

APPENDIX D: SCOPING REPORT

SUBMISSION I.D.: DEC18V-1-218490 - ABDO

ISSUE 1: Environmentally and culturally sensitive areas such as areas with wilderness characteristics should be protected from any development whatsoever.

DISPOSITION: Management of the land (what areas should be lease or not leased) is dictated by the Vernal RMP. The EA will consider site specific impacts from leasing as appropriate. This concern would require a plan amendment and is outside the scope of this EA.

ISSUE 2: Shortened comment periods are disturbing.

DISPOSITION: Public notification of the EA and public scoping both occurred in accordance with the BLM NEPA Handbook's guidance on public involvement. Analysis of the effects of the streamlining process are out of the scope of this EA. Current policies and procedures will be followed in accordance with the National Environmental Policy Act (1969) as amended and CEQ 40 CFR Parts 1500-1508.

SUBMISSION I.D.: DEC18V-1-218764 DUCHESNE COUNTY COMMISSION

ISSUE 1: Full cooperation with county on development plans and implement a resource management plan in congruence with those management decisions.

DISPOSITION: The County plans will be accounted for in the EA.

ISSUE 2: The expedition of processing, granting, and streamlining of mineral and energy leases and other processes.

DISPOSITION: The expeditious processing, granting, and streamlining of mineral and energy leases is a part of the current administration policy regarding this lease sale. The processing, granting, and streamlining will be guided by the Vernal Field Office Resource Management Plan (2008), FLPMA, and current administration policies and procedures. No analysis of this issue in the EA is necessary.

ISSUE 3: Allowance of continued maintenance and increased development of roads, power lines, pipeline and infrastructure, and other utilities necessary to achieve the goals, purposes, and policies.

DISPOSITION: The allowance of continued maintenance of roads, pipelines, and infrastructure is out of the scope of this EA. Reasonably foreseeable development of roads, pipelines, and infrastructure will be considered in this EA for analysis purposes. Site specific approval of APDs and other permits is outside the scope of this EA. If the parcels are leased, and if development is proposed, those impacts will be analyzed in a separate site specific analysis.

ISSUE 4: Refrain from any planning decisions and management actions that will undermine, restrict, or diminish the goals, purposes, and policies for the Uintah Basin Energy Zone as stated in the resolution.

DISPOSITION: The County plan has been accounted for in the EA. Planning decisions and management actions beyond the scope of the leasing parcels listed in this lease sale are out of the scope of this EA. Current management decisions are reflected in the Vernal Field Office Resource Management Plan (2008).

ISSUE 5: Refrain from implementing policy contrary to the goals and purposes as stated.

DISPOSITION: BLM will implement policy as appropriate.

SUBMISSION I.D.: DEC18V-1-218767 SPOTTS

ISSUE 1: Some parcels with important public resources should be removed.

DISPOSITION: Deferral of parcels from the sale will be handled on a case by case basis by management. This is within the scope of the No Action alternative.

ISSUE 2: There is a surplus of undeveloped leases and putting more leases into circulation does not serve the public good.

DISPOSITION: Issuing leases generates rentals which assist in the management of public lands on the behalf of the public.

ISSUE 3: Shortcut NEPA public comment opportunities.

DISPOSITION: Public notification of the EA and public scoping both occurred in accordance with the BLM NEPA Handbook's guidance on public involvement. Analysis of the effects of the streamlining process are out of the scope of this EA. Current policies and procedures will be followed in accordance with the National Environmental Policy Act (1969) as amended and CEQ 40 CFR Parts 1500-1508.

SUBMISSION I.D.: DEC18V-1-218771

ISSUE 1: Protection of ecological significant lands from shortsighted oil and gas leasing.

DISPOSITION: Management of the land (what areas should be lease or not leased) is dictated by the Vernal RMP. The EA will consider site specific impacts of leasing as appropriate. Not leasing where the RMP said leasing could occur would require a plan amendment and is outside the scope of this EA.

ISSUE 2: This lease sale threatens significant cultural resources.

DISPOSITION: The protection of cultural resources will be considered as appropriate in this EA.

ISSUE 3: This lease sale threatens irreplaceable resources: "Bear Ears National Monument".

DISPOSITION: "Bear Ears National Monument" is out of the project area of the Vernal EA.

