



U.S. Department of the Interior
BUREAU OF LAND MANAGEMENT

North Dakota

Resource Management Plan and Environmental Impact Statement

Scoping Report

November 2020



Prepared by:

**US Department of the Interior
Bureau of Land Management**

Cover Photo: Mitchell Iverson
Dunn County, North Dakota

TABLE OF CONTENTS

Chapter	Page
CHAPTER 1. INTRODUCTION.....	1-1
1.1 Background.....	1-1
1.2 Purpose and Need for the RMP/EIS	1-1
1.3 Overview of the Scoping Process and Scoping Report.....	1-2
1.4 Description of the Scoping Process	1-5
1.4.1 Scoping	1-5
1.4.2 Cooperating Agencies.....	1-5
1.4.3 Virtual Open House	1-6
1.4.4 Virtual Public Scoping Meetings	1-6
1.4.5 Media Advertisements	1-7
1.4.6 Call for Coal Resource and Other Resource Information	1-7
1.4.7 Evaluation of Proposed Areas of Critical Environmental Concern	1-7
CHAPTER 2. RESULTS OF SCOPING.....	2-1
2.1 Method of Comment Collection and Analysis.....	2-1
2.2 Summary of Public Comments Received	2-1
2.2.1 Number of Submission Received by Delivery Type	2-1
2.2.2 Commenters by Affiliation	2-1
2.2.3 Number of Comments by Issue Category	2-2
CHAPTER 3. SUMMARY OF COMMENTS, ISSUES, AND PLANNING CRITERIA.....	3-1
3.1 Summary of Public Comments	3-1
3.1.1 NEPA.....	3-1
3.1.2 Resources and Resource Uses.....	3-3
3.2 Issues to be Resolved in the Revised Plan	3-10
3.3 Issues or Alternatives Beyond the Scope of this Revised Plan.....	3-12
3.3.1 Implementation-level Decisions	3-12
3.4 Preliminary Planning Criteria	3-12
CHAPTER 4. FUTURE STEPS	4-1
4.1 Future Steps and Public Participation Opportunities	4-1
4.2 Contact Information.....	4-1
CHAPTER 5. REFERENCES.....	5-1

TABLES

	Page
1-1 Virtual Public Scoping Meetings	1-6
1-2 Newspaper and Online Advertisements for North Dakota RMP/EIS Scoping.....	1-7
2-1 Number of Submissions Received by Delivery Type.....	2-1
2-2 Submissions by Affiliation	2-2
2-3 Number of Individual Substantive Comments by Issue Category	2-2

MAP

	Page
1-1 Planning and Decision Area.....	1-3

APPENDICES

- A Notice of Intent
- B Virtual Open House Website
- C Virtual Question and Answer Session Presentation
- D Public Outreach Materials
- E List of Commenters
- F Substantive Public Scoping Comments
- G Substantive Issues

ACRONYMS AND ABBREVIATIONS

Full Phrase

ACEC	area of critical environmental concern
BLM	United States Department of the Interior, Bureau of Land Management
BMP	best management practice
CFR	Code of Federal Regulations
EIS	environmental impact statement
ESA	Endangered Species Act
FLPMA	Federal Land Policy and Management Act
GIS	geographic information system
LWC	lands with wilderness characteristics
MDT	Mountain Daylight Time
NEPA	National Environmental Policy Act
RFD	reasonably foreseeable development
RMP	resource management plan
ROW	right-of-way
VOH	virtual open house
USFWS	US Fish and Wildlife Service
WSA	wilderness study area

This page intentionally left blank.

Chapter 1. Introduction

1.1 BACKGROUND

The United States Department of the Interior, Bureau of Land Management (BLM), North Dakota Field Office, is preparing an environmental impact statement (EIS), in accordance with the National Environmental Policy Act (NEPA) of 1969, as amended. The purpose is to evaluate a revised resource management plan (RMP). The process for the development, approval, maintenance, and amendment or revision of RMPs is initiated under the authority of Section 202(f) of the Federal Land Policy and Management Act (FLPMA) and Section 202(c) of the NEPA.

Development of the RMP represents the first tier (land use planning tier) of the two-tiered BLM planning process. As such, the RMP prescribes future management direction for the resources and uses of the BLM-administered lands in the planning area. In turn, the RMP guides the second tier of the planning process that involves specific activity or implementation-level planning and daily operations. Activity or implementation-level planning extends the resource and land use decisions of the RMP into site-specific management decisions for smaller geographic units of BLM-administered lands in the RMP planning area. Activity planning includes such elements as grazing plans, travel management plans, and interdisciplinary or coordinated activity plans. Through these plans, the BLM issues various land and resource use authorizations, identifies specific mitigation needs, and develops and implements other similar plans and actions.

All management direction or actions developed as part of the BLM planning process are subject to valid existing rights and must meet the objectives of the BLM's multiple-use management mandate and responsibilities (FLPMA Section 202[c] and [e]). Valid existing rights are legal rights to use the land that was in existence before the decisions made in the RMP are implemented. Examples of valid existing rights are existing oil and gas leases, mining claims, and right-of-way (ROW) authorizations. Existing leases would be subject to the specific lease stipulations that were applied under the previous land use plan. Mining claims that exist on the effective day of a withdrawal may still be valid if they can meet the test of discovery of a valuable mineral required under the mining laws. An existing ROW would be subject only to the specific terms and conditions that were applied when it was authorized, even if it is within a ROW exclusion or avoidance area specified under the RMP.

BLM-administered lands in the North Dakota RMP/EIS decision area total approximately 59,000 acres of surface lands and approximately 4.3 million acres with subsurface minerals (see **Map 1-1**). The bulk of the federal mineral estate is coal (approximately 4.2 million acres, including areas with federal coal only, federal ownership of all minerals, and other minerals). Federal oil and gas reserves (fluid minerals) comprise 508,000 acres, including areas with federal oil and gas only, and ownership of all minerals, and other minerals.

1.2 PURPOSE AND NEED FOR THE RMP/EIS

The changes that have taken place in the planning area over the past 30 years have resulted in different users and uses of BLM-administered lands. Issues have emerged that relate to potential threatened and endangered species, special status wildlife and habitat, and the significant amount of oil and gas exploration and development throughout the planning area. Many of the land use planning decisions required by specific program and resource guidance are not adequately addressed in the North Dakota Resource

Management Plan and Environmental Impact Statement Record of Decision (BLM 1988), and the existing analysis needs to be updated.

In the past decade, the Bakken oil boom has dramatically changed the landscape in North Dakota, especially in the western part of the state. Records from federal, state, and oil industry data suggest there are approximately 25,800 active or open wells¹ associated with petroleum development in North Dakota (IHS (2019). The North Dakota Field Office has been, and continues to be, busy with oil and gas leasing, processing of applications for permits to drill, inspections, enforcement, pipelines, and sundry notices².

The RMP/EIS includes an analysis of all proposed management actions and alternatives within the plan. Management issues and concerns in the planning area encompass nearly all resource programs and aspects of public land management. The RMP incorporates management decisions from the existing RMP and amendments for those decisions that remain appropriate and provides updated decisions for the balance of the identified issues.

The purpose of the North Dakota RMP is to ensure that BLM-administered lands and minerals in the planning area are managed in accordance with the multiple-use and sustained yield principles stated in FLPMA (43 United States Code 1701 et seq.). FLPMA states the BLM shall “develop, maintain, and, when appropriate, revise land use plans” (43 United States Code 1712(a)); therefore, the RMP provides planning-level management strategies that are expressed in the form of goals, objectives, allowable uses, and management actions for resources and resource uses. The RMP incorporates new data, addresses land use issues and conflicts, and specifies where and under what circumstances particular activities would be allowed on BLM-administered lands. The RMP does not prioritize certain projects or describe how particular programs would be implemented; rather, those decisions are deferred to more detailed implementation-level planning.

1.3 OVERVIEW OF THE SCOPING PROCESS AND SCOPING REPORT

Public involvement is a vital and legally required component of the planning process. It vests the public in the decision-making process and allows for full environmental disclosure. Guidance for implementing public involvement under NEPA is codified in 40 Code of Federal Regulations (CFR) 1506.6.

Scoping is an open and early step in the planning process that helps the BLM determine the scope of issues to be addressed and to identify significant issues related to a proposed project. Information collected during scoping may also be used to develop the alternatives to be analyzed in a NEPA document.

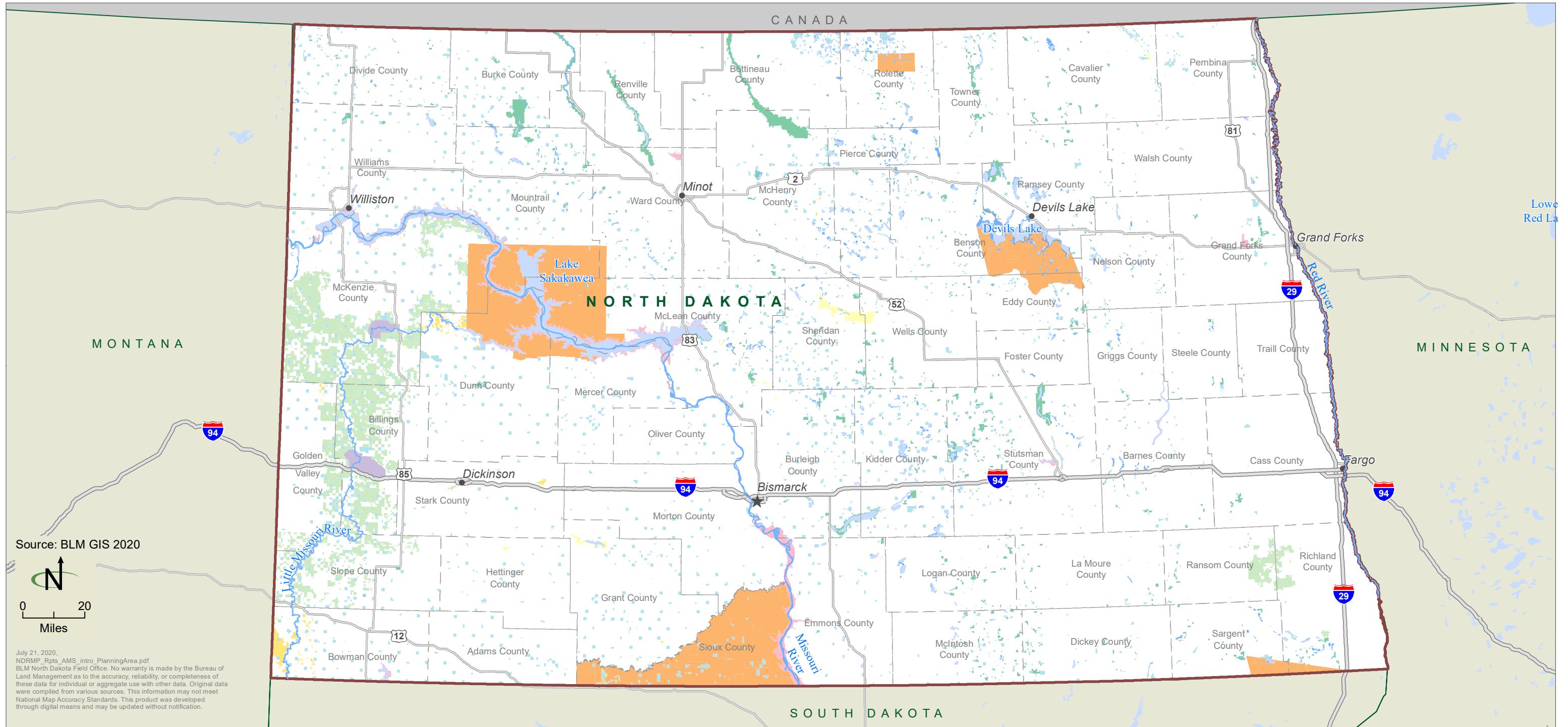
In accordance with its NEPA Handbook, Section 9.1.3 (BLM 2008), the BLM must document the public scoping results. This North Dakota RMP/EIS scoping report summarizes the process and the comments received during the formal scoping period, including those provided during local, state, federal, and Tribal government-to-government consultation, internal scoping meetings, and public scoping meetings.

¹Active well is a well that is actively producing oil and/or gas. Open well is a well that has not been plugged and abandoned but is not actively producing; it could be converted back to active status.

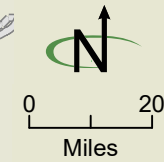
²Written request to perform work not covered by another type of permit, or to change operations in your previously approved permit.



Map 1-1 North Dakota Planning Area



Source: BLM GIS 2020



July 21, 2020,
NDRMP_Rpls_AMS_intro_PlanningArea.pdf
BLM North Dakota Field Office. No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual or aggregate use with other data. Original data were compiled from various sources. This information may not meet National Map Accuracy Standards. This product was developed through digital means and may be updated without notification.

- Bureau of Land Management (surface decision area)
- US Forest Service
- US Fish and Wildlife Service
- North Dakota RMP planning area
- State
- National Park Service
- Private
- US Department of Defense
- Bureau of Reclamation
- Bureau of Indian Affairs
- Water

This page intentionally left blank.

Pursuant to 43 CFR 3420.1-2, the BLM formally solicited indications of interest and information on coal resource development potential, such as locations, quality, and quantity, of BLM-administered federal mineral estate and information on surface resource values related to multiple use conflicts (see **Section 1.4.6**).

1.4 DESCRIPTION OF THE SCOPING PROCESS

As NEPA and its public involvement guidance require, the BLM solicited comments from relevant agencies and the public, then organized and analyzed all comments that it received. The agency then evaluated the position statement of each commenter and extracted the overarching issues that it would address during the planning process. These issues define the scope of analysis for the development of the RMP/EIS; the BLM uses them to develop the project alternatives.

1.4.1 Scoping

As defined under NEPA, the scoping period began with the publication of the Notice of Intent in the *Federal Register* on July 28, 2020, titled Notice of Intent to Prepare a Resource Management Plan and Associated Environmental Impact Statement for the North Dakota Field Office, North Dakota (see **Appendix A**). During the scoping period, the BLM sought public comments to determine relevant issues that could influence the scope of the environmental analysis, including alternatives, and to guide the process for developing the RMP/EIS. This notice also seeks public input on planning criteria (see **Chapter 3**) and nominations for areas of critical environmental concern (ACECs) (see **Section 1.4.7**). The official comment period ended on August 28, 2020.

The BLM is maintaining the project's ePlanning website with information related to the development of the North Dakota RMP/EIS: <https://eplanning.blm.gov/eplanning-ui/project/1505069/510>. The BLM included the ePlanning website location in the scoping press release; it also made available background documents, maps, project updates, and contact information during the scoping period. The ePlanning website will be updated as the BLM moves through the planning process.

This scoping report summarizes and presents comments received or postmarked by August 28, 2020. To the extent practicable, the comments received past this date will be considered during the development of the RMP/EIS, but late comments were not summarized in this report. The BLM will continue to review and consider comments regarding requests for new data while preparing the RMP/EIS.

1.4.2 Cooperating Agencies

On April 21, 2020, the North Dakota Field Office sent 91 letters to local, state, federal, and Tribal representatives, inviting them to participate as cooperating agencies for the North Dakota RMP/EIS. The following 12 agencies have expressed interest to participate as cooperating agencies:

- The North Dakota Historical Society
- North Dakota Parks and Recreation
- Billings County
- Bowman County
- McKenzie County
- Mountrail County
- Oliver County

- US Army Corps of Engineers
- US Environmental Protection Agency
- US Fish and Wildlife Service (USFWS)
- US Forest Service, Dakota Prairie Grasslands
- National Park Service, Theodore Roosevelt National Park

Several of the cooperating agencies provided written scoping comments to more fully identify issues related to their mandates and special expertise.

1.4.3 Virtual Open House

The BLM held two virtual public scoping meetings and offered a virtual open house (VOH) website for the public to provide comments. Substantive comments from these meetings and VOH were incorporated into the comment summaries in **Chapter 2**.

The BLM launched the VOH website on July 24, 2020, and it was open to the public until August 28, 2020. It modeled the website to replicate the format of an open house public scoping meeting. VOH visitors were able to scroll from station to station to learn about the planning process and important issues, to download meeting materials, and to review frequently asked questions. Participants had the options of signing in, providing comments, and asking questions through the VOH website; 23 people officially signed in.³ While the sign-in and commenting functions of the VOH were disabled once the scoping period concluded, the VOH itself is still available to view, at <https://www.virtualpublicmeeting.com/north-dakota-rmp-eis-voh>. The archived VOH that was available during the comment period is provided in **Appendix B**.

1.4.4 Virtual Public Scoping Meetings

Due to Covid-19 precautions, the BLM hosted two live, moderated, virtual public meetings, using video conferencing technology. Information on how to join the virtual public meetings was posted to the BLM ePlanning website when the originally scheduled in-person scoping meetings were canceled due to the pandemic. Attendees were able to join via computer or phone to participate in the virtual meetings. The dates and attendance of the public scoping meetings are provided in **Table 1-1**.

Table 1-1
Virtual Public Scoping Meetings

Date	Time	Number of Public Members Registered
August 18, 2020	1:00 pm to 3:00 pm MDT	33
August 20, 2020	5:00 pm to 7:00 pm MDT	8

The BLM began each meeting with a slide presentation, providing information about the North Dakota RMP/EIS and the NEPA process (see **Appendix C**). Attendees then had the opportunity to ask questions from the 11 BLM staff members who attended the meetings. Following the question and answer session, the BLM accepted public scoping comments. Transcripts of both meetings are available at the BLM ePlanning website.

³This total includes attendees who used the sign-in form on the VOH website. There were many website visitors who participated in the VOH but did not officially sign in.

1.4.5 Media Advertisements

The BLM advertised the public scoping period in nine newspapers across the planning area, as shown in **Table 1-2**, below. The advertisements were also published in some of the newspaper's online editions.

