantive comments do one or more of the following: <ul style="list-style-type: none"> <li>• Question, with reasonable basis the accuracy of information in the EIA or EA</li> </ul>

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				<ul style="list-style-type: none"> <li>• Question, with reasonable basis, the adequacy of methodology for, or assumptions used for the environmental analysis</li> <li>• Present new information relevant to the analysis</li> <li>• Present reasonable alternatives other than those analyzed in the EIS or EA</li> <li>• Cause changes or revisions in one or more of the alternatives.</li> </ul> <p>National Wildlife Federation's comment letter is too broad and non-specific to be considered substantive. The BLM is under no obligation to sort through a comment letter for multiple documents and try to determine which comments would apply to which document. No responses to the comments in this letter are being provided, however responses to similar comments from other comments are provided above. And below</p>
31.	National Parks Conservation Association	NEPA Process	<p>BLM is required to conduct an environmental assessment (EA) to lease federal lands for proposed oil and gas development.</p> <p>NEPA requires that the EA must identify any potential conflicts, as well as attempt to measure, quantify, or objectively define what any adverse effects might look like and evaluate whether they are "significant"</p>	See responses 1, 2, 3 and 12
32.	National Parks Conservation Association	NEPA Process	<p>BLM Fails to Provide Sufficient, Meaningful Opportunities for Public Participation</p> <p>Utah BLM has eschewed this responsibility and has been extreme in their implementation of IM 034</p> <p>The most harmful to the public is not the unrealistic timeframes, but the limited access to critical information, hidden from public view when Determination of NEPA Adequacy documents are substituted for Environmental Analysis</p>	BLM has met the requirements for public participation. Documents listed in Section C of the DNA are available to the public on BLM's ePlanning web site.
33.	National Parks Conservation Association	NEPA Process	The BLM had repeatedly failed to conduct necessary analysis regarding the direct, indirect, and cumulative impacts to the resources of Hovenweep National Monument, Bears Ears National Monument and their connected landscapes.	See responses 1, 2, 3, and 12.
34.	National Parks Conservation Association	NEPA Process	As we have noted in previous lease sales in the same field office, a robust and comprehensive environmental assessment has not been conducted for lease sales— including an opportunity for the public	See responses 1, 2, 3, and 12.

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	on Association		to review and provide input on the environmental analysis to better assist the BLM in considering the potential effects of its decision	
35.	National Parks Conservation Association	RMP Adequacy	the BLM continues to use a decade-old Resource Management Plan (RMP) to guide oil and gas planning in the Monticello Field Office.  NPCA objects to further leasing in the Monticello Field Office, until needed planning is conducted	See response 1. The BLM's RMP identifies what lands are available for consideration for leasing and what stipulations are required to protect other resources. The BLM evaluates its RMPs every five years to determine if changes are necessary.
36.	National Parks Conservation Association	NEPA Process	BLM should conduct a comprehensive analysis of the potential cumulative impacts of development of all the parcels based on current technologies and the latest science that accounts for cumulative impacts to national park units, particularly near Canyonlands National Park, and Dinosaur and Hovenweep National Monuments	See responses 1, 2, 3, and 12.
37.	National Parks Conservation Association	NEPA Process	failure to evaluate direct, indirect, and/or cumulative impacts that are "reasonably foreseeable" and to establish a rational connection between the available evidence and BLM's leasing decisions would violate NEPA's "hard look" requirement.	See responses 1, 2, 3, and 12.
38.	National Parks Conservation Association	NEPA Process	BLM is required to prepare an EA for this leasing proposal, and that an EA must include an emissions inventory that documents the upper bounds of emissions from all potential development in the aggregate, as is required by NEPA.	See responses 1, 2, 3, and 12.
39.	National Parks Conservation Association	RMP Adequacy	Together, stipulations and conditions of approval cannot resolve these and other issues that adversely affect national park units.	See responses 1, 2, 3, and 12.
40.	Public Land Solutions	Parcel Deferral	We urge the BLM to defer these leases until it conducts a hard look environmental analysis and proposes leasing stipulations or other measures to minimize/mitigate oil and gas development impacts on recreation assets and associated socioeconomics.	This comment is not specific to the proposed action considered in the Monticello Field Office DNA. In order for the BLM to consider this comment, the commenter should specifically identify specific recreation assets. That being said, see response 16.
41.	Public Land Solutions	NEPA Process	BLM has failed to take the required "hard look" at potential environmental impacts on recreation from oil and gas leasing.	See responses 1, 2, 3, and 12.