ISSUE 4: This lease sale threatens wilderness-caliber landscapes.

DISPOSITION: The management of lands for wilderness characteristics is dictated by the Vernal RMP and therefore is out of the scope of this EA. Impacts to areas inventoried and found to contain wilderness characteristics will be considered as appropriate in this EA.

ISSUE 5: This lease sale threatens important streams and rivers.

DISPOSITION: Impacts to streams and rivers will be considered as appropriate in this EA

ISSUE 6: This lease sale threatens public health through the exacerbation of climate change and EPA designation of non-attainment areas.

DISPOSITION: Impacts to climate change and air quality will be considered as appropriate in this EA.

SUBMISSION I.D.: DEC18V-1-218882 BRASS

ISSUE 1: Please defer the following parcels based on the land has been identified to have Wilderness Characteristics.

DISPOSITION: Deferral of parcels from the sale will be handled on a case by case basis by management. The EA will consider site specific impacts of leasing as appropriate. This is within the scope of the No Action alternative.

SUBMISSION I.D.: DEC18V-1-218922 GLADE

ISSUE 1: Watersheds and wildlife migratory routes are sensitive to increased oil and gas leases.

DISPOSITION: Impacts to watersheds and wildlife will be considered as appropriate in this EA.

ISSUE 2: Civil rights protections are being violated by increasing drilling in sensitive regions

DISPOSITION: This lease sale does not infringe on anyone's ability to participate in civil or political life, does not discriminate, does not repress, and does not restrict peoples' physical or mental integrity, life, or safety.

SUBMISSION I.D.: DEC18V-1-218924 TROUT UNLIMITED

ISSUE 1: Stipulations from the Vernal Field Office should be represented in this EA to prevent degradation to fish habitat and blue ribbon streams.

DISPOSITION: Lease stipulations and notices developed through the Vernal RMP will be attached to the parcels as appropriate to notify lessees of the potential need to prevent degradation to slopes, riparian areas, habitat, and floodplains.

ISSUE 2: There is a lack of analysis conducted in this and previous lease sales.

DISPOSITION: All relevant issues affecting the land will be analyzed in the EA.

ISSUE 3: Habitat should not be affected by potential development

DISPOSITION: Impacts to habitats will be considered as appropriate in this EA.

ISSUE 4: Stipulation should be implemented as analyzed by Trout Unlimited.

DISPOSITION: Stipulations are developed by the Vernal RMP, and therefore developing new stipulations is out of the scope of the EA. Stipulations for each specific parcel will be reviewed and attached in accordance with the Vernal Field Office Resource Management Plan (2008).

ISSUE 5: Some parcels should be withdrawn per analysis by Trout Unlimited.

DISPOSITION: Deferral of parcels from the sale will be handled on a case by case basis by management. This is within the scope of the No Action alternative.

ISSUE 6: Some parcels should have stronger buffer zones as warranted by Trout Unlimited and other Western Bureau of Land Management RMP's.

DISPOSITION: Stipulations such as buffers are developed by the Vernal RMP, and therefore developing new stipulations is out of the scope of the EA. Stipulations for each specific parcel will be reviewed and attached in accordance with the Vernal Field Office Resource Management Plan (2008).

ISSUE 7: A review of parcels in BCT (Bonneville Cutthroat Trout) and CRCT (Colorado River Cutthroat Trout) should be identified in this EA and assigned strict stipulations.

DISPOSITION: Impacts to these special status species will be considered as appropriate in the preparation of EA. BLM does not have any Bonneville Cutthroat populations that overlap the Vernal Lease sale.

SUBMISSION I.D.: DEC18V-1-218930 GLADE

ISSUE 1: Civil rights protections of Native American Tribes are being violated by increasing drilling in sensitive regions.

DISPOSITION: This lease sale does not infringe on anyone's ability to participate in civil or political life, does not discriminate, does not repress, and does not restrict peoples' physical or mental integrity, life, or safety. The project is within Indian Country (the restored boundary of the Reservation), but it does not involve Indian Trust lands or minerals.

ISSUE 2: Oil and Gas leases pose a threat to air quality in the geographic bowl known as the Uintah Basin.

DISPOSITION: Impacts to air quality will be considered as appropriate in this EA.

ISSUE 3: Air quality issues such as carbon gases and exhausts are attributed to high still birth rates and increased instances of cancer and pregnancy complications.