Table 1-2
Newspaper and Online Advertisements for North Dakota RMP/EIS Scoping

Newspaper*	Publication Date
<i>Dickinson Press</i>	July 29, 2020
<i>Minot Daily News</i>	July 30, 2020
<i>Bismarck Tribune</i>	July 31 and August 5, 2020
<i>Williston Herald</i>	July 31, 2020
<i>Fargo Forum</i>	August 5, 2020
<i>Grand Forks Herald</i>	August 5, 2020
<i>The Independent</i>	August 6, 13, and 20, 2020
<i>The Center Republican</i>	August 6, 2020
<i>Beulah Beacon</i>	August 6, 2020

*Each advertisement was also placed on available online versions of the newspapers for the duration of the comment period.

The BLM also distributed public notices via the project's ePlanning website and a press release and through a project mailing list of over 3,500 addresses through letters, postcards, and emails (see **Appendix D**).

1.4.6 Call for Coal Resource and Other Resource Information

Pursuant to 43 CFR 3420.1-2, the BLM held a call for coal data, in addition to the public scoping process. The call for coal data is to provide the public and industry with a chance to submit relevant information on coal and non-coal resources and uses. This is used to inform the coal screening process and inform the multiple use management decisions for coal lands. The call for coal data was announced by publishing a legal notice in five newspapers, by posting it on ePlanning and social media, and disseminating it via emails and letters to coal companies in North Dakota, as well as federal, state, and county governments and Tribes. The legal notice was published in the *Grand Forks Herald* and *Fargo Forum* on August 5, 2020, the *Beulah Beacon* and *Center Republican* on August 6, 2020, and the *Garrison Independent* on August 6, 13, and 20, 2020. The letters were mailed on July 31, 2020, to those on the project's mailing list. The BLM requested a response by September 8, 2020. Industry-specific information was requested and received from the coal companies several times in the preplanning and planning process. No additional information was received from the call for coal data.

1.4.7 Evaluation of Proposed Areas of Critical Environmental Concern

As part of RMP revision, the BLM is analyzing whether proposed ACECs meet the relevance and importance criteria. The BLM found that the 960-acre Mud Buttes ACEC met the relevance and importance criteria (see the Evaluation of Proposed ACECs report on the BLM's ePlanning website, <https://eplanning.blm.gov/eplanning-ui/project/1505069/510>). ACECs may be nominated by other agencies or members of the public at any time; thus, during the RMP revision scoping process, the BLM solicited nominations and comments from the public and other agencies.

This page intentionally left blank.

Chapter 2. Results of Scoping

2.1 METHOD OF COMMENT COLLECTION AND ANALYSIS

The BLM evaluated all written, electronic, and verbal submissions received on or before August 28, 2020, and considered them in this scoping report. It is an overall summary of the types of comments received and of the issues to be resolved in the revised RMP. The BLM will review all comments received during the RMP process to ensure that it has missed no key issues or concerns.

To ensure that public comments were properly registered and that none were overlooked, the BLM used a multiphase management and tracking system. Written submissions were given a unique identifier and were logged into the BLM’s comment response and analysis database. The BLM then reviewed each submission and extracted individual, substantive comments.

2.2 SUMMARY OF PUBLIC COMMENTS RECEIVED

The BLM received 12 unique comment submissions during the public scoping period. A unique comment submission is a personalized email, letter, or verbal comment that is not part of a form letter or petition campaign. Overall, 83 substantive comments were identified in the submissions using the Comment Analysis Response Application, an ePlanning software that the BLM uses.

2.2.1 Number of Submission Received by Delivery Type

Table 2-1 shows the number of submissions by delivery type. Most submissions were submitted through the BLM ePlanning website.

Table 2-1
Number of Submissions Received by Delivery Type

Comment Submission Format	Number of Commenters
Email	1
Standard mail	1
Verbal comments received during virtual public scoping meetings	2
ePlanning	8
Total	12

2.2.2 Commenters by Affiliation

The BLM categorized all submissions received by the commenter’s affiliation. **Table 2-2**, below, shows the number and proportion of commenters by affiliation. Letters written on business, agency, or organization letterhead or letters where the commenter signed using an official agency title were considered to represent that organization or agency; all other letters were considered to represent individuals. **Appendix E** provides a list of commenters.

**Table 2-2
Submissions by Affiliation**

Affiliation	Number of Commenters	Percentage of Total Commenters
Individual	3	25
Business/organization	5	42
State/federal government	4	33
Total	12	100

2.2.3 Number of Comments by Issue Category

Table 2-3 shows the number and proportion of comments received by issue category. The BLM categorized the 83 substantive comments into 22 issue categories. Of all the substantive comments, most were on the subjects of water resources (24 percent), air quality and climate (10 percent), and other laws (8 percent). **Chapter 3** provides a detailed analysis of the comments received for each issue category. All analyzed substantive public comments are provided in **Appendix F**; additionally, **Appendix G** provides a list of commenters and the substantive issues identified in their comments.

**Table 2-3
Number of Individual Substantive Comments by Issue Category**

Issue Category	Number of Individual Substantive Comments	Percentage of Total Comments
NEPA		
Adaptive management and monitoring	1	1
Best available information-baseline data	2	2
Consistency with federal/state/local plans	4	5
GIS data and maps	3	4
Other laws	7	8
Comment period extension	1	1
Resources and Resource Uses		
Air quality and climate	8	10
ACECs	2	2
Comprehensive travel and transportation management	1	1
Fluid leasable minerals	5	6
Lands and realty	6	7
Lands with wilderness characteristics (LWCs)	1	1
Public health and safety	1	1
Recreation and visitor services	4	5
Social and economic conditions	5	6
Soil resources	1	1
Solid leasable minerals	1	1
Treaty and tribal interests	2	2
Visual resources	1	1
Water resources	20	24
Wildlife and vegetation	5	6
Livestock grazing	2	2
Total	83	100

Chapter 3. Summary of Comments, Issues, and Planning Criteria

The Notice of Intent stated that comments would be identified for issues and placed into one of the following three categories:

1. Issues to be resolved in the revised plan
2. Issues to be resolved through policy or administrative action
3. Issues beyond the scope of this revised plan

The BLM reviewed each comment to determine if it pertained to an issue that would be resolved through the RMP/EIS and then assigned it to one of these three categories. Issues that could be resolved through policy or administrative action, or those that are beyond the scope of the RMP, are considered issues or alternatives that were not considered in detail; such issues would not be addressed in the Draft RMP/EIS. See **Section 3.3** to review these comments.

The comments identified in the public's submissions are summarized below in **Section 3.1**. The substantive comments have been characterized into topics and summarized to reflect how they become part of the BLM's issues to address in this planning process. Other comments identified in the public's responses fell outside of the scope of the RMP and would not be incorporated further. The primary comments that fell outside of the scope of the RMP are summarized in **Section 3.3**.

3.1 SUMMARY OF PUBLIC COMMENTS

3.1.1 NEPA

Adaptive Management and Monitoring

Commenters requested that if the BLM uses adaptive management and monitoring, the RMP/EIS should identify the features of an effective adaptive management plan, including the following:

- Achievable and measurable objectives to provide accountability and guide future decisions
- Specific decision thresholds, with identified indicators for each affected resource
- Targets that specify a desired future condition
- Commitment to implement a monitoring plan with protocols to assess whether thresholds are being met
- Commitment to use monitoring results to modify management strategies as necessary
- Designated time frames for completing necessary management modifications

Best Available Information-Baseline Data

Commenters requested that the BLM evaluate and incorporate relevant best available science on managed landscapes, particularly for techniques to manage elk habitat, including invasive species, grazing, and fire management techniques.

Commenters recommended that the BLM seek input and consult research from the Energy and Environmental Research Center at the University of North Dakota and incorporate relevant findings into the RMP/EIS.

Consistency with Federal/State/Local Plans

Commenters recommended that, in setting new management directions for elk and other wildlife, the BLM should coordinate with state wildlife agencies and integrate state agency goals and state comprehensive wildlife plans and data into the RMP.

Commenters requested that the BLM include the Billings County's Comprehensive Plan and Land Use Plan in the consistency review for the RMP/EIS.

Commenters requested clarification on how the RMP will interact with or complement the Dakota Prairie Grasslands Northern Great Plains Management Plans Revision and Final Supplemental Environmental Impact Statement for Oil and Gas Leasing. They also inquired about which plan would take precedence on oil and gas leasing and mineral development.

GIS Data and Maps

Commenters requested that the BLM provide the geographic information system (GIS) shapefiles for the RMP maps and figures on its website. This would allow stakeholders to fully analyze the details of what the BLM is proposing.

Commenters recommended the RMP/EIS include the following information:

- A map of waterbodies in and downstream of the planning area
- Waterbody segments classified by the North Dakota Department of Environmental Quality as water-quality impaired or threatened under the Clean Water Act Section 303(d), waterbodies considered not impaired by North Dakota Department of Environmental Quality, and waterbodies that have not yet been assessed by the North Dakota Department of Environmental Quality for impairment status
- A table identifying the designated uses of the waterbodies and the specific pollutants of concern, where applicable
- A map of municipal watersheds and designated source water protection zones
- Maps and descriptions of topography and soils, specifically steep slopes and fragile or erodible soils, especially near surface waters and intermittent and ephemeral channels

Commenters recommended that the RMP/EIS present inventories and maps of existing wetlands and Waters of the US in the planning area. They would include waters that are regulated under Section 404 of the Clean Water Act and wetlands and waters that are protected under Executive Order 11990, Protection of Wetlands.

Other Laws

Commenters stated that the BLM must ensure that any conservation measures for wildlife management are consistent with its authority under FLPMA, the Endangered Species Act (ESA), and the Migratory Bird Treaty Act. They also stated that non-listed state- or BLM-designated special status species cannot be managed with the same protections afforded ESA-listed species. Specifically, with regard to the Migratory

Bird Treaty Act, commenters stated that the BLM should not impose onerous restrictions on oil and gas lessees to prevent incidental take. For this, commenters cited recent guidance from the Department of the Interior and the USFWS regarding migratory birds. The commenters asserted that the guidance would render superfluous and unjustifiable any blanket stipulations imposed to protect migratory birds, nests, and trees from incidental take.

Commenters recommended including documentation of the USFWS consultation and any recommendations for design criteria, mitigation, monitoring, and adaptive management strategies to protect special status species.

Commenters stated that the BLM should acknowledge in the RMP that development of federal minerals is part of the multiple use mandate under FLPMA and that domestic oil and natural gas resource development is a legitimate use of public lands. Moreover, they expressed a desire for the BLM to follow the requirements of the Energy Policy Conservation Act of 2000 and the Energy Policy Act of 2005 to reduce, rather than increase, impediments to federal oil and gas leasing.

Commenters called for the RMP to analyze the impacts of management prescriptions, stipulations, and access restrictions on minerals management and development, including both the economic and environmental impacts from these narrow operational windows.

Comment Period Extension

Commenters requested an extension of the scoping comment period to allow for additional time to review the BLM's analysis of the management situation document and to submit scoping comments.

Mailing List Requests

Commenters requested to be added to a mailing list in order to receive copies of any notices associated with the planning process, as well as copies of all documents pertaining to the planning process for the North Dakota RMP/EIS revision.

3.1.2 Resources and Resource Uses

Air Quality and Climate

Commenters suggested that the BLM use state and industry impacts when developing any type of air modeling. This would be done to ensure that any modeling is accurate and completed with the highest level of expertise.

Commenters requested that the BLM be consistent in its RMP planning regarding climate change and the regulation of greenhouse gases. Commenters also requested that the BLM consider in the RMP the cumulative impacts of oil and gas development.

Commenters recommended that the BLM include the reasonably foreseeable development (RFD) scenario referenced in Appendix B of the analysis of the management situation. Commenters further recommended that the BLM clarify whether the RFD scenario referenced is the same as the RFD scenario that was used in the photochemical grid model air quality modeling runs. The reason given was that, in order to be directly comparable, the RFD scenario used for this planning and in the development of the range of alternatives must be consistent with the RFD scenario used in the photochemical grid model study for the impacts. If

the RFD scenarios greatly differ, commenters recommended that the BLM convene a technical workgroup to discuss the best options for RMP/EIS.

Commenters recommended that the RMP/EIS provide an evaluation of the current air quality conditions and trends in the planning area, as well as the potential impacts from future BLM-authorized activities and any reasonably foreseeable future actions. The commenters recommended that such an evaluation include the following:

- Each of the criteria pollutants, and their appropriate National Ambient Air Quality Standards
- Air quality-related values in potentially affected Class I areas and sensitive Class II areas
- Prevention of significant deterioration at potentially affected Class I and Class II areas
- Estimated greenhouse gas emissions anticipated with each alternative
- Hazardous air pollutants and relevant health-based risk thresholds for hazardous air pollutants

Commenters recommended that the BLM identify in the RMP/EIS the measures it would apply as stipulations or at the project level in the event that potential adverse impacts on air quality or air quality-related values on affected lands are predicted. Commenters also recommended that the BLM identify the mechanisms it would use to ensure project-level implementation of these measures, including lease stipulations, conditions of approval, and notices to lessees.

Commenters requested that the BLM consider the following impacts in the RMP/EIS:

- More efficient, engineered facility designs that capture a higher percent of gas and take advantage of the latest technology in equipment and inspection processes
- The development of larger and newer facilities that have better gas capture, vapor recovery infrastructure, and more efficient flaring to reduce airborne emissions of volatile organic compounds
- The transition from field-built to fully engineered facilities, which include a higher level of design and the necessary gathering infrastructure to reduce air emissions
- Consent decrees that individual operators may have with the State of North Dakota or the US Environmental Protection Agency that result in significant investments in control technologies to reduce air emissions

Commenters suggested that the BLM should quantify the impacts of not requiring gas capture or meeting reduction goals in the RMP/EIS analysis.

Commenters requested that the BLM prepare a detailed air quality technical support document for this planning effort. Its purpose would be to support the implementation of stipulations and best management practices (BMPs) in the RMP/EIS and to provide further information relating to the air quality analysis and potential impacts.

Areas of Critical Environmental Concern

Commenters requested that ACEC designations in the RMP/EIS must respect all valid existing rights, consider existing or potential multiple uses on those lands, and be narrowly tailored to protecting the significant resource that has been identified. Commenters further noted that, to the extent mineral leasing

and development can occur without affecting the resource values targeted by the ACEC, the BLM cannot use the ACEC designation to block leasing or development.

Commenters recommended that the BLM carefully examine and justify any surface use restrictions that arise from an ACEC designation in the RMP/EIS and balance these restrictions with the BLM's multiple use mandate for managing public lands.

Comprehensive Travel and Transportation Management

Commenters recommended that the BLM use a balanced approach regarding multiple uses in the RMP/EIS. It should use this approach specifically in regard to motorized and nonmotorized activity, given that motorized access to areas with high open road densities or substantial nonmotorized disturbance can displace elk and other species to adjacent private land for part or most of the year; this would result in various adverse impacts.

Fluid Leasable Minerals

In developing the RMP/EIS, commenters requested that the BLM ensure it uses up-to-date and accurate information on technological advances. This would apply specifically to oil and gas drilling practices and new production operations. It also would apply to the extent to which current technology and practices can substantially mitigate or eliminate the traditional impacts of oil and gas development on the aesthetic and recreational values of the surface lands and other resource uses.

Commenters requested that the BLM make clear in the RMP/EIS that timing limitations, controlled surface use, and no surface occupancy stipulations and any other management prescriptions across the planning area are not applied retroactively to existing leases. Commenters further requested that the BLM make clear in the RMP/EIS that industry would pay for reclaiming affected lands.

Regarding interim reclamation in a split-estate development scenario, commenters recommended that the RMP/EIS should defer the interim reclamation planning and implementation to the private and State surface owners.

Regarding interim reclamation on well pads after drilling has been completed, commenters requested that the BLM work closely with operators to better understand what is feasible, necessary, and consistent with safe operation of oil and gas production sites. Commenters further recommended that the BLM communicate extensively with operators before creating additional reclamation requirements that may be unnecessarily burdensome.

Solid Leasable Minerals

Commenters recommended that the RMP/EIS discuss the potential for coal resources during the 15- to 20-year planning horizon of the RMP. They recommend that it include a discussion of impacts, including those on air and water resources from open pit mining and from high methane coal, and a discussion of the higher than typical impacts from transporting the coal to rail or end users. Commenters suggested that the potential for opening any areas to coal leasing should be fully analyzed at a site-specific level in the RMP/EIS.

Lands and Realty

Commenters recommended that the BLM consider alternatives that use appropriate stipulations and other mitigation measures to address surface management concerns in the planning area, such as the development

of roads and other ground-disturbing activities. They also recommended using stipulations and mitigation measures to avoid development in large, contiguous undisturbed tracts.

Commenters recommended that the BLM include objectives and actions that emphasize coordination between the BLM, state wildlife agencies, private landowners, and others to provide habitat conditions that support year-round presence of elk and other big game on public land. They also recommended that the BLM work with conservation partners to identify key conservation lands and to acquire parcels, enter into land exchanges, or obtain conservation easements to secure more elk habitat for the future.

Commenters requested that the BLM adequately analyze the differences in impacts that could be achieved by offering consolidated blocs for leasing. This method could allow for infrastructure development in a way that minimizes surface impacts.

Commenters requested that the BLM give consideration in the RMP/EIS to the leasing availability of the acres where National Forest System surface land overlies the BLM-administered mineral estate lands.

Lands with Wilderness Characteristics

Commenters asserted that designation of LWCs and wilderness study areas (WSAs) would violate both existing law and the multiple-use mandate for the BLM. This is because the agency no longer has authority to designate wilderness and mineral development is a “principal or major use” of public lands under FLPMA. Commenters stated that the designation of LWCs and WSAs conflicts with a congressional prohibition. The reason for this is that, through the appropriations process, Congress has repeatedly denied funding for the implementation of Secretarial Order 3310 concerning the designation of wild lands since its release in 2010. Commenters stated that it would violate both existing law and the multiple-use mandate for the BLM to designate LWCs and WSAs in any planning document, and they should not be included in this RMP/EIS update.