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42.	Public Land Solutions	NEPA Process	<p>Monticello DNA states that “impacts to recreation from leasing are contained in the analysis for the Monticello RMP” and “potential impacts to socio economics from oil and gas leasing are adequately analyzed and documented in the environmental analysis prepared for the Monticello RMP.” Similarly, the Monticello RMP provides no detailed consideration of how the leases proposed in the DNA might affect recreation</p> <p>Therefore, this DNA and the Monticello RMP are inadequate for considering how this leasing proposal could negatively impact recreation assets and related socioeconomics</p>	See responses 1, 2, 3, and 12.
43.	Public Land Solutions	RMP Adequacy	These EAs and DNAs acknowledge foreseeable impacts but neglect to consider how these lease sales might cumulatively impact recreation assets and related socioeconomics, nor do they propose any mitigating measures to address such negative impacts	This comment is not specific to the proposed action considered in the Monticello Field Office DNA. In order for the BLM to consider this comment, the commenter should specifically identify specific recreation assets. See responses 1, 2, 3, and 12.
44.	Public Land Solutions	NEPA Process	we urge the BLM to develop a more considerate set of EAs for this statewide lease sale that either defers these leases or implements the following standards for protecting recreation assets: NSO	This comment is not specific to the Monticello DNA. In order for the BLM to consider this comment, the commenter should specifically identify which issue applies to each proposed action. That being said, See responses 1, 2, 3, and 12.
45.	Pueblo of Acoma	Native American, Cultural, NHPA	Acoma believes there to be increased pressure on cultural resources from potential oil and gas development in this region of Southeastern Utah. This increase in interest for oil and gas development is alarming due to the Pueblo's concerns about the adequacy of identifications, analysis, and protections for Pueblo cultural resources and historic properties.	While there continues to be interest in federal oil and gas leasing in the Monticello Field Office, actual oil and gas exploration from Applications for Permit to Drill (APDs) have been well below the RFD analyzed in the RMP. See response 4.
46.	Pueblo of Acoma	Native American, Cultural, NHPA	BLM has the opportunity to conduct informed and efficient land management at this stage, by working with the Pueblo, and other tribes, to identify critical areas of concern, Pueblo cultural resources, and historic properties prior to oil and gas leasing.	For all lease sales, BLM prepares a cultural resources report, conducts Native American Consultation, consults with the Utah SHPO, and conducts consulting party consultation prior to reaching a determination of effect as required by the NHPA and other legislation.
47.	Pueblo of Acoma	Parcel Deferral	BLM must defer new leases until it has completed a comprehensive analysis identifying Acoma cultural resources as part of your Section 106 duties.	See response 16.
48.	Pueblo of Acoma	Native American, Cultural, NHPA	the BLM should be well aware that the location of March 2019 leases lies on an important cultural landscape to the Pueblo of Acoma with a high likelihood of undocumented or unanalyzed Pueblo of Acoma cultural resources that may be eligible historic properties.	See response 46.
49.	Pueblo of Acoma	Parcel Deferral	Your duties under Section 106 require you to first identify these historic properties prior to committing yourself to this action. Unless the BLM has identified the Pueblo of Acoma's historic	See response 16, 35 and 46.