DISPOSITION: Impacts to air quality will be considered as appropriate in this EA.

ISSUE 4: Watersheds and wildlife migratory routes are sensitive to increased oil and gas leases.

DISPOSITION: Impacts to watersheds and wildlife will be considered as appropriate in this EA

ISSUE 5: The civil rights of the public are being violated by increased drilling.

DISPOSITION: This lease sale does not infringe on anyone's ability to participate in civil or political life, does not discriminate, does not repress, and does not restrict peoples' physical or mental integrity, life, or safety.

SUBMISSION: Comment Letter National Park Service Dinosaur National Monument

ISSUE 1: Air Quality and subsequent development actions associated with leasing.

Disposition: Impacts to air quality will be considered as appropriate in this EA.

ISSUE 2: Visual impacts from proposed oil and gas leases.

Disposition: Impacts to visual impacts will be considered as appropriate in this EA.

ISSUE 3: Naturally Dark Night Skies

Disposition: Impacts to from light will be considered as appropriate in this EA. No dark skies designations exist in the project area. The nearest parcel to Dinosaur National Monument is 12 miles away.

SUBMISSION: Comment Letter Western Watersheds Project: Additional Scoping Comments on December 2018 Utah Oil and Gas Lease Sale.

ISSUE 1: Reduced time for comment periods.

Disposition: Public notification of the EA and public scoping both occurred in accordance with the BLM NEPA Handbook's guidance on public involvement. The amount and type of public involvement on an EA is left to the discretion of the Authorized Officer.

ISSUE 2: Impacts to Greater Sage Grouse including but not limited to population trends, seasonal habitat areas, noise impacts to Sage Grouse, migration of Sage Grouse populations, impacts on Sage Grouse via infrastructure, translocated Sage Grouse populations, hard and soft triggers within Sage Grouse populations.

Disposition: Impacts to sage grouse will be considered as appropriate in this EA. No translocated populations are within the project area for the Vernal leases. None of the population in the Green River BLM District have had a hard or soft trigger occur. None of the proposed lease sale parcels falls within populations that have been supplemented by translocation in the VFO lease sale. Diamond Mountain population has been used for translocation in the Strawberry Valley GRSG translocations in 2005; however, there are no designated parcels on Diamond Mountain.

Issue 3: Names of Grazing allotments in these areas and whether they meet Standards for Rangeland health.

Disposition: Impacts to grazing allotments and rangeland health will be considered as appropriate in this EA.

SUBMISSION: Comment Letter Public Land Solutions Scoping Comments on Utah December 2018 Oil and Gas Lease Sale (DOI-BLM-UT-0000-2018-0003-OTHER_NEPA)

ISSUE 1: 100 parcels in the Uinta Basin are designated as “non-attainment” because the region has failed to meet standards for ozone levels.

Disposition: Impacts to air quality will be considered as appropriate in this EA.

ISSUE 2: The size of the lease sale presents a significant potential to harm recreation resources and the outdoor recreation brand of local communities affected by this lease sale.

Disposition: Impacts to recreation will be considered as appropriate in this EA.

ISSUE 3: Appropriate protections and measures should be implemented to protect our communities’ national parks, recreational resources, and scenic public lands.

Disposition: Stipulations and notices will be applied as identified by the Vernal Resource Management Plan (2008).

ISSUE 4: Parcels should be deferred and stipulations that Public Lands Solutions suggests should be implemented.

DISPOSITION: Stipulations and notices will be applied as set forth in the Vernal Resource Management Plan (2008). Deferral of parcels from the sale will be handled on a case by case basis by management. Deferral is within the scope of the No Action alternative.

SUBMISSION: Comment Letter National Parks Conservation Association: Utah Statewide lease sale scoping comments DOI-BLM-0000-2018-0003-OTHER_NEPA (December 2018 Utah Oil and Gas Lease Sale).

ISSUE 1: NPCA is particularly concerned with the high volume of leasing in the Vernal Field Office and the potential to drastically increase ozone precursor pollution and specifically (VOC’s & NOX).

Disposition: Impacts to air quality will be considered as appropriate in the EA.

ISSUE 2: Dinosaur National Monument air quality cannot be further degraded.

Disposition: Impacts to air quality and the Dinosaur National Monument will be considered as appropriate in the EA.