Public Health and Safety

Commenters recommended that in the RMP/EIS the BLM identify and implement an oil and gas surface occupancy buffer from occupied structures. The buffer would need to be sufficient enough to minimize the potential for public health impacts associated with exposure to hazardous emissions. They also recommended that these setback distances be informed by the following:

- Near-field modeling results, to ensure adequate setback buffer distances to prevent exposure to air pollution levels exceeding the National Ambient Air Quality Standards or other health-based thresholds
- The composition of the planning area’s oil and gas resources, such as hazardous air pollutants content, higher explosive potential, or high sulfur or hydrogen sulfide content
- Whether mitigation measures and BMPs would be required to reduce risks to nearby residents and other building occupants

Recreation and Visitor Services

Commenters suggested that the Big Gumbo and Lost Bridge areas be managed for their wildlife and recreation values and that protecting these areas for their recreational areas be prioritized in the RMP/EIS. Commenters recommended managing the two areas under the Backcountry Conservation Area designation; this would allow for the conservation of intact lands in Big Gumbo and Lost Bridge so as to retain their

wild character and functioning wildlife habitat. Additionally, commenters suggested that the BLM prioritize restoring acres in these two areas that have been affected by development to functional habitat for wildlife and recreation opportunities.

Commenters stated the importance of retaining public access for recreation, such as hunting. They also suggested that the revised RMP/EIS include such actions as the pursuit of easements or land exchanges that would increase public access and allow for greater outdoor recreation opportunities.

Commenters expressed concern about the emphasis on minerals development and livestock grazing. They stated that such should not take precedence over non-commodity values, such as recreation, wildlife, and cultural resources. This is due to the relatively small amount of public land available in the state.

Social and Economic Conditions

Commenters recommended that the BLM make use of a study commissioned by the North Dakota Petroleum Council that describes the economic benefits of the petroleum industry in terms of jobs, wages, contributions to local and state government tax revenues, and secondary business activity generation. Commenters suggested that the RMP/EIS include a discussion of the potential value of oil and natural gas sales, royalty revenues, production, and sales tax revenues and wages. In addition, commenters suggested that the socioeconomic analysis of the RMP/EIS should also account for the adverse economic impacts from restricting development and how such restrictions would negatively affect jobs and the local economies.

Commenters recommended that the RMP/EIS discuss potential impacts on low-income and minority populations.

Soil Resources

Commenters requested that the RMP/EIS include information about how future activities, such as livestock grazing, oil and gas development, and use of off-highway vehicles, that may be authorized under the RMP would result in new surface disturbance that may enable erosion. Commenters stated that sediment loading has already impaired waterbodies in the planning area. They explained that runoff associated with industrial operations and other factors could introduce sediments, as well as salts, selenium, heavy metals, nutrients, and other pollutants into surface waters. They recommended that the RMP/EIS include a map of fragile soils, such as those with elevated levels of salinity or selenium and those prone to erosion in the planning area. The RMP/EIS should discuss how erodible soils may represent a significant source of pollutants in the planning area.

Cultural Resources and Tribal Interests

Commenters called for the RMP/EIS to clarify tribal consultation requirements on private surface in the RMP/EIS and to provide clear guidance regarding cultural resources located on private lands. This is because operators have been required to facilitate tribal consultation for sites in expansive areas of potential effects.

Commenters requested that any surface use restrictions or buffers resulting from the ongoing Class I inventory for cultural resources be carefully considered, limited to the least restrictive measures necessary to protect the sites, and identified early enough in the RMP/EIS process. This would be so the public would be able to comment on any proposed protections.

Visual Resources

Commenters called for the RMP/EIS to tailor any surface use restrictions aimed at protecting visual resources. This is so that, rather than being broad surface use stipulations, they would be site-specific, would incorporate such BMPs as design, location, and camouflaging, and would recognize the transient nature of oil and gas operations.

Water Resources

Commenters suggested that the RMP/EIS discuss impacts on groundwater resources, disclose available groundwater quality information, include a map of groundwater resources, identify which shallow aquifers are sources for public water systems, domestic wells, or stock wells, and provide further information on any public water system in the planning area with water quality violations or with requirements for increased frequency of monitoring for contaminants.

Commenters suggested that the RMP/EIS analyze and disclose potential groundwater monitoring and protection measures, include an assessment of each alternative's potential impacts on and benefits from aquatic resources, and analyze impacts from grazing on riparian areas, wetlands, and associated springs. It should also describe how the BLM intends to implement appropriate groundwater protection measures and minimize the destruction, loss, or degradation of wetlands, per Executive Order 11990, Protection of Wetlands.

Commenters suggested that the RMP/EIS analyze impacts on surface waters from land disturbance and stream crossings. It should also analyze potential impacts of oil and gas well development, especially given the number of Clean Water Act Section 303(d)-listed impaired waterbodies in the planning area.

Commenters recommended that the RMP/EIS describe the current water quality conditions for surface waterbodies in the planning area. It should include a discussion of the range of water demand per well developed in the planning area, possible sources of water needed for oil and gas development, and potential impacts of the water withdrawals on groundwater and surface water.

Commenters recommended that the BLM include specific no surface occupancy setbacks and a list of required protection measures and BMPs. These measures would be applicable at the project level for construction, oil and gas well drilling, and production activities to prevent adverse impacts on water resources.

Commenters noted that, although an RMP does not typically require a permit under Section 10 of the Rivers and Harbors Act (Section 10) and Section 404 of the Clean Water Act (Section 404), activities included in the RMP may require it. Oil and gas development, coal development and mining, even some recreation-related activities, such as trail or access road maintenance, may require a Section 404/Section 10 permit. This would be obtained from the US Army Corps of Engineers Regulatory Office.

Commenters stated that it would not be appropriate for the RMP/EIS to impose water quality standards or alter their management decisions to manage the water supply. This is because, while the BLM must analyze and disclose impacts on water and other resources in NEPA documents, it is not legally authorized to regulate water quality standards. Further, it is the responsibility of the State of North Dakota to issue necessary permits for oil and gas operations and to ensure that operators comply with those permits and the Clean Water Act.

Commenters recommended that the RMP/EIS include a general discussion of how flowback and produced water would be managed. The discussion should include the following:

- The estimated volume of produced water per well
- Options and potential locations for managing the produced water
- Possible target injection formations, formation characteristics, and depth of any underground injection control wells
- Potential impacts of produced water management

Commenters requested that the RMP/EIS address how water quality monitoring in the planning area would occur before, during, and after anticipated development to detect impacts on both surface water and groundwater resources, including private well monitoring.

Commenters recommended that the RMP include various BMPs to protect water resources. Examples are special protections, such as buffer zones, grazing management practices to limit water impairment, and monitoring to assess water resource conditions and the effectiveness of range improvements to protect water resources.

Wildlife and Vegetation

Commenters called for any proposed stipulations and conservation measures protecting special status plant species habitat to recognize valid existing lease rights and allow for site-specific flexibility. These commenters reiterated that, in the case of non-listed species, the BLM cannot entirely prohibit development in species habitat or impose broad, unsubstantiated buffers around habitat.

Commenters suggested that the RMP/EIS emphasize wildlife habitat to provide hunting and wildlife viewing opportunities. In particular, commenters asked that elk and elk habitat be considered a focus for management planning. They called for the RMP/EIS to provide specific direction for managing priority elk habitat and supporting priority elk populations. They stated that healthy, free-roaming elk herds contribute to and are intermingled with the social well-being, ecological integrity, cultural objectives, and economic goals of the BLM.

Commenters noted that the Dakota skipper could be delisted as a threatened species under the ESA in the near future, given the strong population levels for the species in 2020. They suggested that the BLM contemplate the need for flexible management provisions that can be quickly adapted should the population levels continue to increase and regulatory protections for the species shift over time.

Livestock Grazing

Commenters recommended that the RMP/EIS include a list of potential grazing strategies for use during periodic droughts to help maintain vegetation and aquatic resources in their desired conditions.

Commenters recommended that the RMP/EIS include a section on monitoring for the RMP, which should include the following:

- Monitoring requirements that would be applied at the project level to ensure that BLM is meeting its Standards for Rangeland Health and Guidelines for Livestock Grazing Management for Public Lands Administered by the Bureau of Land Management for Montana and the Dakotas

- How monitoring would be implemented on an allotment level and at the watershed or sub-watershed level to determine rangeland condition status and trends

3.2 ISSUES TO BE RESOLVED IN THE REVISED PLAN

For the purposes of BLM NEPA analysis, an issue is a point of disagreement, debate, or dispute with a proposed program, based on an anticipated environmental effect. An issue is more than just a position statement, such as disagreement with development on public lands.

The BLM's Notice of Intent identified the following eight preliminary planning issues to be addressed in the RMP:

- Minerals and energy development
- Vegetation management, including noxious weeds and invasive species
- Fish and wildlife habitat
- Air quality
- Recreation and visitor services
- Livestock grazing
- Lands and realty authorizations
- Special management area designations, including nominations for ACECs

As part of the public scoping process, the preliminary planning issues were further refined and additional issues were identified. Issues were developed based on public comment, the BLM's current knowledge of issues and concerns, agency outreach and discussions, and observations and knowledge from BLM resource specialists.

Following are the 15 issue statements that will be addressed in the RMP alternatives:

- **Air quality and climate**—How will the BLM analyze and mitigate effects on air quality from BLM management in the planning area? How will the RMP alternatives address climate change and the regulation of greenhouse gases? How will the BLM limit or reduce emissions from activities on BLM-administered lands in the planning area?
- **Comprehensive travel and transportation management**—How should BLM-administered lands be managed to balance motorized and nonmotorized activity, while protecting other resources and resource uses, such as wildlife and recreation?
- **Cultural resources and Tribal interests**—How will the RMP alternatives address surface use restrictions or buffers associated with cultural resources? What are the tribal consultation requirements in the planning area on BLM-administered lands with private surface ownership?
- **Lands and Realty**—How will the BLM acquire, sell, exchange, or convey land to consolidate and maintain large, contiguous, undisturbed tracts of land?
- **LWCs**—How will the RMP alternatives address LWCs?
- **Livestock grazing**—How will the BLM manage livestock use on BLM-administered lands, while protecting the desired conditions of natural and cultural resources? What BLM-administered lands would be available for livestock grazing in the planning area? How will livestock grazing be managed to best maintain and improve priority vegetation communities?

3. Summaries of Comments, Issues, and Planning Criteria (Issues to be Resolved in the Revised Plan)

- **Minerals and energy development**—How will fluid mineral development be managed to provide for domestic energy production, while protecting other resources in the planning area? What lands should be available for further consideration for solid mineral (coal) leasing and with what stipulations? What BLM-administered lands should be available for further consideration for nonenergy mineral development (solid leasable minerals other than coal) and with what stipulations? What BLM-administered lands should be open to entry for developing mineral materials, such as sand, gravel, and clinker, and under what conditions? What BLM-administered lands should be open to entry for locatable minerals development and under what conditions? How will the RMP alternatives address the application of management prescriptions, such as timing limitations, controlled surface use, and no surface occupancy? How will BLM-administered lands be identified for withdrawal from mineral and energy development? How will the RMP alternatives address interim reclamation planning and implementation requirements? How should the BLM offer consolidated tracts of BLM-administered lands for mineral leasing?
- **Public health and safety**—How will the BLM ensure that mineral and energy development on BLM-administered lands does not contribute to public health and safety risks, such as exposure to hazardous emissions?
- **Recreation and visitor services**—How will the BLM manage the Big Gumbo and Lost Bridge areas? How would the RMP alternatives maintain or improve public access for recreation? How will the BLM balance the management of lands identified for resource development against noncommodity values, such as recreation?
- **Social and economic conditions**—How will the RMP alternatives balance the BLM’s mandate for multiple use management with the preservation of jobs and local economies that rely on BLM-administered lands? What minority, low-income, or Tribal communities would be affected by the RMP alternatives? How would the BLM mitigate these impacts if any exist?
- **Soil resources**—How should BLM-administered lands be managed to reduce or prevent sedimentation, erosion, and soil degradation resulting from surface-disturbing activities? How will the RMP alternatives address areas of sensitive or fragile soils?
- **Special management area designations**—What BLM-administered lands require special management attention to protect resource values? What resource uses are appropriate in special designations?
- **Visual resources**—How would the various types and intensities of resource use in the RMP alternatives affect visual resource quality on BLM-administered lands in the planning area?
- **Water resources**—How will the RMP alternatives protect surface water and groundwater? How would the BLM implement water protection measures to protect water resources? Where are important groundwater resources and public water systems located on BLM-administered lands in the planning area, and what are their current conditions? How would the BLM minimize impacts, loss, and degradation of wetlands and waters of the US, and where are they located on BLM-administered lands? How will the BLM consider water quantity and availability when analyzing commercial activities on BLM-administered lands? How would the BLM mitigate impacts to surface water or groundwater if any exist? How would the RMP alternatives ensure that water quality standards in the planning area are met?
- **Wildlife and vegetation**—How should BLM-administered lands be managed to conserve wildlife and vegetation species by maintaining or improving their habitats, while allowing for resource uses to occur? How should BLM-administered lands be managed to contribute to the recovery of

threatened, endangered, proposed, and sensitive species, such as the Dakota skipper? How will the RMP alternatives address management of elk and elk habitat to provide hunting and wildlife viewing opportunities? How should the RMP address management actions to limit the spread of terrestrial and aquatic invasive species?

3.3 ISSUES OR ALTERNATIVES BEYOND THE SCOPE OF THIS REVISED PLAN

3.3.1 Implementation-level Decisions

Requests for implementation-level—project or site-specific—management actions are not addressed at the RMP/EIS level. Comments of this type primarily include requests for decisions that are typically made through lower level or project-level planning. These commenters often requested that the RMP/EIS include post-lease activities and requirements for mineral and energy development. Although the RMP/EIS can provide broad direction and guidance for these types of activities, associated decisions of this nature are tiered down to implementation-level, site-specific planning.

3.4 PRELIMINARY PLANNING CRITERIA

The BLM planning regulations (43 CFR 1610.4-2) require the development of planning criteria to establish constraints or ground rules that guide and direct preparation of the RMP. Planning criteria guide the development of the RMP, ensure that it is tailored to the identified issues, and help to avoid unnecessary data collection and analysis. Planning criteria also streamline the plan preparation; establish standards, rules, and measures to be used; guide and direct the resolution of issues through the planning process; and indicate factors and data that must be considered in making decisions.

Planning criteria are based on applicable laws and regulations, agency guidance, and the result of consultation and coordination with the public; other federal, state and local agencies; and Native American Tribes. The BLM's list of preliminary planning criteria provided in the Notice of Intent is listed below. No new planning criteria were identified during public scoping.

- The plan will be completed in compliance with FLPMA and all other applicable laws.
- The plan will recognize valid existing rights.
- The planning process will include an EIS that will comply with NEPA.
- The plan will establish new guidance and identify existing guidance upon which the BLM will rely in managing public lands within the North Dakota Field Office.
- The planning process will include early coordination and ESA consultation meetings with the USFWS during the development of the plan.
- The plan will recognize the State's responsibility to manage wildlife populations, including uses such as hunting and fishing, within the planning area.
- The planning process would involve American Indian tribal governments and tribal leaders and would provide strategies for the protection of recognized traditional and cultural uses.
- Decisions in the plan will strive to be compatible with the existing plans and policies of adjacent local, State, tribal, and Federal agencies as long as the decisions are in conformance with legal mandates on management of public lands.

Chapter 4. Future Steps

4.1 FUTURE STEPS AND PUBLIC PARTICIPATION OPPORTUNITIES

The next phase of the BLM's environmental analysis is to develop a Draft RMP/EIS, along with a range of alternatives, based on the issues presented in **Chapter 3** of this scoping report. These alternatives will address issues identified during scoping and will meet goals and objectives to be developed by the BLM's interdisciplinary team. In compliance with NEPA, the Council on Environmental Quality regulations, and BLM regulations and guidance, alternatives should be reasonable and implementable.

The BLM will also meet with cooperating agencies and interested Tribes. It is available and open to meeting with community groups and individuals, on request. The BLM will complete a detailed analysis of the alternatives and then will identify its preferred alternative.

The Draft RMP/EIS will document the analysis of the alternatives. Although the BLM welcomes public input at any time during the environmental analysis process, the next official public comment period will begin when the Draft RMP/EIS is published, which is anticipated in spring 2021. The availability of the draft document will be announced via a Notice of Availability in the *Federal Register*, and a public comment period of 90 days will follow. The BLM will hold public meetings either in person or virtually during the Draft RMP/EIS comment period.

Following the Draft RMP and EIS public comment period, the BLM will consider all of the public comments received and will make revisions, as warranted. Publication of the Proposed RMP and Final EIS will then be announced in the *Federal Register*, followed by a 30-day public protest period. The Governor of North Dakota will be allowed 60 days to review the document before and during the public protest period; this will be to ensure that the RMP is consistent with State- and local-level plans and policies. If significant, substantive alterations are made as a result of protests, the BLM will publish a *Federal Register* notice requesting additional comments.

The BLM will address any public protests or inconsistencies identified by the Governor and will publish a Record of Decision and an approved RMP. A notice will be published in the *Federal Register* announcing the availability of the Record of Decision and approved RMP.

4.2 CONTACT INFORMATION

The BLM is committed to keeping the public informed concerning the RMP revision. It will make available on the North Dakota RMP website all of the materials and documents related to this RMP revision (<https://eplanning.blm.gov> and search "North Dakota Resource Management Plan Revision"). Dates for the official public comment and protest periods, along with other relevant project dates, will also appear on this website.

The public is encouraged to participate throughout the environmental analysis process for the RMP/EIS. Those wishing to be added to or deleted from the mailing list, wishing to change their contact information, or requesting further information may email a request to blm_mt_north_dakota_rmp@blm.gov or mail a request to the following address:

Bureau of Land Management, North Dakota Field Office
Attention: North Dakota RMP
99 23rd Ave. West, Suite A
Dickinson, ND 58601

Please provide your name, mailing address, and email address. Before submitting written comments on a NEPA action, be advised that your entire comment, including personally identifiable information, such as your address, phone number, and email address, may be made publicly available at any time. While you can request that your personally identifiable information be withheld from public review, the BLM cannot guarantee that it will be able to do so.

Chapter 5. References

BLM (US Department of the Interior, Bureau of Land Management). 1988. North Dakota Resource Management Plan and Environmental Impact Statement Record of Decision. BLM-MT-ES-88-002-4410. BLM Dickinson District. Dickinson, North Dakota. April 22, 1988.

_____. 2008. Handbook H-1790-1-Scoping. BLM, Washington, DC. January 30, 2008.

IHS (IHS Markit). 2019. Wells Data Query. November 7, 2019.

