CENTER for BIOLOGICAL DIVERSITY

February 05, 2017

Karen Mouritsen
State Director
Bureau of Land Management
Eastern States Office
20 M Street SE, Suite 950
Washington, D.C. 20003

Re: Protest of the March 23, 2017 Competitive Oil and Gas Lease Sale, Wayne National Forest

Dear Director Mouritsen:

I hereby file this Protest of the Bureau of Land Management's ("BLM") planned March 2017 Competitive Oil and Gas Lease Sale and the programmatic Final Environmental Assessment for oil and gas leasing in the Wayne National Forest, Marietta Unit of the Athens Ranger District, Monroe, Noble, and Washington Counties, Ohio (DOI-BLM-Eastern States-0030-2016-0002-EA) ("EA"), pursuant to 43 C.F.R. § 3120.1-3. I formally protest the inclusion of each of the 21 parcels, covering 1,186 acres in the Wayne National Forest's Marietta Unit in Monroe County, Ohio:

Parcel #: ES-001-03/2017 BLM Serial #: OHES 058226 ACQ
Parcel #: ES-002-03/2017 BLM Serial #: OHES 058227 ACQ
Parcel #: ES-003-03/2017 BLM Serial #: OHES 058228 ACQ

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Parcel #: ES-004-03/2017	BLM Serial #: OHES 058229 ACQ
Parcel #: ES-005-03/2017	BLM Serial #: OHES 058230 ACQ
Parcel #: ES-006-03/2017	BLM Serial #: OHES 058231 ACQ
Parcel #: ES-007-03/2017	BLM Serial #: OHES 058232 ACQ
Parcel #: ES-008-03/2017	BLM Serial #: OHES 058233 ACQ
Parcel #: ES-009-03/2017	BLM Serial #: OHES 058234 ACQ
Parcel #: ES-010-03/2017	BLM Serial #: OHES 058235 ACQ
Parcel #: ES-011-03/2017	BLM Serial #: OHES 058236 ACQ
Parcel #: ES-012-03/2017	BLM Serial #: OHES 058237 ACQ
Parcel #: ES-015-03/2017	BLM Serial #: OHES 058240 ACQ
Parcel #: ES-018-03/2017	BLM Serial #: OHES 058243 ACQ
Parcel #: ES-020-03/2017	BLM Serial #: OHES 058249 ACQ
Parcel #: ES-022-03/2017	BLM Serial #: OHES 058251 ACQ
Parcel #: ES-023-03/2017	BLM Serial #: OHES 058252 ACQ
Parcel #: ES-025-03/2017	BLM Serial #: OHES 058254 ACQ
Parcel #: ES-026-03/2017	BLM Serial #: OHES 058255 ACQ
Parcel #: ES-027-03/2017	BLM Serial #: OHES 058256 ACQ
Parcel #: ES-028-03/2017	BLM Serial #: OHES 058257 ACQ

PROTEST

I. Protesting Party: Contact Information and Interests

This Protest is filed on behalf of NICHELLE BUSIEK:
Address: 115 STONEGATE DRIVE

WNF is Ohio's only National Forest and one of the Nation's smallest forests consisting of only 243,180 acres. It is unconscionable that the BLM and USFS are considering leasing away a total of 40,000 acres, that is a sixth of our already small forest. This clearly violates multiple use act, as it limits the space available for recreational uses and prohibits the use of that public land for up to 50 years. Furthermore, as contamination and noise will disrupt wildlife,

including fish and deer, it limits us in using the surrounding areas as well, especially for hunting and fishing. In the multiple use act, one use can not prevent or limit another use.

I respectfully request the immediate postponement of the auction until the undeniable safety of all fracking procedures, materials, and effects can be 100% *guaranteed* by the BLM through a completed EIS that evaluates all cumulative impacts to the forest and nearby cities.

II. Statement of Reasons as to Why the Proposed Lease Sale Is Unlawful:

BLM's proposed decision to lease the parcels listed above is substantively and procedurally flawed for the reasons discussed below.

Fracking exposes public and private land to documented devastation, including but not limited to, loss of biodiversity- including two species of endangered bats, release of sequestered CO2 and methane, additional air/ozone contamination, surface/ground water contamination, and an increase in seismic activity. The local community has not been properly educated on the true risks associated with these activities, and we have not been given adequate chances or time to meet with USFS or BLM representatives. USFS and BLM have ignored all our previous comments, as well as our petition with over 100,000 signatures. The community needs more time to be educated and to comment on these important matters, and we deserve to be heard. Ultimately, these issues have not been adequately assessed or addresses and there is no protocol that can guarantee the safety of wildlife or the public.

Finally, the Bureau of Land Management (BLM) violated the National Environmental Policy Act (NEPA) by not completing a full Environmental Impact Study (EIS) that would evaluate the effects of fracking within the WNF and surrounding areas. The BLM gave no consideration to the cumulative impact on air quality, water usage/ contamination, and climate change created by the increased fracking on private, and now additionally public land. Also, the BLM filed an inadequate Finding of No Significant Impact (FONSI) based on an outdated Forest Plan from 2006 which did not seriously evaluate fracking, because it was not considered likely or viable at that time.