ISSUE 3: BLM must undertake “conformity” analysis for major federal actions to assess how oil and gas leasing in Uintah County will conform to air regulation as required by the Clean Air Act.

Requirements for conformity analysis does not apply until August 2019 based on the 1 year grace period in the Clean Air Act regulation.

ISSUE 4: BLM must take necessary steps to account for climate change.

Disposition: Impacts to climate change will be considered as appropriate in the EA.

Issue 5: Concerns with enforcement of stipulations and public input on stipulations at the APD level.

DISPOSITION: Lessees are required to conform to lease stipulations. Public input on APD level NEPA is conducted in accordance with the NEPA Handbook.

SUBMISSION: Comment Letter Center for Biological Diversity –Scoping Comments on December 2018 Utah Oil and Gas Lease Sale.

ISSUE 1: Site specific analysis during leasing stage of APD development.

DISPOSITION: The BLM will site specifically analyze each individual parcel.

ISSUE 2: The BLM must analyze air quality impacts, and associated public health that will result from leasing the proposed December, 2018 parcels prior to leasing to include “Types of Air Emissions”, “Sources of Air Emissions”, and “Health Impacts of Increased Air Pollution”.

DISPOSITION: The impacts to air quality will be considered as appropriate in the EA.

ISSUE 3: Development of ozone conformity analysis pursuant to the Clean Air Act prior to leasing.

DISPOSITION: Requirements for conformity analysis does not apply until August 2019 based on the 1 year grace period in the Clean Air Act regulation.

ISSUE 4: BLM must analyze the environmental justice impacts of ozone pollution in the Vernal Field Office that will result from the December, 2018 lease sale.

Disposition: The impacts to environmental justice will be considered as appropriate in the EA.

ISSUE 5: BLM must analyze both upstream and downstream greenhouse gas emissions prior to leasing the proposed December, 2018 parcels.

Disposition: Greenhouse gas emissions will be considered as appropriate in the EA.

ISSUE 6: BLM must analyze the December 2018 lease sale’s site specific impacts on sensitive, endangered, and threatened species including the Greater Sage Grouse.

DISPOSITION: Site specific analysis of the impacts to ESA listed and sensitive species including the Greater Sage Grouse will be included in the analysis for individual parcels within the December lease sale as per the management guidance in the Vernal Field Office Resource Management Plan (2008).

SUBMISSION: Southern Utah Wilderness Alliance – Grand Canyon Trust – Natural Resources Defense Council – Sierra Club – The Wilderness Society

ISSUE 1: NEPA requires the BLM to conduct Site-Specific Analysis at the leasing stage.

DISPOSITION: The BLM will site specifically analyze each individual parcel.

ISSUE 2: A Determination of NEPA Adequacy is not a NEPA document and the BLM cannot rely on them to offer oil and gas leases in this area.

DISPOSITION: The Vernal Field Office will use an Environmental Assessment for this lease sale.

ISSUE 3: Many parcels are located within previously designated Vernal MLP areas which requires additional extensive analysis.

DISPOSITION: The current administration has opted to not continue the policy of previous administrations concerning the use MLP's in the NEPA process. Parcels will be specifically analyzed in accordance with the National Environmental Policy Act (1969) as amended and CEQ 40 CFR Parts 1500-1508.

Parcels 114, 115, 116, 125, 131, 132, 133, 134, 135, 136, 137, 139, 140, 141, 150, 158, 159, 160, 161, 162, 163, 165, 166, 167, 169, 182, 183, 184, 185, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 215, 217, 219, 220, 221, 222, 223, 224, 225, 235, 236, 237, 238, 295, 318, 319, 320, 321, 358, 350, 352, 353, 354, 355, 356, 357, 358, and 359 fall within the Vernal MLP area: In 2010, it was determined that the Vernal MLP met the criteria and qualified for MLP analysis because 35% of the area was unleased (including suspended or unissued parcels), 79% is federal minerals, there is leasing interest with a moderate to high potential for oil and gas in the area, and the area contains leases that were suspended following litigation, and the BLM was working on an air strategy. Specific issues raised include wilderness characteristics, wildlife, and areas determined to have relevant and important values that were not carried forward in the RMP as an ACEC (Main Canyon [cultural and historic resources and natural systems/Winter Ridge WSA], Bitter Creek/PR Spring [old growth forest, cultural and historic resources, watershed, wildlife and migratory bird ecosystems], Bitter Creek [old growth forest, cultural and historic resources, watershed, wildlife and migratory bird ecosystems] and Coyote Basin [white tailed prairie dog]). It was determined that the issues were addressed in the 2008 RMP. As appropriate the EA will address each parcel's impact to wilderness characteristics, wildlife, cultural and historic resources, Winter Ridge WSA, forests, watershed, wildlife and migratory birds and their habitats, and white tailed prairie dog.