This page intentionally left blank.

Appendix A

Notice of Intent

This page intentionally left blank.

(20 U.S.C. 1400 *et seq.*) to advise the Secretary of the Interior, through the Assistant Secretary-Indian Affairs, on the needs of Indian children with disabilities. The meeting is open to the public.

The following items will be on the agenda:

- Update Reports Regarding Special Education from: BIE Central Office, BIE/ Division of Performance and Accountability (DPA), BIE/Special Education Program, BIE/Associate Deputy Directors for Tribally Controlled Schools, Bureau Operated Schools and Navajo Schools.

- Work on 2020 Annual Report.
- Public Comments (via teleconference call, Wednesday, August 19, 2020 and Thursday, August 20, 2020).

During the August 19, 2020 meeting, time has been set aside for public comments via webinar or telephone conference call from 1:15 p.m. to 1:45 p.m. Pacific Daylight Time; You can join by using your computer, tablet or smartphone using <https://global.gotomeeting.com/join/516506149>, or you can dial in using your phone, United States: +1 (669) 224-3412 and Access Code: 516-506-149; or you can join from a video-conferencing room or system by dialing in or type 67.217.95.2 or inroomlink.goto.com, Meeting ID: 516 506 149. Or dial directly: 516506149@67.217.95.2 or 67.217.95.2##516506149.

During the August 20, 2020 meeting, time has been set aside for public comments via webinar or telephone conference call from 10:20 a.m. to 10:50 a.m. Pacific Daylight Time. You can join by using your computer, tablet or smartphone using <https://global.gotomeeting.com/join/732100405>, or you can dial in using your phone, United States: +1 (646) 749-3122 and Access Code: 732-100-405; or you can join from a video-conferencing room or system by dialing in or type: 67.217.95.2 or inroomlink.goto.com, Meeting ID: 732 100 405. Or dial directly: 732100405@67.217.95.2 or 67.217.95.2##732100405.

Public comments can also be emailed to the DFO at Jennifer.davis@indianaffairs.gov; or faxed to (602) 265-0293 Attention: Jennifer Davis, DFO; or mailed or hand delivered to the Bureau of Indian Education, Attention: Jennifer Davis, DFO, 2600 N Central Ave., Suite 800, Phoenix, Arizona 85004.

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may

be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Directions for Joining Online

You can join the first meeting from your computer, tablet, or smartphone using <https://global.gotomeeting.com/join/516506149>, or you can dial in using your phone, United States: +1 (669) 224-3412 and Access Code: 516-506-149; or you can join from a video-conferencing room or system by dialing in or typing: 67.217.95.2 or inroomlink.goto.com, Meeting ID: 516 506 149. Or dial directly: 516506149@67.217.95.2 or 67.217.95.2##516506149. If you are new to GoToMeeting you can get the app by using this link: <https://global.gotomeeting.com/install/516506149>.

You can join the second meeting from your computer, tablet, or smartphone using <https://global.gotomeeting.com/join/732100405>, or you can dial in using your phone, United States: +1 (646) 749-3122 and Access Code: 732-100-405; or you can join from a video-conferencing room or system by dialing in or type: 67.217.95.2 or inroomlink.goto.com, Meeting ID: 732 100 405. Or dial directly: 732100405@67.217.95.2 or 67.217.95.2##732100405. If you are new to GoToMeeting you can get the app by using this link: <https://global.gotomeeting.com/install/732100405>.

Authority: 5 U.S.C. Appendix 5; 20 U.S.C. 1400 *et seq.*

Tara Sweeney,

Assistant Secretary—Indian Affairs.

[FR Doc. 2020-16272 Filed 7-27-20; 8:45 am]

BILLING CODE 4337-15-P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLMTC030-L1610000-DO0000]

Notice of Intent To Prepare a Resource Management Plan and Associated Environmental Impact Statement for the North Dakota Field Office, North Dakota

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of intent.

SUMMARY: Pursuant to the Federal Land Policy and Management Act of 1976 (FLPMA), and the National Environmental Policy Act of 1969 (NEPA), as amended, the Bureau of

Land Management (BLM) North Dakota Field Office intends to prepare a Resource Management Plan (RMP) with an associated Environmental Impact Statement (EIS) for BLM public lands and resources managed by the North Dakota Field Office in North Dakota. Through this notice public scoping is being announced to solicit public comments and assist with identification and development of planning issues. The RMP will replace the existing North Dakota RMP, dated April 1988, as amended.

DATES: This notice initiates the public scoping process for the RMP and associated EIS. Comments and resources information should be submitted by August 27, 2020. A series of public scoping meetings will be held in the planning area. Meeting times and locations will be announced 15 days prior to each event through local news media, newsletters, and at the BLM e-Planning website at <https://eplanning.blm.gov> and search: North Dakota Resource Management Plan Revision.

Formal scoping comments should be submitted prior to the close of the scoping period. The BLM will provide additional opportunities for public participation upon publication of the Draft RMP/EIS.

ADDRESSES: Documents related to the proposal may be viewed at the North Dakota Field Office, 99 23rd Ave. West, Suite A, Dickinson, ND 58601, during regular business hours from 8:00 a.m. to 4:30 p.m., Monday through Friday, except holidays, or online at: <https://eplanning.blm.gov>. Written public comments and input may be submitted by any of the following methods:

- **Website:** <https://eplanning.blm.gov>.
- **Mail:** North Dakota Field Office, Attention: North Dakota RMP, 99 23rd Ave. West, Suite A, Dickinson, ND 58601.

FOR FURTHER INFORMATION CONTACT:

Kristine Braun, RMP Project Manager, North Dakota Field Office, at telephone: (701) 227-7725, or at the mailing address and website listed earlier. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Relay Service (FRS) at 1-800-877-8339 to contact Ms. Braun during normal business hours. The FRS is available 24 hours a day, 7 days a week, to leave a message or question. You will receive a reply during normal business hours.

SUPPLEMENTARY INFORMATION: This document provides notice that the BLM intends to prepare an RMP with an associated EIS, for BLM-administered

lands and resources located in North Dakota. This notice also announces the beginning of the scoping process and seeks public input on issues, planning criteria, and nominations for Areas of Critical Environmental Concern (ACEC).

The RMP/EIS will fulfill the needs and obligations set forth by FLPMA, NEPA, and BLM management policies. The North Dakota planning area comprises approximately 58,900 acres of BLM-managed surface lands and approximately 4.6 million acres of BLM-administered Federal minerals. The bulk of the Federal mineral estate is coal. Additional acres are Federal oil and gas reserves only. The remaining acres are comprised of all minerals, coal and oil and gas only, and other reservations. The focus of the North Dakota Field Office has been mineral management on split estate lands (private surface and Federal minerals).

The BLM will work collaboratively with interested parties and cooperating agencies to identify the management decisions that are best suited to local, regional, tribal and national needs and concerns. The public scoping process will identify, develop, and refine planning issues and planning criteria, including an evaluation of the existing RMP, in the context of the needs and interests of the public. Planning issues and criteria will guide the planning process. Comments on issues and planning criteria may be submitted in writing to the BLM at any public scoping meeting or by using one of the methods listed earlier.

Preliminary issues, management concerns and planning criteria have been identified by BLM personnel and other agencies. This information represents the BLM's knowledge to date regarding the existing issues and concerns with current land management. The preliminary issues that will be addressed in this planning effort include:

- Minerals and energy development
- Vegetation management (including noxious weeds and invasive species management);
- Fish and wildlife habitat;
- Air quality;
- Recreation and visitor services;
- Livestock grazing;
- Lands and realty authorizations;

and

- Special management area designations (including nominations for ACECs and comments specific to ACECs and other special designation areas).

After public comments are gathered regarding issues the RMP/EIS should address, they will be placed in one of three categories:

1. Issues to be resolved in the RMP/EIS;
2. Issues to be resolved through policy or administrative action; or
3. Issues beyond the scope of the RMP/EIS.

Rationale will be provided in the RMP/EIS for each comment placed in category two or three. In addition to these issues, a number of management concerns will be addressed in the RMP/EIS. The public is encouraged to help identify these questions and concerns during the scoping phase.

The following preliminary planning criteria have been proposed to guide development of the RMP/EIS, avoid unnecessary data collection and analyses, and ensure the RMP/EIS is tailored to the issues. Other criteria may be identified during the public scoping process. After gathering comments on preliminary planning criteria, the BLM will finalize the criteria and provide feedback to the public on the criteria to be used throughout the planning process. Some of the planning criteria that are under consideration include:

- The plan will be completed in compliance with FLPMA and all other applicable laws.
- The plan will recognize valid existing rights.
- The planning process will include an EIS that will comply with NEPA.
- The plan will establish new guidance and identify existing guidance upon which the BLM will rely in managing public lands within the North Dakota Field Office.
- The planning process will include early coordination and Endangered Species Act (ESA) consultation meetings with the U.S. Fish and Wildlife Service during the development of the plan.
- The plan will recognize the State's responsibility to manage wildlife populations, including uses such as hunting and fishing, within the planning area.
- The planning process would involve American Indian tribal governments and tribal leaders and would provide strategies for the protection of recognized traditional and cultural uses.
- Decisions in the plan will strive to be compatible with the existing plans and policies of adjacent local, State, tribal, and Federal agencies as long as the decisions are in conformance with legal mandates on management of public lands.

Before including your address, phone number, email address, or other personally identifiable information in your protest, be aware that your entire protest—including your personally

identifiable information—may be made publicly available at any time. While you can ask us in your protest to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so. All submissions from organizations and businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be available for public inspection in their entirety.

(Authority: 40 CFR 1501.7 and 43 CFR 1610.2)

John Mehlhoff,

Montana/Dakotas State Director.

[FR Doc. 2020-16276 Filed 7-27-20; 8:45 am]

BILLING CODE 4310-DN-P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLORL00000.L10200000.XZ0000.
LXSSH1050000.20X.HAG 20-00XX]

Notice of Public Meetings for the Southeast Oregon Resource Advisory Council

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of public meetings.

SUMMARY: In accordance with the Federal Land Policy and Management Act of 1976 and the Federal Advisory Committee Act of 1972, the U.S. Department of the Interior Bureau of Land Management's (BLM) Southeast Oregon Resource Advisory Council (RAC) will meet as indicated below:

DATES: The Southeast Oregon RAC will meet Wednesday and Thursday, August 26 and 27, 2020, at 1 p.m. Pacific Time Wednesday and 8 a.m. Thursday. This is a rescheduled meeting for the postponed April 22-23 meeting. A public comment period will be offered at 10:15 a.m. on Thursday, August 27, 2020. If public health restrictions remain in place, the meeting will be held virtually.

ADDRESSES: The meetings will be held at the Harney County Community Center, 478 N Broadway, Burns, Oregon. If a virtual meeting is necessary, directions to access the meeting will be posted at <https://www.blm.gov/get-involved/resource-advisory-council/near-you/oregon-washington/southeast-oregon-rac>.

FOR FURTHER INFORMATION CONTACT: Larisa Bogardus, Public Affairs Officer, 3100 H St., Baker City, Oregon 97814; 541-219-6863; lbogardus@blm.gov.

Appendix B

Virtual Open House Website

This page intentionally left blank.



North Dakota RMP/EIS Virtual Open House



Photo credit: Mitchell Iverson Location: Dunn County, North Dakota

Thank you for visiting the virtual open house for the U.S. Department of the Interior, Bureau of Land Management (BLM) North Dakota Resource

Management Plan/Environmental Impact Statement (North Dakota RMP/EIS).

Using The Virtual Open House

By clicking on the following buttons, participants can do the following:

- Move from station to station to read project information and meeting materials
- **Provide scoping comments** on resources or geographic locations of concern, issues to be considered, and potential management actions
- Read **frequently asked questions and answers** and pose additional questions for BLM

Information is also available on **BLM's North Dakota RMP/EIS ePlanning Website**.

All the ND RMP/EIS virtual open house materials on this site are available as a **zip file download**.

Virtual Open House Stations

Station 1: Welcome

Station 2: NEPA and Public Involvement

Station 3: Project Overview

Station 4: Key Issues

Station 5: Question and Answer

Station 6: Providing Comments

For more information on virtual public meetings, [email us](#), visit [EMPSi's website](#), or our [Virtual Public Meetings home page](#).



Photo credit: Mitchell Iverson Location: Dunn County, North Dakota

Welcome to the North Dakota RMP EIS Virtual Open House

The United States Department of the Interior, Bureau of Land Management (BLM) North Dakota Field Office (NDFO) is revising the resource management plan (RMP) for the North Dakota planning area and is seeking comments during the public scoping period. The RMP will be supported by National Environmental Policy Act

(NEPA) analysis in an environmental impact statement (EIS; hereinafter referred to as the North Dakota RMP/EIS). Currently, the NDFO is operating under the North Dakota RMP approved in 1988, as amended.

BLM is preparing the North Dakota RMP/EIS in accordance with NEPA, and will be gathering information from other agencies, interested parties, and the public on issues of concern, and a range of possible alternatives to revise the RMP. The public will have the opportunity to participate in the scoping process and provide input through this web-based virtual open house from July 28, 2020 to August 28, 2020. All scoping comments must be submitted by close of business on August 28, 2020.

Please sign in and let us know you visited our site

Name *

First Name

Last Name

Organization Name

Email *

Address

Address 1

Address 2

City

State/Province

Zip/Postal Code

Country

Submit

Next Station: NEPA and Public Involvement

For more information on the North Dakota RMP/EIS, please visit the project's [BLM ePlanning website](#) or contact Kristine Braun at [701-227-7725](tel:701-227-7725).

To be added or removed from the mailing list, please send an email to blm_mt_north_dakota_rmp@blm.gov.

For more information on virtual public meetings, [email us](#), visit [EMPSi's website](#), or our [Virtual Public Meetings home page](#).



Photo credit: Mitchell Iverson Location: Dunn County, North Dakota

NEPA and the Scoping Process

NEPA requires that federal agencies engage the public during preparation of an EIS. Scoping is the process that continues throughout the planning and early stages of EIS preparation. Agencies use scoping to engage various stakeholders including state, local, and Tribal governments and the public in the early identification of affected resources, issues to be considered, and potential alternatives.

Engaging the Public

Due to COVID 19 precautions BLM is hosting two live, moderated virtual meetings using the Zoom video conferencing technology. Attendees may join via computer or phone to participate. For information on how to join /register for these virtual meetings please see the BLM's North Dakota RMP/EIS [ePlanning website](#).

Virtual meetings are scheduled for:

- **August 18, 2020 from 1:00 p.m. to 3:00 p.m. MDT**
- **August 20, 2020 from 5:00 p.m. to 7:00 p.m. MDT**

During the virtual meetings, attendees can join by computer or phone to learn about the North Dakota RMP/EIS and the NEPA process. Attendees have the opportunity to ask questions during a moderated, live Question and Answer session with BLM staff. Following the Question and Answer session, public scoping comments will be accepted during the video teleconference. If you plan on making comments during the meeting, please indicate that when you register. If you are using the phone-only option, you will be able to listen to the public meeting, but you will not see the presentation. Instructions will be given during the presentation regarding how you will be able to provide your oral comments. We recommend that the public log into the meeting platform ten minutes prior to the beginning of the presentation to ensure that they can connect.

In addition, public comments can be submitted [here](#).

You can join via the Zoom application on your computer or smartphone, or call in directly via telephone. You can find the link to the live virtual public scoping meetings— and numbers for calling in to the teleconference

—on BLM's North Dakota RMP/EIS [ePlanning website](#).

Next Station: Project Overview

For more information on the North Dakota RMP/EIS, please visit the project's [BLM ePlanning website](#) or contact Kristine Braun at [701-227-7725](tel:701-227-7725).

To be added or removed from the mailing list, please send an email to blm_mt_north_dakota_rmp@blm.gov.

For more information on virtual public meetings, [email us](#), visit [EMPSi's website](#), or our [Virtual Public Meetings home page](#).



Planning Process Overview

The purpose of the North Dakota RMP is to provide a comprehensive framework to guide management of public lands and interests within the NDFO planning area. The RMP will incorporate new data, address land use issues and conflicts, and specify where and under what circumstances particular activities will be allowed on BLM-administered lands.

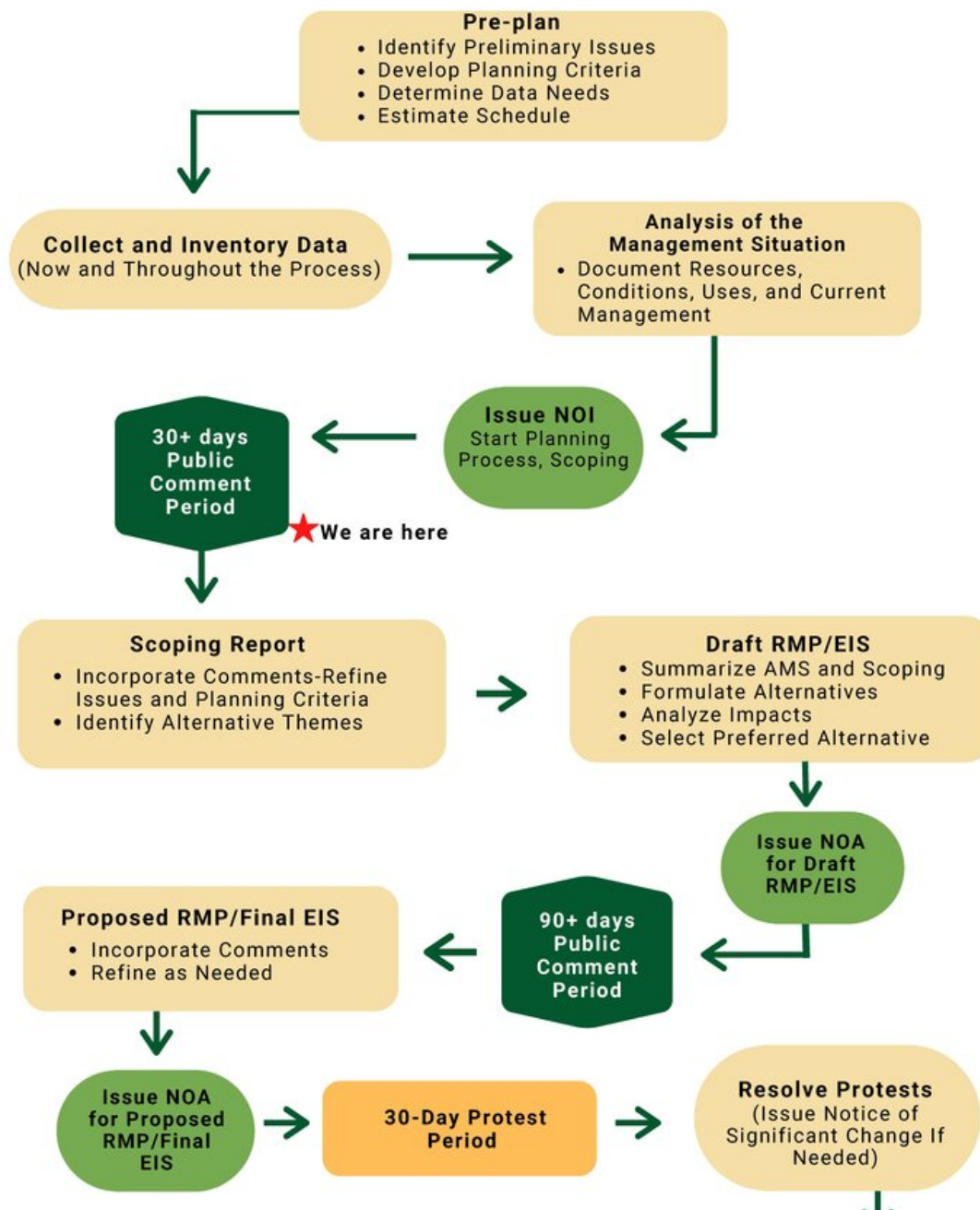
Over the past 30 years, many changes have occurred across the landscape, causing a need for a land use plan revision. This need stems from new or changing resource conditions, shifting demands for resource uses, new issues, and new information since the development of the North Dakota RMP.