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			<p>properties including our traditional cultural properties, which may include, but not be limited to, specific sites, a cultural landscape, shrines, blessing places, springs, buttes, or any other number of Acoma cultural resources, then the BLM has not complied with its legal obligations.</p> <p>Until that is completed, we demand you defer the March 2019 Lease Sale for the reasons stated below:</p> <ol style="list-style-type: none"> <li>1. Updated land use planning is necessary to avoid impacts to cultural resources.</li> <li>2. Acoma urges the BLM to defer lease sales pending an update to the Monticello Field Office's 2008</li> <li>3. Resource Management Plan ("RMP") and the development of cultural resource management plans for the region of the March 2019 lease sale</li> </ol>	
50.	Pueblo of Acoma	Native American, Cultural, NHPA	<p>2. BLM must comply with its duties under Section 106 of the NHPA.</p> <p>"Section 106" requires federal agencies to evaluate "undertakings" that may affect historic properties in accordance with a mandatory consultation process.</p>	See response 46.
51.	Pueblo of Acoma	Native American, Cultural, NHPA	<p>A. BLM must complete its review under Section 106 "prior to" approving the undertaking, as required by the statute.</p> <p>BLM continues to take the unwarranted position that it can wait to initiate the Section 106 process until the latter stages of the oil and gas leasing process, primarily during the "APD" phase</p> <p>BLM must identify and invite interested parties, as well as interested tribes, to participate in Section 106 consultation.</p>	See response 46.
52.	Pueblo of Acoma	Native American, Cultural, NHPA	<p>B. BLM must make a "reasonable and good faith effort" to identify Traditional Cultural Properties (TCPs) and other historic properties.</p> <p>it is not enough to merely ask the Pueblo of Acoma to identify its TCPs on a map or expect the Pueblo to be readily able to provide exact pinpoint locations of such cultural resources.</p> <p>BLM has limited its TCP identification effort here to "mere requests for information," or cursory review of the limited information available to the Monticello Field Office, and not yet</p>	See response 46.

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			<p>completed any field inspections by qualified experts able to identify Acoma cultural resources.</p> <p>BLM must engage with Acoma in a good faith consultation concerning the identification and evaluation of TCPs in the cultural landscape that underlies the area of the March 2019 lease sale.</p>	
53.	Pueblo of Acoma	Native American, Cultural, NHPA	<p>C. BLM must account for a cultural landscape encompassing the Bears Ears National Monument, Hovenweep National Monument, and related cultural resources.</p> <p>Some of these cultural resources may be natural resources (with archaeological traces) that may be unrecognizable by archaeologists not trained to identify Acoma cultural resources or historic properties. Further evaluation by Acoma cultural experts may identify and evaluate cultural resources to be active cultural resources to the Pueblo of Acoma.</p>	See response 46.
54.	Pueblo of Acoma	NEPA Process	<p>D. BLM must fully assess the potential for adverse effects.</p> <p>BLM must fully assess the potential for adverse effects on the Bears Ears and Hovenweep National Monuments, and other significant cultural resources in the landscape surrounding and connecting the two.</p>	See response 1, 2, and 3.
55.	Pueblo of Acoma	NEPA Process	<p>i. BLM must fully assess the potential for visual and auditory effects.</p>	See response 1, 2, and 3.
56.	Pueblo of Acoma	NEPA Process	<p>ii. BLM must fully evaluate cumulative effects on Bears Ears National Monument, Hovenweep National Monument, the Alkali Ridge ACEC, and other significant cultural resources in the surrounding landscape.</p>	See response 1, 2, and 3.
57.	Pueblo of Acoma	RMP Adequacy	<p>3. BLM has failed to comply with its obligations under the 2008 RMP to inventory lands under Section 110 of the NHPA.</p> <p>BLM has not met its responsibility to proactively survey the area in the years since the RMP was developed</p> <p>BLM has failed to comprehensively undertake National Register evaluations.</p>	This comment is beyond the scope of this proposal.
58.	Pueblo of Acoma	Native American Consultation	<p>The Pueblo of Acoma requests immediate government-to-government consultation with the BLM regarding this undertaking (#DOI-BLM-UT-Y020-2019-0004-DNA) as mandated upon the</p>	Noted.