Parcels 297 and 298 fall within the Cisco Desert MLP area. In 2010 it was determined that the Cisco Desert MLP met the criteria and qualified for MLP analysis because 40% of the area was unleased (including suspended or unissued parcels), 86% is federal minerals, there is leasing interest with existing development in and near the interest. However, no new information or changed circumstances from the 2008 RMP were identified, and there are not any conflicts with Parks, Refuges, or Wilderness areas.

Specific issues raised include wildlife, wilderness characteristics, recreation (river running, primitive hunting, mountain biking), burrowing mammal, big game, large mammal, and special status species habitat (elk, mule deer, pronghorn antelope, and black bear, white tailed prairie dog, ferruginous hawk, burrowing owl, golden eagle, Mexican spotted owl) and areas determined to have relevant and important values that were not carried forward in the RMP as an ACEC (Cisco White Tailed Prairie Dog Complex and Book Cliffs Wildlife Area). It was determined that the issues were addressed in the 2008 RMP. As appropriate the EA will address each parcel's impact to wildlife and their habitat, wilderness characteristics, and recreation. Neither parcel is within the Cisco White Tailed Prairie Dog Complex or Book Cliffs Wildlife Areas..

ISSUE 4: 19 Parcels of the preliminary parcel list overlap with parcels included in the BLM's highly controversial 2008 competitive oil and gas lease sale and should not be leased until the needed analysis is completed and changes are made to the supporting RMP's and associated lease stipulations.

DISPOSITION BY PARCEL:

The addition or assignment of stipulations is guided by the Vernal Resource Management Plan (2008).

Parcel 133 (Stiles Report Numbers 91, 93) Parcel is sage grouse GHMA and therefore has stipulations and notices attached per the Sage Grouse RMP.

Parcel 134 (Stiles Report Number 93) Parcel is sage grouse GHMA and therefore has stipulations and notices attached per the Sage Grouse RMP.

Parcel 135 (Stiles Report Numbers 91, 93) Parcel is sage grouse GHMA and therefore has stipulations and notices attached per the Sage Grouse RMP.

Parcel 136 (Stiles Report Number 94). Stiles Report recommended this parcel be leased.

Parcel 137 (Stiles Report Number 94). Stiles Report recommended this parcel be leased.

Parcel 139 (Stiles Report Numbers 96, 97) The portion of the parcel that overlaps with 97 contains GHMA and therefore has stipulations and notices attached per the Sage Grouse RMP. The portion of the parcel that overlaps with 96 is not GHMA, therefore a 2012 plan amendment determined that sage grouse protection in this area is not necessary.

Parcel 140 (Stiles Report Numbers 96, 97) The portion of the parcel that overlaps with 97 contains GHMA and therefore has stipulations and notices attached per the Sage Grouse RMP. The portion of the parcel that overlaps with 96 is not GHMA, therefore a plan amendment subsequent to the Stiles Report determined that sage grouse protection in this are is not necessary.

Parcel 141 (Stiles Report Number 98) The Stiles report recommended that this parcel be inventoried for wilderness characteristics in conformance with the new wilderness manual. Half of the parcel was inventoried in the Indian Ridge Canyon Unit in 2011. No

wilderness characteristics were found. The other half of the parcel was inventoried in the 2007 Seep Canyon inventory. After taking a close look at these parcels with the now standard BLM manual 6310, the BLM conducted a desk audit (GIS/aerial photography review) of the area, and does not anticipate that the Seep Canyon would meet all of the criteria to contain wilderness characteristics. The current delineation of the unit boundary being the most obvious inconsistency with the current BLM standardized direction for completing wilderness characteristics inventories. Even when wilderness boundary roads are considered throughout, the unit would still likely not meet all wilderness characteristics criteria mainly due to the lack of apparent naturalness as a result of the human intrusions in the form of roads, existing oil and gas infrastructure, linear disturbances, pipelines, and abandoned well pad locations that would likely detract from the apparent naturalness of the area.