In 2019, based on current information and a review of the 1988 RMP, BLM staff identified the need to revise the RMP in order to:

- Adjust for the dramatic increase in the amount of oil and gas development in western North Dakota
- Provide for new coal analysis
- Address the potential for new mineral development
- Adjust for new technologies and trends in mineral development
- Provide for updated Reasonably Foreseeable Development (RFD) scenarios for oil, gas, and coal and updated effects analysis
- Provide appropriate management for changes in the status of threatened, endangered, and special status special species.
- Incorporate new data and updated resource inventories
- Work with the state to continue to identify procedures in permitting processes that protect ground and surface water quality and quantity
- Provide for updated air quality analysis
- Adjust for new federal, state, and local policies, including consultation with the public and American Indian Tribes

All of the needs trigger a broader need for a more comprehensive framework for managing public lands and resources administered by the NDFO for the foreseeable future.

BLM Planning Process





AMS: Analysis of the Management Situation
EIS: Environmental Impact Statement
NOI: Notice of Intent
NOA: Notice of Availability
RMP: Resource Management Plan

Planning Area, Surface and Subsurface Decision Area

Planning Area

The North Dakota RMP/EIS planning area includes the entire state of North Dakota. The term “planning area” refers to all lands within the state regardless of jurisdiction. The BLM, however, will only make management decisions on portions of the planning area that fall under its jurisdiction. This includes BLM public lands and BLM-administered subsurface minerals.





- Bureau of Land Management (surface decision area)
- US Forest Service
- US Fish and Wildlife Service
- North Dakota RMP planning area
- Private
- State
- National Park Service
- Bureau of Indian Affairs
- US Department of Defense
- Bureau of Reclamation
- Water

Surface and Subsurface Decision Areas

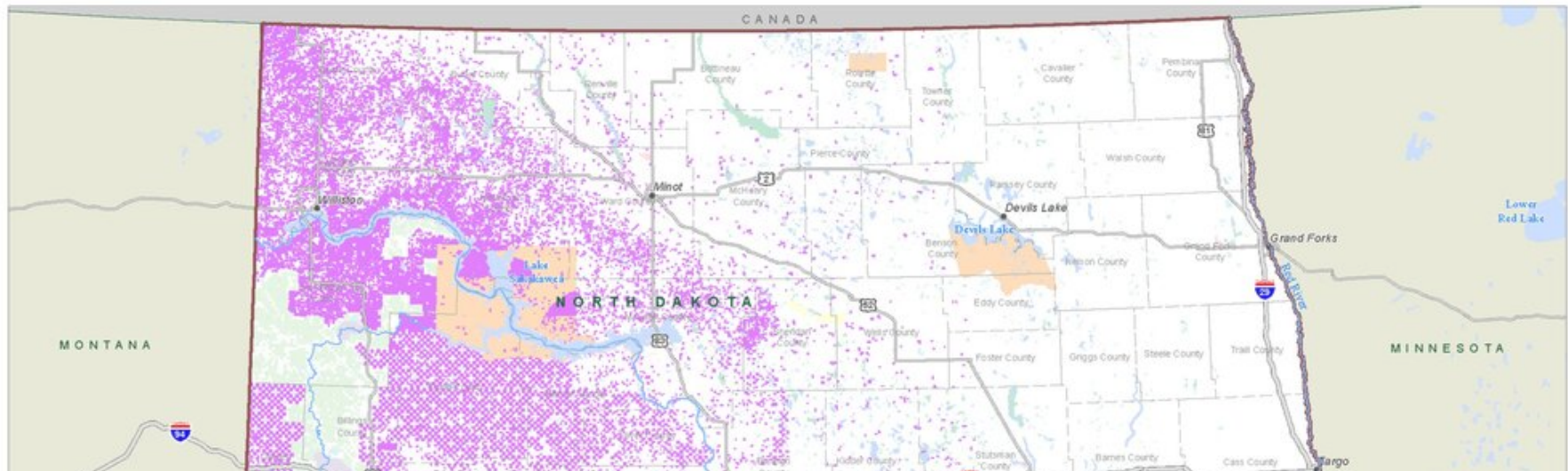
BLM Surface Decision Area

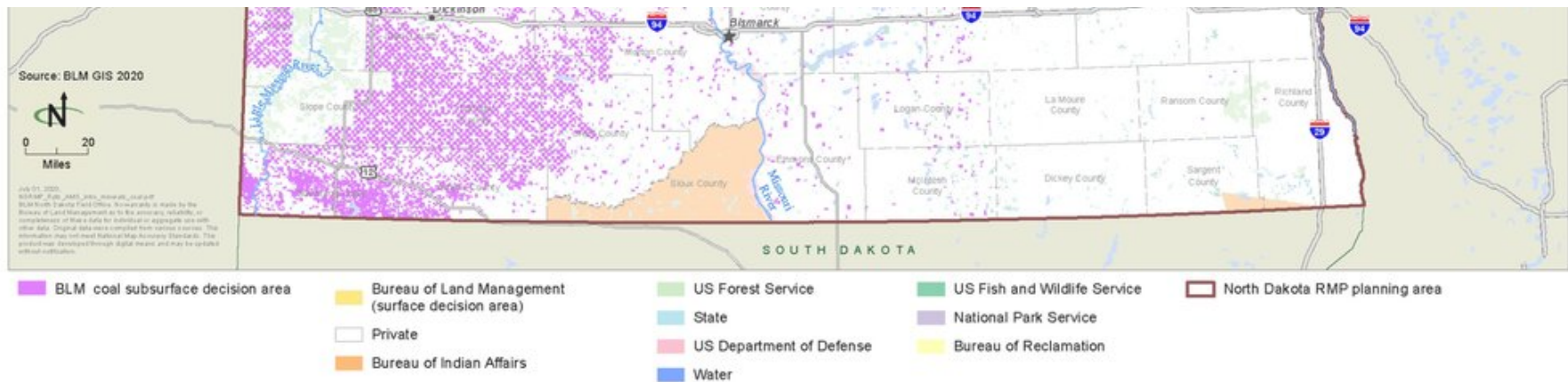




The larger areas of BLM-administered surface land involve approximately 33,000 acres in Bowman County, approximately 15,000 acres in Dunn County (Lost Bridge area), approximately 2,000 acres in Stark County (Schnell Recreation Area), and approximately 2,000 acres in Golden Valley County. The majority of the remaining BLM-administered surface lands are in small, isolated tracts scattered throughout the state.

BLM Coal Subsurface Decision Area





BLM Fluid Minerals Subsurface Decision Area





Persons who use a telecommunications device for the deaf may call the Federal Relay Service (FedRelay) at **1-800-877-8339** TTY/ASCII to contact the above individual during normal business hours or to leave a message or question after hours. You will receive a reply during normal business hours.

Next Station: Key Issues

For more information on the North Dakota RMP/EIS, please visit the project's **BLM ePlanning website** or contact Kristine Braun at **701-227-7725**.

To be added or removed from the mailing list, please send an email to **blm_mt_north_dakota_rmp@blm.gov**.

For more information on virtual public meetings, **email us**, visit **EMPSi's**

[website](#), or our [Virtual Public Meetings home page](#).



North Dakota RMP/EIS Virtual Open House

Key Issues



Photo credit: Mitchell Iverson Location: Dunn County, North Dakota

Key Issues

Air



- The largest impacts to air quality are caused by oil and gas development and coal mines.
- Currently, there are no nonattainment areas in the planning area.
- Management opportunities include performing regional modeling across the planning area to determine potential air resource impacts from the BLM-authorized activities on air quality and air quality related values (AQRVs) and incorporating an analysis of climate change and Greenhouse Gasses (GHGs) into the RMP. Additional issues and associated management opportunities may be identified as a result of these actions.



Wildlife



- In North Dakota natural wildlife habitats have been lost or have become greatly fragmented and modified due to multiple land uses. The intensity of land uses varies across the landscape. Much of the land has been converted to tilled cropland and livestock rangelands.

- The remaining native prairie is fragmented by roads, fences, rights-of-way, urbanization, mineral development, and infrastructure.
- The loss of native habitats and fragmentation of existing habitats have completely removed several species from the landscape, including grizzly bears, gray wolves, passenger pigeons, swift fox, and black-footed ferrets.

Livestock Grazing

- In many cases, the BLM-administered land amounts to a small percentage of the total land grazed within a ranch. The majority of livestock grazing occurs on open, rolling plains; badlands; or river breaks.
- The 1988 North Dakota RMP prioritized management intensity for allotments and addressed grazing levels, vegetation apportionment and treatments, and range improvements.
- Continued work with the Natural Resources Conservation Service (NRCS) and other partners is important to provide needed range improvements such as stock water lines and tanks. Distribution of livestock



could be improved to enhance vegetation conditions, especially in riparian areas. Fencing could also be altered to improve passage of big game in the planning area.

- Rehabilitation after energy development is important to restore the viability of rangeland and livestock production. Stipulations currently in place should be reviewed carefully and updated based on new information and improvements in technology and rehabilitation methods.
- Previous plans that set grazing allocations for permitted use are based on old data. While these allocations are generally accurate, the BLM should provide some management decisions to allow changes to permitted use based on new information.

Minerals

- ***Fluid Leasable Minerals:*** Approximately 5.8 million acres of federally managed minerals exist in North Dakota. The BLM manages approximately 2,500 oil and gas leases on 508,000 acres of federal fluid mineral estate in North Dakota, which includes split estate land and mineral ownership.





- ***Solid Leasable Minerals:*** Lignite coal is the largest solid leasable mineral in the planning area, by tons produced. Other leasable minerals are sodium, sodium chloride, and potassium. Sodium deposits are generally in Adams, Hettinger, Stark, and Oliver Counties. Potassium is found in McKenzie, Dunn, Mountrail, Ward, and Renville Counties. Lignite coal and leonhardite are the only solid leasable minerals with active federal leases.

- ***Locatable Minerals:*** The BLM's LR2000 database records 13 claim filings in North Dakota; however, all of those claims are closed, and no currently active or pending claims are recorded.

- ***Salable Minerals:*** Salable minerals in the planning area include clay, sand and gravel, clinker or scoria, flagstone, and limestone.

- Applications for mineral material sales are analyzed and processed on a case-by-case basis and according to 43 CFR 3600 and other pertinent laws and regulations. Appropriate surface-disturbance mitigation requirements are included in permits.

Persons who use a telecommunications device for the deaf may call the Federal Relay Service (FedRelay) at **1-800-877-8339** TTY/ASCII to contact the above individual during normal business hours or to leave a message or question after hours. You will receive a reply during normal business hours.

Information is also available on **BLM's ND RMP/EIS ePlanning website**.

Next Station: Question and Answer

For more information on the North Dakota RMP/EIS, please visit the project's **BLM ePlanning website** or contact Kristine Braun at **701-227-7725**.

To be added or removed from the mailing list, please send an email to **blm_mt_north_dakota_rmp@blm.gov**.



North Dakota RMP/EIS Virtual Open House

Questions and Answers

Photo credit: Mitchell Iverson Location: Dunn County, North Dakota

Frequently Asked Questions

1. Why is the proposed federal action necessary?
2. What are the benefits of the proposed federal action?
3. How will you consider comments from the public?

Need some clarification?

BLM is interested in helping clarify your understanding of the North Dakota RMP/EIS. Most questions

- 4. How will BLM engage the public during the scoping period?
- 5. Who are the cooperating agencies?
- 6. What are the next steps?

may be answered by reviewing the Frequently Asked Questions on this page. If you still require other minor clarification, please submit your question below and BLM will work to provide responses in a timely manner.

Name *

First Name

Last Name

Email *

Message *

Submit

1. Why is the proposed federal action necessary?

The proposed federal action is necessary to ensure current resource management is revised to respond to resource conditions that have changed in the past 30 years and respond to new issues and policies. Such changes have resulted in different users and uses of public lands. Issues have emerged that relate to potential threatened and endangered (T&E) species, special status wildlife and habitat, and the significant amount of oil and gas exploration and development throughout the planning area.

2. What are the benefits of the proposed federal action?

The benefits of revising the RMP are to address the level of development from the Bakken oil boom (beyond the impacts analyzed in the 1988 RMP and most recent Reasonably Foreseeable Development Scenario), as well as to provide for an updated air quality analysis, coal analysis, and management direction for wildlife habitat and vegetation. In doing so, the RMP will provide meaningful direction for management of BLM lands and resources in the planning area.

3. How will you consider comments from the public?

BLM will use scoping comments to help identify and develop planning issues and to guide development of the action alternatives. The BLM team will review and consider every comment submitted and address

them as appropriate. Comments received during the public scoping period will be summarized in a scoping report that will be made available to the public before the Draft EIS is prepared. You can [provide your comments here](#).

4. How will BLM engage the public during the scoping period?

BLM is committed to an open and inclusive NEPA process. All comments will be carefully considered in our review and decision(s) on meeting the agency's NEPA responsibilities and other applicable laws in this process. The public participates in the NEPA scoping process by helping to identify EIS issues and potential alternatives to the proposed action, and by evaluating the analysis of the proposed action and alternatives in the Draft EIS during the public review period for that document. All public comments received are considered. As the first step in the NEPA process, BLM initiated the "scoping period" by publishing a Notice of Intent (NOI) in the Federal Register on July 28, 2020. The public scoping comment period will end on August 28, 2020. BLM issued a news release and media advisory to announce the NOI and public comment opportunities. As part of the public scoping process, BLM will host two live, moderated virtual meetings using the Zoom video conferencing technology on August 18 and August 20, 2020, to learn about the proposed RMP and the NEPA process. Attendees can ask BLM staff questions during the session as well as provide verbal comments. To ensure the public has an opportunity to review public meeting materials and have questions answered, this virtual open house website has been developed. The public can [submit comments](#) through the virtual open house website at any time during the scoping period. Information also is available on the project's [BLM ePlanning website](#). More details are available [here](#).

5. Who are the cooperating agencies?

BLM is the lead federal agency under NEPA for development of the RMP/EIS. BLM sent 91 letters to local, state, federal, and Tribal representatives inviting them to participate as cooperating agencies in the preparation of the RMP/EIS. A cooperating agency is any federal, state, or local government agency or Native American tribe that enters into a formal agreement—a memorandum of understanding—with the lead federal agency to help in the environmental analysis. To date agencies who have expressed an interest in participating include the US Army Corps of Engineers, US Environmental Protection Agency, US Fish and Wildlife Service, US Forest Service (Dakota Prairie Grasslands), US National Park Service (Theodore Roosevelt), the North Dakota Historical Society, the North Dakota Parks and Recreation Department, Billings County, Dunn County, McKenzie County, Mountrail County, and Oliver County.

6. What are the next steps?

Once the scoping period has concluded, BLM will review all comments submitted and use them to help inform the alternative development process. The range of alternatives that BLM develops will clearly define the issues and provide a basis for choice among options by the decisionmaker. For an RMP, the alternatives will be presented as groupings of management actions across resources that will all meet the plan's purpose and need.

If you have more detailed questions about the North Dakota RMP/EIS, please [submit a comment here](#), or you may reach us by email or phone via the contact information below.

Next Station: Providing Comments

For more information on the North Dakota RMP/EIS, please visit the project's [BLM ePlanning website](#) or contact Kristine Braun at [701-227-7725](tel:701-227-7725).

To be added or removed from the mailing list, please send an email to blm_mt_north_dakota_rmp@blm.gov.

For more information on virtual public meetings, [email us](#), visit [EMPSi's website](#), or our [Virtual Public Meetings home page](#).



North Dakota RMP/EIS Virtual Open House

Providing Comments



Photo credit: Mitchell Iverson Location: Dunn County, North Dakota

BLM Wants Your Feedback

BLM is requesting public scoping comments on the North Dakota RMP/EIS Project.

The scoping period provides an opportunity for people who could be affected by the proposed action to express their views and concerns, and to offer suggestions. The most effective comments include specific

details regarding issues or concerns and provide rationale for the concern or suggestion. Ideas for effective scoping comments include:

- What are your specific concerns about a resource – and why?
- Do you know of any geographic areas of concern for a specific resource – and why?
- Do you have any ideas for alternatives to analyze?
- Give us ideas for mitigation measures or new technologies to consider in an alternative.
- Let us know about important information available in your community.

Ways to Comment

We have provided various methods for you to submit your scoping comments on the ND RMP/EIS. All comments are due by close of business, August 28, 2020. We thank you in advance for your participation.