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			BLM by federal law and executive order. The Pueblo requests the BLM to present information related to this undertaking at the Pueblo of Acoma. In addition, the BLM should be well aware that government-to-government consultation is not a one-time meeting, but a continuing dialogue.	
59.	All Pueblo Council of Governors	Native American Consultation	Note: These comments are essentially the same as comments from the Pueblo of Acoma with the following exception:  Conclusion The All Pueblo Council of Governors recommends the BLM initiated immediate government-to-government consultation with the 20 Pueblos of APCG regarding this undertaking (#DOI-BLM-UT-Y020-2019-0004-DNA) as mandated upon the BLM by federal law and executive order. The APCG would welcome BLM staff to present information about this undertaking to the 20 Pueblos Governors. However, the BLM should be made well aware that meeting with the APCG is not substitute for individual government-to-government consultation with each of the 20 Pueblos. Further, any consultation is not a one-time meeting, but a continuing dialogue. Therefore the BLM must know that even at this stage of this undertaking consultation may include sample field visits, interviews, and any number of other methods.	Noted.
60.	SUWA	NEPA Process	I. SUWA Incorporates in its Entirety SUWA's Comments and Protest Submitted for the BLM's March 2018 Lease Sale Environmental Assessment.	Comments on the March 2018 EA were addressed at the time the revised EA was issued, and were revised for the final EA, if warranted, to address issues brought out in the protests of inclusion of parcels in the March 2018 Notice of Competitive Lease Sale. Refer to the final; EA for those responses
61.	SUWA	NEPA Process	II. Existing NEPA Analyses Did Not Take a Hard Look at the Site-Specific Impacts of Issuing and Developing the DNA Lease Parcels and Therefore BLM's Reliance on the Lease Sale DNA is Inappropriate.	Site Specific consideration of the parcels occurred prior to the decision to prepare a DNA BLM resource specialists reviewed each parcel to determine if oil and gas development of any of them could result in impacts not already disclosed in the RMP EISs and the March 2018 Lease Sale EA. The Interdisciplinary Checklist attached to the DNA documents those findings. SUWA has not provided any information that there are issues with any March 2019 parcel that would cause the BLM to reevaluate the determinations in the ID checklist.
62.	SUWA	NEPA Process	III. BLM Failed to Analyze Cumulative Impacts of Past, Present, and Reasonably Foreseeable Future Oil and Gas Lease Sales.	See response 1, 2, 3, 4, and 12.

#	COMMENT SOURCE	Issue	COMMENT	RESPONSE
63.	SUWA	NEPA Process	IV. BLM's Leasing Decisions are Cumulative Actions and Similar Actions with Cumulatively Significant Impacts that Must be Analyzed in a Single NEPA Document.	See response 1, 2, 3, 4, and 12.
64.	SUWA	NEPA Process	V. BLM Must Reevaluate its Finding of No Significant Impact and Decision Record Prepared for the March 2018 Lease Sale EA. BLM's determination of whether the proposed action will have a significant impact to the environment is based on the Finding of No Significant Impact (FONSI) prepared for a different action – the March 2018 Lease Sale EA – which objectively did <i>not</i> analyze the impacts of the proposed action in the present case (or for other leasing decisions involving lands in the same area). As such, BLM must reevaluate its FONSI to determine whether an EIS must be prepared... BLM has never analyzed the context and intensity of issuing the March 2018 lease parcels in conjunction with BLM's other lease sales for this area, including the December 2018 and March 2019 lease sales, and the aforementioned SITLA lease sales.	The BLM has not made a final determination whether the March 2019 lease sale will have a significant impact to the environment. The March 2018 lease EA tiered to the 2008 RMP EIS, which conducted over-arching and cumulative analysis of the impacts of leasing the areas identified as available for lease in the chosen alternative. The March 2018 EA provided supplemental analysis for issues not adequately addressed in the RMP EIS and, upon completion of the EA, the BLM found that there were no significant impacts beyond those addressed in the RMP EIS and so issued a FONSI.  Site specific review of the March 2019 parcels by BLM resource specialists found no issues that would result in impacts exceeding those discussed in the March 2018 EA (see response to comment 61)
65.	SUWA	NEPA Process	VI. BLM's Treatment of Cultural Resources Violated the NHPA and NEPA.	See response 46.
66.	San Juan County	None	San Juan County commented in support of the proposed action, noted the parcels are within the County's Energy Zone and consistent with the San Juan County RMP and supports the use of a DNA.	Noted.
67.	Eric Stevens, private surface split estate owner	Wilderness	The proposed O&G lease location is on the border (or within?) a BLM designated Wilderness Study Area adjacent to and within the Squaw Canyon complex. This area of Bug Point currently has no O&G development and is thus wild, quiet and remote;	The proposed Oil and Gas Lease Sale is not located within designated WSAs. Impacts to the wilderness characteristics in any nearby WSAs were disclosed in the March 2018 EA.
68.	Eric Stevens, private surface split estate owner	None	We can extract O&G reserves in places that have previously been exploited using older technology	This comment is beyond the scope of this proposal.
69.	Eric Stevens, private surface	None	The USA does not desperately need additional O&G extraction at this time.	This comment is beyond the scope of this proposal.

#	COMMENT SOURCE	Issue	COMMENT	RESPONSE
	split estate owner			