Parcel 152 (Stiles Report number 106) Crucial elk calving and deer fawning lease notice and crucial winter habitat timing limitation stipulations have been identified for the parcel by the RMP.

Parcel 154 (Stiles Report numbers 109, 110) Crucial elk calving and deer fawning lease notice and crucial winter habitat timing limitation stipulations have been identified for the parcel by the RMP.

Parcel 155 (Stiles Report numbers 109, 110) Crucial elk calving and deer fawning lease notice and crucial winter habitat timing limitation stipulations have been identified for the parcel by the RMP.

Parcel 156 (Stiles Report Number 111) Parcel is almost entirely NSO due to slopes.

Parcel 158 (Stiles Report Number 112) The portion of the parcel that overlaps with 112 is not GHMA, therefore a 2012 plan amendment determined that sage grouse protection in this area is not necessary.

Parcel 165 (Stiles Report Number 115) The Stiles report recommended that this parcel be inventoried for wilderness characteristics in conformance with the new wilderness manual. Part of the parcel was inventoried in the Indian Ridge Canyon Unit in 2011. No wilderness characteristics were found. Most of the parcel was inventoried in the 2007 Seep Canyon inventory. After taking a close look at these parcels with the now standard BLM manual 6310, the BLM conducted a desk audit (GIS/aerial photography review) of the area, and does not anticipate that the Seep Canyon would meet all of the criteria to contain wilderness characteristics. The current delineation of the unit boundary being the most obvious inconsistency with the current BLM standardized direction for completing wilderness characteristics inventories. Even when wilderness boundary roads are considered throughout, the unit would still likely not meet all wilderness characteristics criteria mainly due to the lack of apparent naturalness as a result of the human intrusions in the form of roads, existing oil and gas infrastructure, linear disturbances, pipelines, and abandoned well pad locations that would likely detract from the apparent naturalness of the area.

Parcel 167 (Stiles Report Number 116) The Stiles report recommended that this parcel be inventoried for wilderness characteristics in conformance with the new wilderness manual. The parcel was inventoried in the 2007 Seep Canyon inventory. After taking a close look at these parcels with the now standard BLM manual 6310, the BLM conducted a desk audit (GIS/aerial photography review) of the area, and does not anticipate that the Seep Canyon would meet all of the criteria to contain wilderness characteristics. The current delineation of the unit boundary being the most obvious inconsistency with the current BLM standardized direction for completing wilderness characteristics inventories. Even when wilderness boundary roads are considered throughout, the unit would still likely not meet all wilderness characteristics criteria mainly due to the lack of apparent naturalness as a result of the human intrusions in the form of roads, existing oil and gas infrastructure, linear disturbances, pipelines, and abandoned well pad locations that would likely detract from the apparent naturalness of the area.

Parcel 179 (Stiles Report Numbers 136, 137) Parcel is NSO around the river and VRM II for most of the parcel's overlap with 136 and 137. Total NSO in the VRM II area as requested by the Stiles Report would require a plan amendment. However, VRM II is functionally equivalent to NSO in that surface-disturbing activities would retain the existing character of the landscape. The level of change to the landscape should be low. Management activities may be seen, but should not attract attention of the casual observer. Any change to the landscape must repeat the basic elements of form, line, color, and texture found in the predominant natural features of the characteristic landscape.

Parcel 234 (Stiles Report Number 137) Parcel is NSO and VRM II.

ISSUE 5: The BLM needs to consider, analyze, and disclose potential, direct, indirect, and cumulative impacts to water resources including ground, surface, riparian waters, and riparian areas.

DISPOSITION: Impacts to water resources and their associated riparian areas will be considered as appropriate in this EA.

ISSUE 6: NEPA Requires BLM to Analyze Water Usage; Environmental Impacts from Hydraulic Fracturing

DISPOSITION: Impacts from hydraulic fracturing will be considered as appropriate in the EA.

ISSUE 7: BLM must comply with Utah BLM Instruction Memorandum 2016-27, Change 1 and BLM Manuals 6310 and 6320 in its review of direct, indirect, and cumulative impacts to BLM identified Lands with Wilderness Characteristics and they cannot be addressed in a DNA.