- Commenters can send written comments to
 - North Dakota Field Office, Attention: North Dakota RMP, 99 23rd Ave. West, Suite A, Dickinson, ND, 58601
- Submit your comments through the project ePlanning website at: <https://eplanning.blm.gov/eplanning-ui/project/1505069/510>
- Submit your comments by completing the online form below
- Submit your comments verbally during one of the two live virtual public scoping meetings

Public Disclosure

Before including your address, phone number, email address, or other personal identifying information in your comments, be advised that your entire comment, including your personal identifying information, may be made publicly available at any time. While you may request that we withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Name *

First Name

Last Name

Organization Name

Address

Address 1

Address 2

City

State/Province

Zip/Postal Code

Country

Email *

Scoping comment on North Dakota RMP/EIS Project *

Submit

Still have questions? Visit our Q & A page.

For more information on the North Dakota RMP/EIS, please visit the project's [BLM ePlanning website](#) or contact Kristine Braun at [701-227-7725](tel:701-227-7725).

To be added or removed from the mailing list, please send an email to blm_mt_north_dakota_rmp@blm.gov.

For more information on virtual public meetings, [email us](#), visit [EMPSi's website](#), or our [Virtual Public Meetings home page](#).

Appendix C

Virtual Question and Answer Session
Presentation

This page intentionally left blank.



U.S. Department of the Interior
Bureau of Land Management
North Dakota Field Office

North Dakota Resource Management Plan and Environmental Impact Statement

Public Scoping Meeting

*****Please join using computer audio**

August 2020



- Microphones and videos of the audience will be turned off during the presentation.
- The meeting will be recorded for the project record.
- All materials presented today will be provided online.
- Questions will be addressed during the Question and Answer Session at the end of the presentation.
- Scoping comments can be submitted verbally today after the Question and Answer Session, or via mail or online (further information to be provided in this presentation).



Who is on the phone today?

Name	Role/Responsibility
Bureau of Land Management	
Kristine Braun	Project Manager
Greg Morel	Assistant Project Manager, Travel Management, Recreation, Wilderness Characteristics, Special Designations, Visual Resource Management
Dale Manchester	Fluid Minerals
Mitch Iverson	Rangeland and Grazing
Carissa Shilling	Locatable, Salable, and Solid Leasable Minerals
Katie West & Steve Manion	Cultural and Historic Resources
Jacob Hourt	Wildlife Biologist
Scott Haight	District Manager
Loren Wickstrom	Field Manager, Treaty and Tribal Interests
EMPSi	
Chad Ricklefs	Project Manager
Amanda Biedermann	Meeting Facilitator
Clayton McGee	Meeting Facilitator



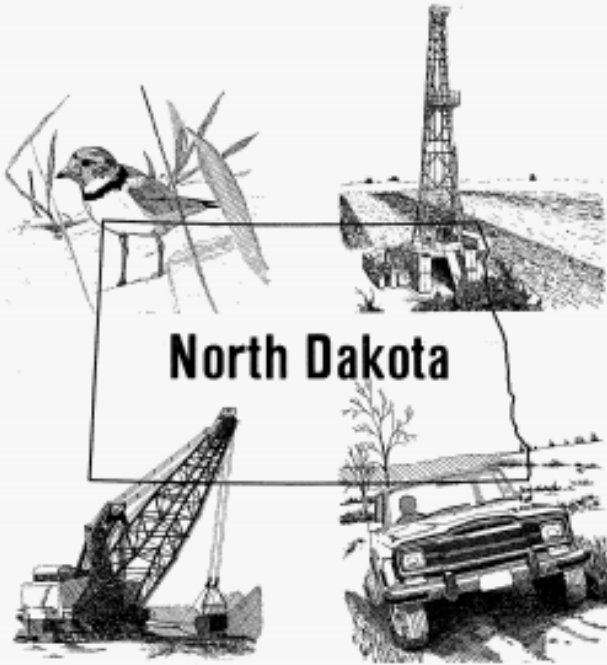
- Project Overview
- Key Issues
- Cooperating Agencies
- Project Timeline
- How to be Involved
- Question & Answer Session
- Public Comment Session





What is a Resource Management Plan?

North Dakota Resource Management Plan and Environmental Impact Statement Record of Decision



APRIL 1988

- An RMP is land use plan that provides the framework to guide decisions for management actions and approved uses on BLM-administered lands.
- This RMP will replace the existing North Dakota RMP/EIS from 1988
- The RMP/EIS will incorporate new data, address land use issues and conflicts, and specify where and under what circumstances particular activities will be allowed on BLM-administered lands

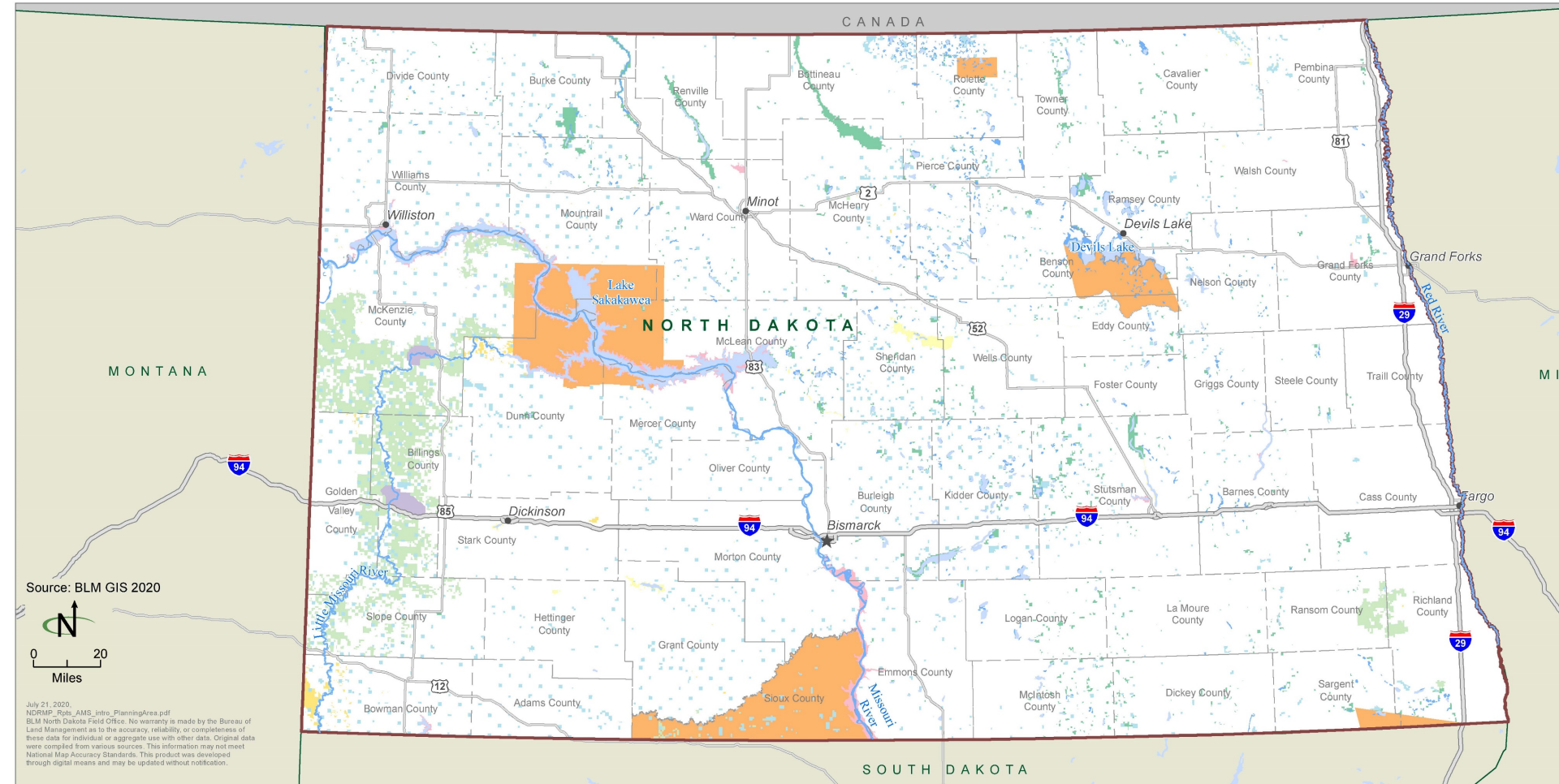


Constraints that guide and direct the preparation of the RMP. Examples include:

- The proposed RMP will be in compliance with NEPA standards, FLPMA, 43 CFR 1610, 40 CFR 1500, and all other applicable laws, regulations, and policies
- The RMP will recognize valid existing rights
- The planning process will involve American Indian tribal governments and tribal leaders, and will provide strategies for the protection of recognized traditional and cultural uses



North Dakota RMP/EIS Planning Area



Source: BLM GIS 2020

July 21, 2020.
NDRMP_Rpt_AMS_intro_PlanningArea.pdf
BLM North Dakota Field Office. No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual or aggregate use with other data. Original data were compiled from various sources. This information may not meet National Map Accuracy Standards. This product was developed through digital means and may be updated without notification.

- Bureau of Land Management (surface decision area)
- US Forest Service
- US Fish and Wildlife Service
- North Dakota RMP planning area
- State
- National Park Service
- Bureau of Reclamation
- Private
- US Department of Defense
- Water
- Bureau of Indian Affairs

Federal and State Surface Landownership in the Planning Area	
Land Managing Agency	Acres
Forest Service	1,084,000
State of North Dakota	700,000
US Army Corps of Engineers	530,000
US Fish and Wildlife Service	296,000
National Park Service	70,500
Bureau of Reclamation	63,400
Bureau of Land Management	59,000



North Dakota RMP/EIS Surface Decision Area



Source: BLM GIS 2020

0 20 Miles

July 01, 2020
NDRMP_Rpts_AMS_intro_Surface.pdf
BLM North Dakota Field Office. No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual or aggregate use with other data. Original data were compiled from various sources. This information may not meet National Map Accuracy Standards. This product was developed through digital means and may be updated without notification.

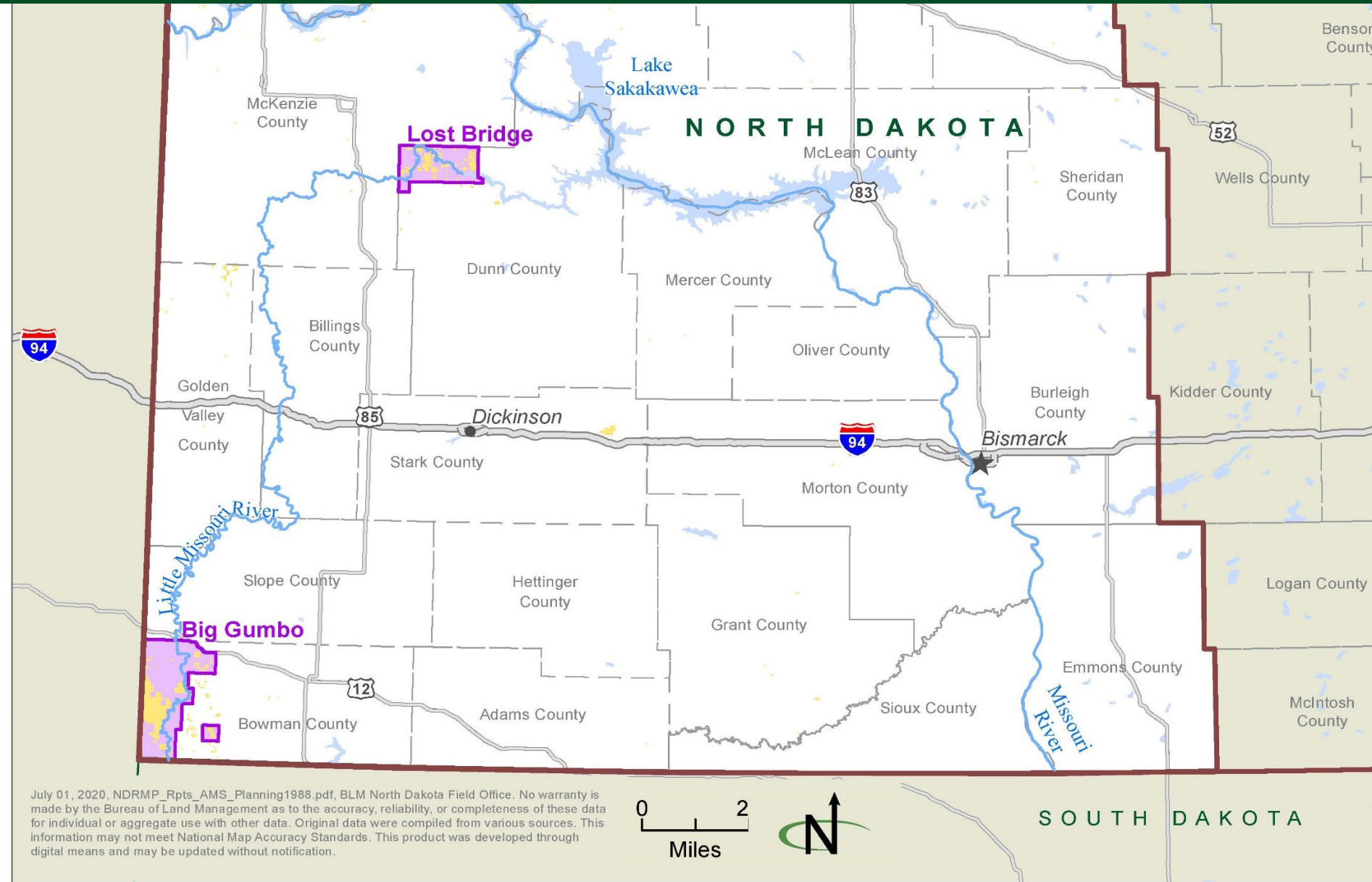
BLM Administered Surface Lands*	
County	Acres
Bowman	33,200
Dunn	15,400
Golden Valley	2,400
Grant	500
McHenry	900
McKenzie	800
Mountrail	600
Stark	2,000
Williams	700

*acres rounded to the nearest 100

■ BLM Surface Decision Area (surface decision area) □ North Dakota RMP planning area

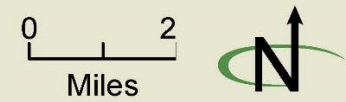


Consolidated Acreages of Surface Decision Area



- Management area
- Bureau of Land Management (surface decision area)
- North Dakota RMP planning area, western half

July 01, 2020, NDRMP_Rpts_AMS_Planning1988.pdf, BLM North Dakota Field Office. No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual or aggregate use with other data. Original data were compiled from various sources. This information may not meet National Map Accuracy Standards. This product was developed through digital means and may be updated without notification.

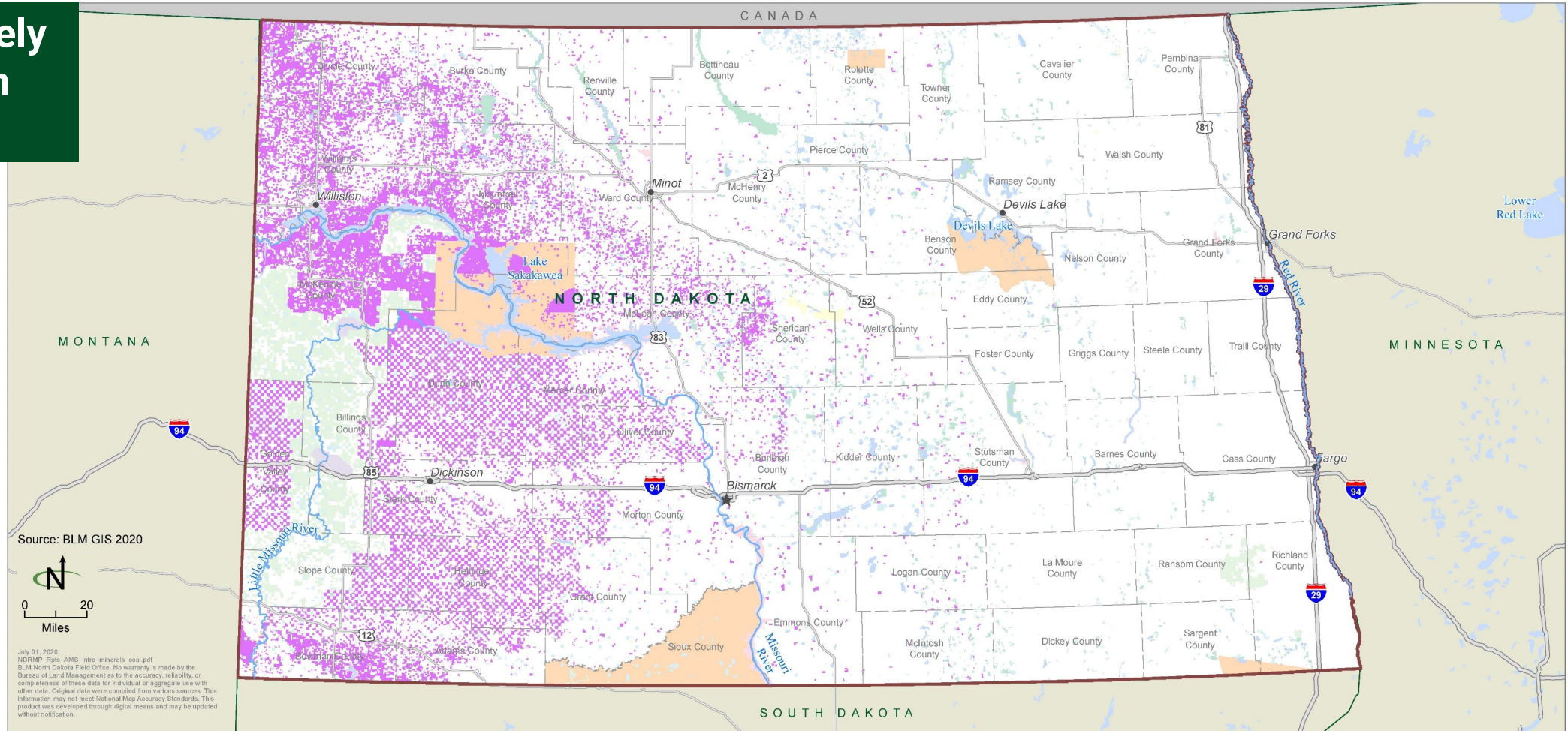


SOUTH DAKOTA

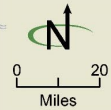


North Dakota RMP/EIS Coal Subsurface Decision Area

Approximately
4.2 million
acres



Source: BLM GIS 2020



July 01, 2020.
NDRMP_Role_AMS_intro_minerals_coal.pdf
BLM North Dakota Field Office. No warranty is made by the
Bureau of Land Management as to the accuracy, reliability, or
completeness of these data for individual or aggregate use with
other data. Original data were compiled from various sources. This
information may not meet National Map Accuracy Standards. This
product was developed through digital means and may be updated
without notification.