DISPOSITION: BLM will comply with coordinating IM's, Manual 6310, 6320, in conjunction with the Vernal Resource Management Plan (2008). BLM has prepared an EA.

ISSUE 8: AIR QUALITY - The BLM must conduct comprehensive air quality modeling prior to the issuance of the parcels including NAAQS additional designations for non-attainment, in conjunction with FLPMA, and ensure leasing complies with the Clean Air Act in light of the ozone non-attainment designation and analyze the reasonable and foreseeable indirect downstream emissions impacts of its leasing decision.

DISPOSITION: Impacts to air quality will be considered as appropriate in the EA. The ARMS model will also be incorporated as appropriate.

ISSUE 9 – Climate Change – The BLM must consider and analyze the greenhouse gas emissions from consumption of the oil and gas produced by wells developed on the leases.

DISPOSITION: Climate change and greenhouse gas emissions will be considered as appropriate in the EA.

ISSUE 10: Viewsheds – BLM must take a requisite hard look at and analyze impacts to viewsheds and view shed related values, including impacts to wilderness-caliber lands, recreation, general aesthetics, from oil and gas leasing and development.

DISPOSITION: Impacts to visual, wilderness, and recreation resources will be considered as appropriate in this EA. Aesthetics are considered to be encompassed within visual resources.

ISSUE 11: Cultural Resources- BLM must take into account the National Historic Preservation Act (NHPA) and court ruling *Silverton Snowmobile Club v. U.S. Forest Service.*, 433 F.3d 772, 781 (10th Cir. 2006), to include a “reasonable” and “good faith effort” to identify cultural resources at the leasing stage and adverse impacts to cultural resources.

DISPOSITION: The protection of cultural resources will be considered as appropriate in this EA to include the requisite “hard look” standard and adverse impacts to cultural resources. The NHPA will be taken into account according to the National Environmental Policy Act (1969) as amended and CEQ 40 CFR Parts 1500-1508 and the Vernal Resource Management Plan (2008). Class I surveys and Section 106 consultation will occur.

ISSUE 12: BLM must analyze a broad range of NEPA alternatives beyond the unlawful practice of only analyzing the proposed action and no action alternative.

DISPOSITION: Pursuant the National Environmental Policy Act and the CEQ, the range of alternatives is defined by what is reasonable and the scope of the project. The parcels in this lease sale are nominated by the public. The disposition of the following suggestions are listed below.

OPTION 1 - A “leasing outside of wilderness-caliber landscapes” alternative – This alternative is contained within the scope of the proposed and no action alternatives. A no leasing alternative was contained in the Vernal Environmental Analysis Record approved in 1980. Other leasing options (standard stipulations, no surface occupancy restrictions, etc) are contained in the 2008 Vernal RMP.

OPTION 2 – A “No surface occupancy” alternative. Addition of non-waive able NSO stipulations on non WSA lands with wilderness characteristics is guided by the Vernal Resource Management Plan (2008). Adding additional NSO restrictions would require a plan amendment, thus making this alternative outside the scope of the EA.

OPTION 3 – A “phased development-leasing” alternative to require operators to first explore and develop lands outside of BLM-identified non-WSA lands with wilderness characteristics. A no leasing alternative was contained in the Vernal Environmental Analysis Record approved in 1980. Other leasing options (standard stipulations, no surface occupancy restrictions, etc) are contained in the 2008 Vernal RMP.

OPTION 4 – A “mitigation leasing” alternative that would attach additional mitigation measures and best management practices to each lease. This alternative is substantially similar to the Proposed Action in which notices will be attached to each parcel. Please note that reference to 81 FR 31253 does not apply to the Cisco or Vernal MLPs – it applies to Moab MLP.

The remaining reasonable options for those parcels nominated for this lease sale is to “lease” or “defer”. The purpose and need in this EA is reflective of these considerations and aligns with the Vernal Resource Management Plan (2008).

ISSUE 13: Parcels 246, 247, and 257, “near the suitable Green River segment” and parcels 152-56, 177-79, 209-11, and 233-34 “near the white River segment”, BLM must account for these known resource values in its leasing analysis.

DISPOSITION: Parcels 246, 247, and 257 are not within the Vernal project area.

Vernal RMP specifies No Surface Occupancy for parcels 152, 152, 154, 155, 179, 233, and 234 within ½ mile of the river.

Parcel 156 is 1.3 miles away from the river so is not likely to impact the river’s resources.

Parcel 177 is 0.4 mile away from the river, but there are 200-foot cliffs between the parcel and the river, and there is NSO for slopes near those cliffs so no impact to the river’s resources are likely.

Parcel 178 is divided into two pieces near the river. One piece is private surface so surface use would be up to the private land owner. The other piece is BLM surface, but it is mostly NSO due to slopes, and NSO within 100 feet of the river per the RMP.

Parcels 209, 210, and 211 are mostly NSO due to slopes, and NSO within 100 feet of the river per the RMP.

Impacts to river resources will be considered as appropriate in this EA

ISSUE 14: BLM must prepare an EIS

The amount of parcels in and of itself is not a determination for the development of an EIS. The ability to lease, including where it could occur and what stipulations would apply has already been analyzed in an EIS for the Vernal Resource Management Plan

(2008). BLM will comply with the NEPA process according to the National Environmental Handbook H-1790-1 states:

“You must also prepare an EIS If, after preparation of an EA, you determine that the effects of the proposed action would be significant and cannot be mitigated to a level of non-significance”.

ISSUE 15: BLM must ensure conformance with the Greater Sage-Grouse Land use Plan Amendments

The BLM will ensure conformance to the Greater Sage Grouse Land Use Plan Amendments, National Environmental Policy Act (1969) as amended and CEQ 40 CFR Parts 1500-1508 and the Vernal Resource Management Plan (2008).

ISSUE 16: BLM must make documents available for public comment

The CEQ regulations are clear that the agencies shall:

- Make diligent efforts to involve the public in preparing and implementing their NEPA procedures
- Provide Public notice of NEPA-related hearings, public meetings, and the availability of environmental documents so as to inform those persons and agencies who may be interested or affected. This secondary requirement is fulfilled through the ePlanning website which makes documents available to the public.

However, the National Environmental Policy Handbook H-1790-1 clarifies the agency has the “discretion to determine how much” public involvement is necessary.

Beyond this, Secretarial Order 3355 Regarding Environmental Assessments states:

“...regulations require some form of public involvement – to the extent practicable – in the preparation of an EA. Each regulation gives Bureau the discretion to determine how much and what kind of public involvement is appropriate for an individual EA”.

Therefore, per decision maker guidance, the BLM has held a two week scoping period, has posted the parcels to the NEPA register, and will hold a protest resolution period prior to signing the decision.

ISSUE 16: BLM deferred parcels citing need for new analysis.

The parcels will be compared to the past deferrals list to ensure that needed analysis is considered in the EA.

Alternative Suggestions

WildEarth Guardians and NPCA suggests an alternative that would “address” air quality Issues, but did not specify how to address them. WildEarth Guardians made a similar suggestion for Climate Change.

The Southern Utah Wilderness Alliance (SUWA) recommended four alternatives to be analyzed, but did not specify which document(s) should include the alternatives. Upon review of pages 18-20 of SUWA’s

letter, the BLM concluded that those four alternatives would only apply to Parcel 257 in the Price Field Office, so are not discussed in this scoping report.

Other comments

WildEarth Guardians attached voluminous comments and/or protest letters for previous lease sales to its scoping letter to “incorporate by reference” as scoping comments for the December 2018 lease sale, with the assertion that “(t) these incorporated comments and exhibits offer detailed technical information, expert reports, and legal analysis that the agency is required to consider in its decision-making process for the proposed action”. However, since those comments/protests applied to different parcels than those being considered for the lease sale and did not provide specific information on the parcels being considered in the *proposed action at hand*, they were briefly reviewed for relevant major issues not brought forward in the comment letters themselves. Duplicative issues in these documents were not referenced in the scoping report.

Regardless of whether specific information is provided by the public, BLM resource specialists rely on their own expertise of the resource and geographic area in determining the scope and level of analysis required. The summation of their consideration of an issue/resource can be found in Appendix E, the Interdisciplinary Checklist (ID Checklist). Scoping comments are also addressed in the ID Checklist, and detailed analysis was conducted as warranted.