- BLM coal subsurface decision area
- Bureau of Land Management (surface decision area)
- US Forest Service
- US Fish and Wildlife Service
- North Dakota RMP planning area
- Private
- US Department of Defense
- National Park Service
- Bureau of Reclamation
- Bureau of Indian Affairs
- State
- Water



North Dakota RMP/EIS Fluid Minerals Decision Area

508,000 acres



Source: BLM GIS 2020

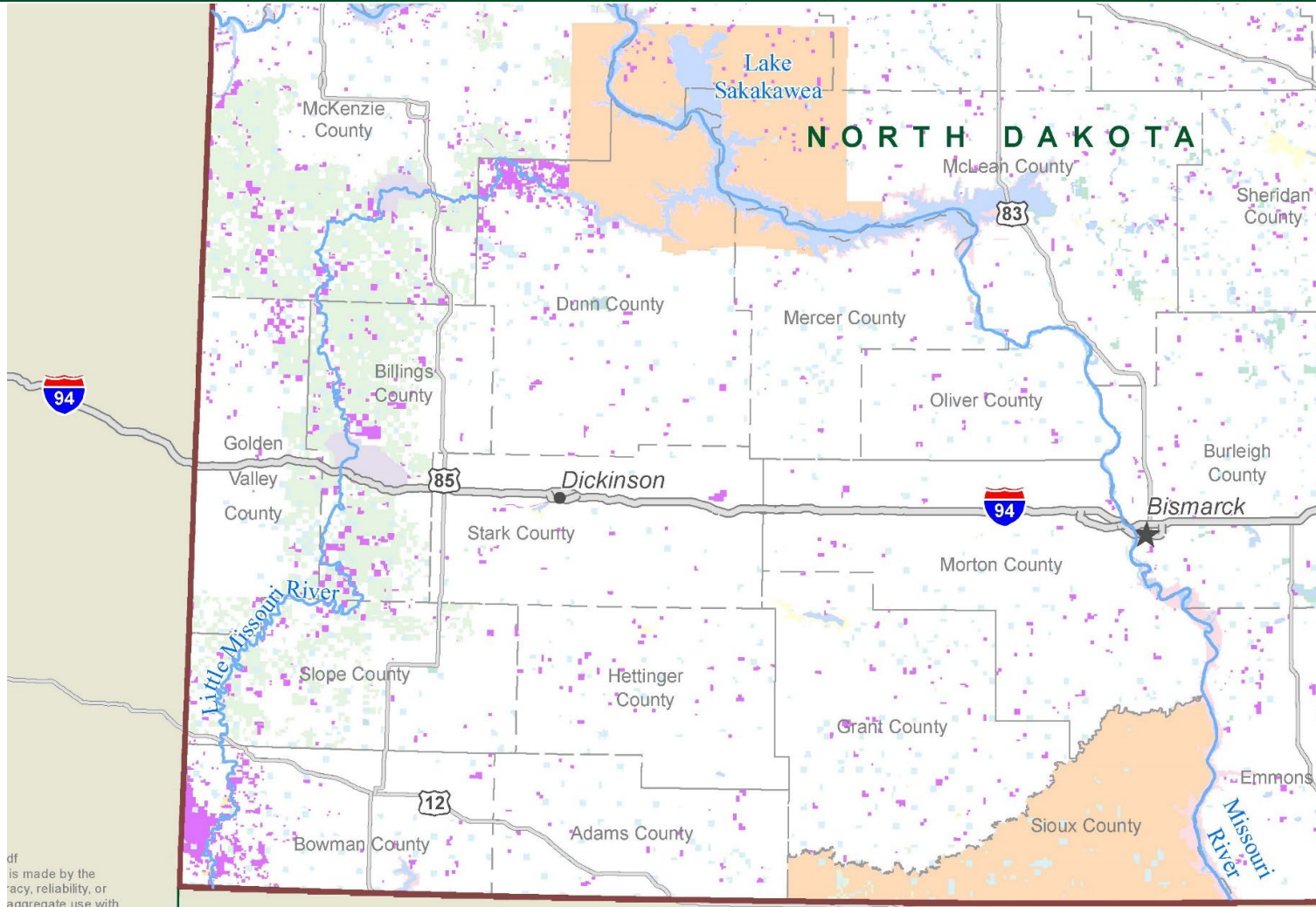


July 01, 2020.
NDRMP_Rpts_AMS_intro_minerals_fluids.pdf
BLM North Dakota Field Office. No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual or aggregate use with other data. Original data were compiled from various sources. This information may not meet National Map Accuracy Standards. This product was developed through digital means and may be updated without notification.

- BLM fluid minerals subsurface decision area
- Bureau of Land Management (surface decision area)
- US Forest Service
- US Fish and Wildlife Service
- North Dakota RMP planning area
- Private
- State
- National Park Service
- US Department of Defense
- Bureau of Reclamation
- Bureau of Indian Affairs
- Water



North Dakota RMP/EIS Fluid Minerals Decision Area



Map accuracy is made by the agency, reliability, or aggregate use with

- BLM fluid minerals subsurface decision area
- Bureau of Land Management (surface decision area)
- US Forest Service
- US Fish and Wildlife Service
- North Dakota RMP planning area
- Private
- State
- National Park Service
- US Department of Defense
- Bureau of Reclamation
- Bureau of Indian Affairs
- Water



- Increases in oil, gas, and coal exploration and production, along with the associated growth in population and supporting infrastructure, have increased air pollutant emissions in the region
- Currently no nonattainment areas in the planning area





- There are approximately 508,000 acres of BLM-administered oil and gas mineral estate in North Dakota, which includes split estate land and mineral ownership
- There are approximately 25,800 active or open wells in North Dakota.
- The RMP will make decisions on what areas will be open or closed to fluid minerals and what kind of stipulations will be applied.



- BLM is also formally soliciting indications of interest and information on coal resource development potential (such as locations, quality, and quantity) of BLM-administered coal minerals and information on other resources which may be affected by coal development.
- Information submitted in response to this request for coal resource information will be accepted through **September 8, 2020**. Proprietary information may be submitted to the State Director's Office.



- Wildlife habitats reflect the varied influence of past and ongoing human activities and disturbances. These habitats, and the wildlife species that rely on them, rarely exist solely on BLM-administered lands and often extend across administrative boundaries to other federal, state, and private lands.
- The loss of native habitats and fragmentation of existing habitats have completely removed several species from the landscape.
- Current management efforts are focused on species of special interest to management agencies and the public such as special status and game species. Examples include grassland birds, Greater Sage-grouse, Pallid Sturgeon, and the Dakota Skipper.





- Continued work with the Natural Resources Conservation Service (NRCS) and other partners is important to provide needed range improvements.
- Rehabilitation after energy development is important to restore the viability of rangeland and livestock production. Stipulations currently in place should be reviewed and updated based on new information and improvements in technology and reclamation methods.
- Opportunities to incorporate new data when reviewing range allocations.





Areas of Critical Environmental Concern (ACEC)



- No ACECs are currently designated within the planning area. New ACEC designations will be considered as part of the RMP process.
- The BLM will review the Mud Buttes area as a potential ACEC, along with any nominations received during the internal and external scoping period as part of the RMP process. If the areas are determined to meet the criteria of relevance and importance, management actions would need to be identified that protect these values



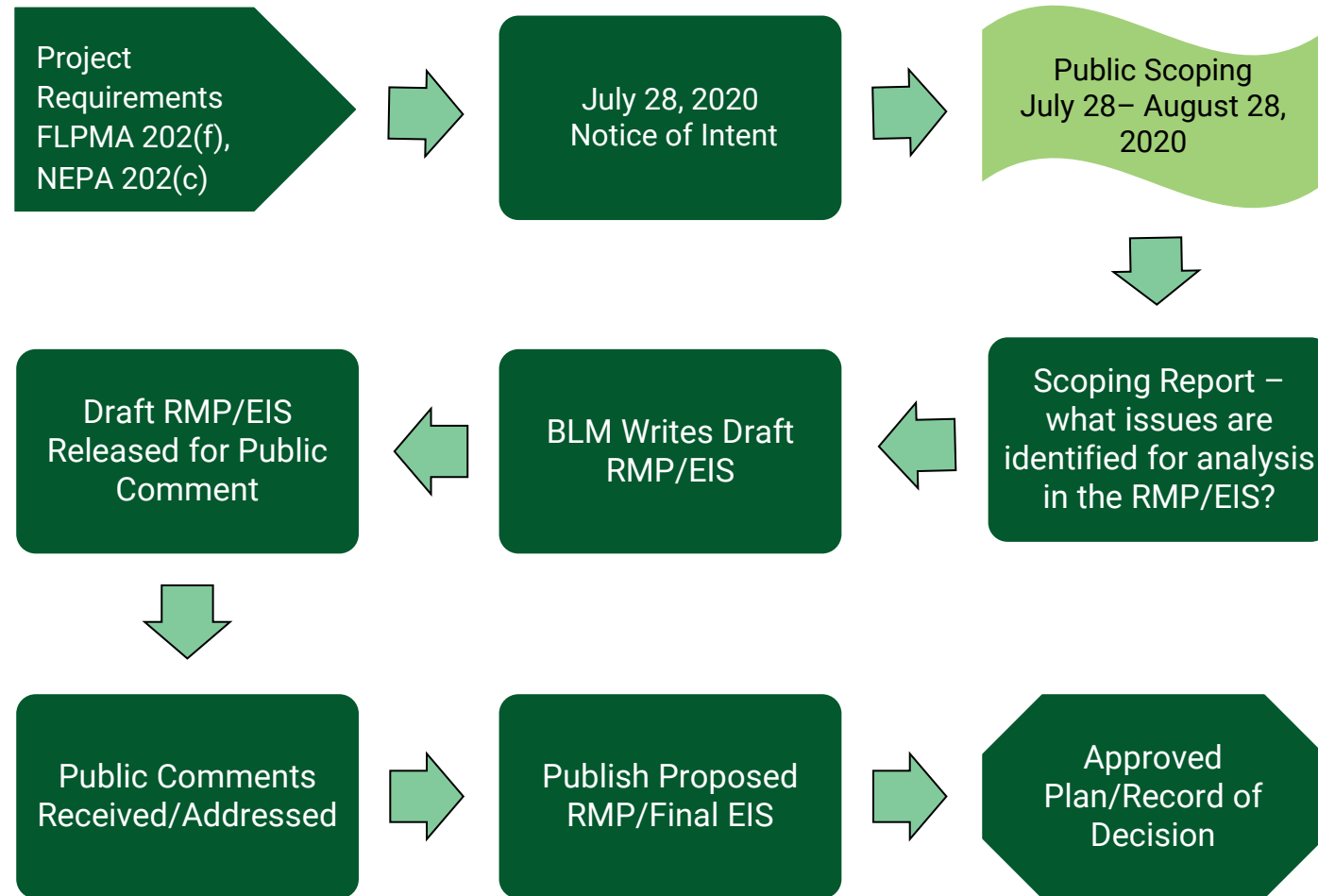
Cooperating Agencies To Date

- ✓ **The North Dakota Historical Society**
- ✓ **North Dakota Parks and Recreation**
- ✓ **Billings County**
- ✓ **Bowman County**
- ✓ **McKenzie County**
- ✓ **Mountrail County**
- ✓ **Oliver County**
- ✓ **US Army Corps of Engineers**
- ✓ **Environmental Protection Agency**
- ✓ **US Fish and Wildlife Service**
- ✓ **US Forest Service, Dakota Prairie Grasslands**
- ✓ **National Park Service, Theodore Roosevelt**

A **cooperating agency** is any federal, state, or local government agency or Indian Tribe that enters into a formal agreement with the lead federal agency to help develop an environmental analysis.



National Environmental Policy Act (NEPA)





North Dakota RMP/EIS Tentative Schedule

Planning Milestone	General Timeframe for Completion
Notice of Intent	July 2020
Scoping Period	August 2020
Alternatives Development	November 2020
Draft RMP/EIS	April 2021
Public Comment Period on Draft RMP/EIS	April-July 2021
Proposed RMP/Final EIS	November 2021
Protest Period	December 2021
Approved RMP/Record of Decision	January 2022



How to Provide Comments

Comments should be submitted
by **August 28, 2020**



During one of the Virtual Public Scoping Meeting



North Dakota Field Office
Attention: North Dakota RMP
99 23rd Ave. West, Suite A
Dickinson, ND, 58601



To be **added or removed** from the mailing list, please send an email to
blm_mt_north_dakota_rmp@blm.gov.



BLM eplanning website:

<https://eplanning.blm.gov/eplanning-ui/project/1505069/510>

Virtual Open House website:

<https://www.virtualpublicmeeting.com/north-dakota-rmp-eis-providing-comments>



Via Zoom Web Platform or App

- If you have a question, please click on the “chat” icon at the bottom of your Zoom screen to write and send your question to the host of the meeting (Clayton McGee).
- The moderator will read the question aloud for all participants to hear.
- A BLM staff member will respond to your question aloud for all participants to hear.
- We will try to answer questions in the order they are received.
- Please limit questions to those related to the NEPA process.



Via Phone

- If you are calling in through your phone and you have a question, please press *9 to “raise your hand” to let staff know you have a question. The moderator will then unmute you so that you can ask your question.
- You will be identified by the last four digits of your phone number.



Virtual Commenting Process

- We will first call on participants who requested to offer a comment when they pre-registered using the registration link.
- We will then open the public comment period to anyone who would like to offer a comment. We will first go through those participants who are using the Zoom web portal or Zoom app.
- We will then move on to those participants calling in through the phone who would like to offer a comment.



Instructions for Pre-registered Participants Offering a Comment

- When it is your turn, the moderator will call out your name and display your name on the screen.
- To indicate that you are ready to offer your comment when the moderator reads your name, please use the “raise hand” feature at the bottom of your participants list or, if you are calling in through the phone, please press *9 to “raise your hand.”
- The moderator will then unmute you and start the timer.
- You will have 3 minutes to offer your comment.
- You will see a stopwatch on the screen showing you how much time you have remaining to offer your comment.
- If you are calling in through the phone, the moderator will give you a 1-minute warning and a 30 second warning to let you know how long you have left to offer your comment.
- Again, please spell out your full first and last name before you provide your comment.



Commenting Instructions

Commenter:



Via Zoom Web Platform or App

- To indicate that you would like to offer a comment, please use the “raise hand” feature at the bottom of your participants list.
- When it is your turn, the moderator will call out your name and display your name on the screen. The moderator will then unmute you and start the timer.
- You will have 3 minutes to offer your comment. You will see a stopwatch on the screen showing you how much time you have remaining to offer your comment.
- Again, please spell out your full first and last name before you provide your comment.



Via Phone

- If you are calling in through your phone and you would like to offer a comment, please press *9 to “raise your hand.”
- When it is your turn to offer your comment, the moderator will read the last four digits of your phone number, unmute you, and start the timer for you to offer your comment. Again, please spell out your first and last name.
- The moderator will give you a 1-minute warning and a 30 second warning to let you know how long you have left to offer your comment.



Commenting Instructions

Commenter:



Comments should be submitted by **August 28, 2020**
Coal Resource Information by September 8, 2020



During one of the Virtual Public Scoping Meeting



North Dakota Field Office
Attention: North Dakota RMP
99 23rd Ave. West, Suite A
Dickinson, ND, 58601



To be **added or removed** from the mailing list, please send an email to
blm_mt_north_dakota_rmp@blm.gov



BLM ePlanning website:

<https://eplanning.blm.gov/eplanning-ui/project/1505069/510>

Virtual Open House website:

<https://www.virtualpublicmeeting.com/north-dakota-rmp-eis-providing-comments>



U.S. Department of the Interior
Bureau of Land Management
North Dakota Field Office

Thank you!

The virtual public scoping meeting has now ended.

Accepting public comment until 3:00 PM Mountain Daylight Time

You can access additional project information on the BLM ePlanning website:

<https://eplanning.blm.gov/eplanning-ui/project/1505069/510>

Appendix D

Public Outreach Materials

This page intentionally left blank.

Press Release

This page intentionally left blank.



U.S. Department of the Interior
Bureau of Land Management - Interior Region 5

Montana/Dakotas
North Dakota Field Office

NEWS RELEASE

For Immediate Release – July 28, 2020
Contact: Mark Jacobsen, mjacobse@blm.gov

The Bureau of Land Management announces revision and EIS scoping period for North Dakota Resource Management Plan

Revised plan, developed with public involvement, will guide BLM's management of over 58,900 acres of public lands, 4.6 million acres of mineral rights across North Dakota

(DICKINSON, N.D.) – The Bureau of Land Management announced its efforts today to begin a public process to revise the 32-year-old management plan governing the agency's oversight of public lands in North Dakota. When completed, the revised Resource Management Plan will provide updated goals, objectives, and management direction for approximately 58,900 acres of BLM-managed surface lands and approximately 4.6 million acres of administered sub-surface mineral rights across the state.

The RMP will replace the existing North Dakota RMP, dated April 1988, as amended. As part of this process, the BLM will develop an Environmental Impact Statement analyzing various management options for the planning area.

“Development of the new North Dakota RMP will be a collaborative, community-based effort encompassing a wide range of public participation. We plan to give the public and stakeholders multiple opportunities to weigh in on the plan's development and will report back to the people of North Dakota how public involvement has been solicited, considered, and incorporated into the RMP and EIS,” said BLM Montana/Dakotas State Director John Melhoff.

Significant changes have taken place over the last 32 years affecting the use and users of public lands across North Dakota. In that time, issues have emerged relating to potential threatened and endangered species, special status wildlife and habitat, and the significant amount of oil and gas exploration and development throughout the planning area. Specifically, in the past decade the Bakken oil boom has dramatically changed the landscape in North Dakota, especially in the southwestern part of the state.

In addition, many of the land use plan decisions required by specific program and resource guidance are not adequately addressed in the current RMP. This new planning effort will allow the BLM to guide management actions based on current information as well as to reflect current public input and changes in policy, resource conditions, and development trends.

The BLM 30-day comment period will end Aug. 28.

Comments sent by mail must be postmarked by this date to be considered. More information, relevant documents, and a venue for submitting comments are available at <https://eplanning.blm.gov>. Search for: *North Dakota Resource Management Plan*.

BLM North Dakota Field Office • 99 23rd Avenue W, Suite A • Dickinson, ND 58601 • www.blm.gov/montana-dakotas

The BLM manages more than 245 million acres of public land located primarily in 12 Western states, including Alaska. The BLM also administers 700 million acres of sub-surface mineral estate throughout the nation. In fiscal year 2018, the diverse activities authorized on BLM-managed lands generated \$105 billion in economic output across the country. This economic activity supported 471,000 jobs and contributed substantial revenue to the U.S. Treasury and state governments, mostly through royalties on minerals.



U.S. Department of the Interior
Bureau of Land Management - Interior Region 5

Montana/Dakotas
North Dakota Field Office

NEWS RELEASE

Hard copy comments can be mailed or hand-delivered to the North Dakota Field Office, Attn: North Dakota RMP, 99 23rd Ave. West, Suite A Dickinson, ND 58601.

The BLM will host three public scoping meetings from August 18-20 to further identify planning issues and criteria. Public meetings may be subject to sudden changes --from in-person to virtual meetings-- due to COVID-19 precautions. For the most current information, please refer to the project's BLM e-Planning website.

- August 18: Bowman Lodge and Convention Center at 502 Hwy 12 in Bowman, 4 to 7 p.m. MST.
- August 19: West River Ice Center at 1865 Empire Road in Dickinson, 4 to 7 p.m. MST.
- August 20: Moderated live question and answer video teleconference session, 4 to 6 p.m. MST. Attendees may join via computer or phone to participate. Information on how to attend will be available on the BLM e-Planning website.

Public comments are most useful when they are specific and cite relevant issues. Before including address, phone number, email address or other personal identifying information, be aware that your entire comment—including personal identifying information—may be made publicly available at any time. The BLM will provide additional opportunities for public participation upon publication of the Draft EIS.

For more information, contact RMP Project Manager Kristine Braun at: 701-227-7725.

– BLM –

BLM North Dakota Field Office • 99 23rd Avenue W, Suite A • Dickinson, ND 58601 • www.blm.gov/montana-dakotas

The BLM manages more than 245 million acres of public land located primarily in 12 Western states, including Alaska. The BLM also administers 700 million acres of sub-surface mineral estate throughout the nation. In fiscal year 2018, the diverse activities authorized on BLM-managed lands generated \$105 billion in economic output across the country. This economic activity supported 471,000 jobs and contributed substantial revenue to the U.S. Treasury and state governments, mostly through royalties on minerals.

Newspaper Advertisements

This page intentionally left blank.



North Dakota Resource Management Plan/ Environmental Impact Statement

Pursuant to the Federal Land Policy and Management Act of 1976, and the National Environmental Policy Act of 1969, as amended, the Bureau of Land Management (BLM) North Dakota Field Office intends to prepare a Resource Management Plan with an associated Environmental Impact Statement for BLM public lands and resources managed by the North Dakota Field Office in North Dakota.

The public will have the opportunity to participate in the scoping process and provide input through a web-based virtual open house from **July 28 to August 28, 2020**. Website visitors will be able to view information about the planning process, pose questions, view answers, and submit comments.

The virtual open house is accessible at
<https://virtualpublicmeeting.com/north-dakota-rmp-eis-vo>

A series of public scoping meetings will be held in the planning area. *Public meetings are subject to sudden changes from in-person to virtual meetings due to COVID 19 precautions. For the most current information, please refer to the BLM e-Planning website at <https://eplanning.blm.gov> and search “North Dakota Resource Management Plan Revision.”

- **August 18** – 4:00 to 7:00 PM MDT at the Bowman Lodge and Convention Center, 502 Hwy 12, Bowman*
- **August 19** – 4:00 to 7:00 PM MDT at the West River Ice Rink, 1865 Empire Rd., Dickinson*
- **August 20** – BLM will also host a moderated, live Question and Answer video teleconference session for the public from 4:00 to 6:00 PM MDT. Attendees may join via computer or phone to participate. Information on how to attend is available on the BLM e-Planning website.

oping comments must be submitted by close of business on August 2020, through the virtual open house website, the BLM e-Planning site, or by mail. To submit written comments, please address them North Dakota Field Office, Attention: North Dakota RMP, 99 23rd . West, Suite A, Dickinson, ND, 58601.

This ad was published in the Dickinson Press, Minot Daily News, Bismarck Tribune, Williston Herald, Fargo Forum, and Grand Forks Herald papers.



North Dakota Resource Management Plan/ Environmental Impact Statement and Call for Coal and Other Resource Information

The United States Department of Interior, Bureau of Land Management (BLM), North Dakota Field Office intends to prepare a Resource Management Plan (RMP) with an associated Environmental Impact Statement (EIS) for BLM public lands and resources managed by the North Dakota Field Office in North Dakota.

The public will have the opportunity to participate in the scoping process and provide input through a web-based virtual open house from **July 28 to August 28, 2020**. Website visitors will be able to view information about the planning process, pose questions, view answers, and submit comments.

The virtual open house is accessible at
<https://virtualpublicmeeting.com/north-dakota-rmp-eis-voH>

A series of public scoping meetings will also be held in the planning area. For more information about the project, scoping meetings and how to submit comments please visit the BLM's e-Planning website at <https://eplanning.blm.gov> and search "*North Dakota Resource Management Plan Revision*". Hard copy comments may be submitted to the North Dakota Field Office, Attn: ND RMP, 23 Ave., West, Suite A, Dickinson, ND 58601. **Comments must be submitted by August 28, 2020.**

Pursuant to 43 CFR 3420.1-2, BLM is also formally soliciting indications of interest and information on coal resource development potential (e.g., locations, quality, and quantity) of BLM-administered Federal coal mineral estate and information on other resources which may be affected by coal development.

The purpose of this request is to assure that the planning effort has sufficient information and data to consider a reasonable range of resource uses, management options, and alternatives for management of the BLM-administered Federal coal mineral estate. The BLM will use this information to complete the EIS and formulate alternatives that identify areas acceptable for further consideration for leasing.

Information submitted in response to this request for coal resource information will be accepted through September 8, 2020.

Proprietary data marked as "Confidential" may be submitted in response to this request for coal resource information. Please submit all proprietary information to the Montana/Dakotas State Director at Montana/Dakotas State Office, Attn: ND RMP Coal Call, 5001 Southgate Drive, Billings, MT 59101. The BLM will treat submissions marked as "Confidential" in accordance with the laws and regulations governing the confidentiality of such information. Non-proprietary data may be submitted to the North Dakota Field Office, Attn: ND RMP Coal Call, 23 Ave., West, Suite A, Dickinson, ND 58601.

Postcard Mailer

This page intentionally left blank.



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
North Dakota Field Office
99 23rd Avenue West, Suite A
Dickinson, North Dakota 58601
www.blm.gov/montana-dakotas

July 2020

Dear Reader,

The Bureau of Land Management (BLM) North Dakota Field Office (NDFO) intends to prepare a Resource Management Plan (RMP) Revision with an associated Environmental Impact Statement (EIS) for BLM public lands and resources managed by the North Dakota Field Office in North Dakota. The RMP/EIS will replace the existing North Dakota RMP, dated April 1988, as amended.

This postcard is to solicit public comments and assist with identification and development of planning issues. A series of public scoping meetings will be held in the planning area. Meeting times, locations, and instructions for submitting comments will be posted through the BLM e-Planning website at <https://eplanning.blm.gov> and search: North Dakota Resource Management Plan Revision.

Comments and resources information should be submitted by August 28, 2020. For more information, please contact Kristine Braun at (701) 227-7725.

US DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
NORTH DAKOTA FIELD OFFICE
99 23RD AVENUE WEST, SUITE A
DICKINSON, NORTH DAKOTA 58601

FIRST CLASS
POSTAGE AND FEES PAID
U.S. DEPARTMENT OF THE INTERIOR
PERMIT NO. G-76

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE, \$300

This page intentionally left blank.

Email Blast

This page intentionally left blank.

The Bureau of Land Management (BLM) invites you to attend public meetings to discuss the **Resource Management Plan and Associated Environmental Impact Statement for the North Dakota Field Office**



Please forward this to anyone you think may be interested!

Virtual Open House and Public Scoping Meetings

Scoping Period: July 28 to August 28, 2020.

Where: web-based virtual open house accessible at: <https://virtualpublicmeeting.com/north-dakota-rmp-eis-voH>

Pursuant to the Federal Land Policy and Management Act of 1976, and the National Environmental Policy Act of 1969, as amended, the Bureau of Land Management (BLM) North Dakota Field Office intends to prepare a Resource Management Plan (RMP) with an associated Environmental Impact Statement (EIS) for BLM public lands and resources managed by the North Dakota Field Office in North Dakota.

The public will have the opportunity to participate in the scoping process and provide input through a web-based virtual open house from **July 28 to August 28, 2020**. Website visitors will be able to view information about the project, pose questions, view answers and submit comments.

The virtual open house is accessible at
<https://virtualpublicmeeting.com/north-dakota-rmp-eis-voH>

Two virtual public scoping meetings will be held through the Zoom platform.. These meetings are planned for:

- **August 18** – 1:00 to 3:00 PM Mountain Daylight Time (MDT)
- **August 20** – 5:00 to 7:00 PM Mountain Daylight Time (MDT)

Attendees may join via computer or phone to participate. Please refer to the project's BLM e-Planning website at <https://eplanning.blm.gov> and search "North Dakota Resource Management Plan Revision" for information on how to attend.

Comments must be submitted by close of business on August 28, 2020, through the BLM [e-Planning](#) website, the virtual open house website, or by mail. To mail written comments, please address them to North Dakota Field Office, Attention: North Dakota RMP, 99 23rd Ave. West, Suite A, Dickinson, ND, 58601. Please note that non-proprietary submission of information and comments from organizations and businesses, and from individuals identifying themselves as representatives of organizations and businesses, will be available for public inspection in their entirety. Before including your address, phone number, email address, or other personally identifying information in comments, you should be aware that your entire comment -including your personal identifying information- may be made publicly available at any time. While you can request us to withhold your personal identifying information from public review, BLM cannot guarantee that it will be able to do so.

Call for Coal and Other Resource Information

Pursuant to 43 CFR 3420.1-2, the BLM requests that industry, State and local governments, and the public interested in coal management in the planning area provide the BLM relevant coal resource data that can help inform this project. Specifically, the BLM requests information on the development potential (e.g., location, quality, and quantity) of BLM administered coal mineral estate, and on surface resource values related to multiple use conflicts. The purpose of this request is to assure that the planning effort has sufficient

information and data to consider a reasonable range of resource uses, management options, and alternatives for management of the BLM-administered Federal coal mineral estate. The BLM will use this information to complete the EIS and formulate alternatives that identify areas acceptable for further consideration for coal leasing.

Information in response to this request for coal resource information will be accepted through September 8, 2020. Proprietary data marked as “Confidential” may be submitted in response to this request for coal resource information. Please direct all proprietary information submissions to the Montana/Dakotas State Director at Montana/Dakotas State Office, Attention: ND RMP Coal Call, 5001 Southgate Dr., Billings, MT 59101. The BLM will treat submissions marked as “Confidential” in accordance with the laws and regulations governing the confidentiality of such information. Non-proprietary data in response to this request for coal resource information may be submitted to the North Dakota Field Office, Attn: ND RMP Coal Call, 23 Ave, West, Suite A, Dickinson, ND 58601.

For Further Information: Kristine Braun, RMP Project Manager, North Dakota Field Office, at telephone: (701) 227-7725, or at the mailing address and website listed earlier.

#

Example Letter Sent to
Federal, State, Counties,
Tribal entities, and
Congressional Delegation for
the Notice of Intent and Call
for Coal Resource and Other
Resource Information

This page intentionally left blank.



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
North Dakota Field Office
99 23rd Avenue West, Suite A
Dickinson, North Dakota 58601
<http://www.blm.gov/montana-dakotas>

July 31, 2020

Commission Chair, Adams County
602 Adams Ave
Hettinger, ND 58639

Subject: Notice of Intent to Prepare a Resource Management Plan and Associated Environmental Impact Statement for the North Dakota Field Office and Call for Coal Resource and Other Resource Information

Dear Commission Chair:

This letter is to inform you that the Bureau of Land Management (BLM) North Dakota Field Office intends to prepare a Resource Management Plan (RMP) and associated Environmental Impact Statement (EIS) for BLM managed public lands and resources located in North Dakota.

Notice of Intent

The BLM published in the *Federal Register* on July 28, 2020 the attached notice of intent (NOI) to prepare the North Dakota RMP/EIS and to initiate the public scoping process. Public scoping is the process by which the public, State and local governments, other Federal agencies, and Tribes have the opportunity to determine the scope of the RMP/EIS analysis and to identify significant issues to be considered in the planning process.

The BLM would like to hear from your organization regarding any information or comments you would like to be considered in the planning process. The most helpful comments are those that clearly articulate specific suggestions, information, or concerns and those that focus on planning issues, criteria, impacts, and alternatives to be addressed in the RMP/EIS. The BLM is also interested in hearing pertinent information about your organizations adopted or approved resource related plans, and policies and programs contained therein.

For more information about the project, scoping meetings, a web-based virtual open house, and how to submit electronic comments please visit the BLM's e-Planning website at <https://eplanning.blm.gov> and search "*North Dakota Resource Management Plan Revision*". Hard copy comments may be submitted to North Dakota Field Office, Attention: ND RMP, 99 23rd Ave. West, Suite A, Dickinson, North Dakota 58601. Comments will be accepted through August 28, 2020.

Please note that non-proprietary submissions of information and comments from organizations and businesses, and from individuals identifying themselves as representatives of organizations and businesses, will be available for public inspection in their entirety. Before including your address, phone number, email address, or other personal identifying information in comments, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can request us to withhold your personal identifying information from public review, BLM cannot guarantee that it will be able to do so.

Call for Coal and Other Resource Information

Pursuant to 43 CFR 3420.1-2, the BLM requests that industry, State and local governments, and the public interested in coal management in the planning area provide the BLM relevant coal resource data that can help inform this project. Specifically, the BLM requests information on the development potential (e.g., location, quality, and quantity) of BLM administered coal mineral estate, and on surface resource values related to multiple use conflicts. The purpose of this request is to assure that the planning effort has sufficient information and data to consider a reasonable range of resource uses, management options, and alternatives for management of the BLM-administered Federal coal mineral estate. The BLM will use this information to complete the EIS and formulate alternatives that identify areas acceptable for further consideration for coal leasing.

Proprietary data marked as “Confidential” may be submitted in response to this request for coal resource information. Please direct all proprietary information submissions to the Montana/Dakotas State Director at Montana/Dakotas State Office, Attention: ND RMP Coal Call, 5001 Southgate Dr., Billings, MT 59101. The BLM will treat submissions marked as “Confidential” in accordance with the laws and regulations governing the confidentiality of such information. Information in response to this request for coal resource information will be accepted through September 8, 2020.

If you have any questions, please feel free to contact me at (701) 227-7713.

Sincerely,

Loren Wickstrom
North Dakota Field Manager

Example Letter Sent to Coal
Companies for the Call for
Coal Resource and Other
Resource Information

This page intentionally left blank.



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
North Dakota Office
99 23rd Ave. West, Suite A
Dickinson, ND 58601
<http://www.blm.gov/montana-dakotas>

August 3, 2020

North American Coal Corporation
Christopher D. Friez
2000 Schafer Street, Suite D
Bismarck, ND 58501-1204

Subject: Call for Coal Resource and Other Resource Information

Dear Christopher Friez:

The United States Department of the Interior, Bureau of Land Management (BLM), North Dakota Field Office (NDFO), intends to prepare a Resource Management Plan (RMP) with an associated Environmental Impact Statement (EIS) for BLM-administered public lands and resources in North Dakota. As part of this process, pursuant to 43 CFR 3420.1-2, BLM is formally soliciting indications of interest and information on coal resource development potential (e.g., locations, quality, and quantity) of BLM-administered Federal mineral estate and information on surface resource values related to multiple use conflicts.

The purpose of this request is to assure that the planning effort has sufficient information and data to consider a reasonable range of resource uses, management options, and alternatives for management of the BLM-administered Federal coal mineral estate. The BLM will use this information to complete the EIS and formulate alternatives that identify areas acceptable for further consideration for leasing. We appreciate the cooperation your company has provided to date in submitting information to help us prepare for this project. You do not need to resubmit any data you have already submitted. This call is providing you a chance to submit any additional data or new data that you think will help us plan for coal.

Proprietary data marked as “Confidential” may be submitted in response to this request for coal and other resource information. Please submit all proprietary submission information to the Montana/Dakotas State Director at Montana/Dakotas State Office Attn: ND RMP Coal Call, 5001 Southgate Dr., Billings, MT 59101. The BLM will treat submissions marked as “Confidential” in accordance with the laws and regulations governing the confidentiality of such information.

When submitting non-proprietary, not confidential information, please be aware that your entire comment -including your personally identifying information (including your address, phone number, email address, and other information)- may be made publicly available at any time. While you can request us to withhold your personally identifying information from public review, BLM cannot guarantee that it will be able to do so. Hard copy information can be hand-

delivered to the North Dakota Field Office during business hours (8:00 a.m. to 4:30 p.m.) or mailed to North Dakota Field Office, Attn: ND RMP Coal Call, 99 23 Ave. West, Suite A, Dickinson, ND 58601.

Information will be accepted through September 8, 2020.

For additional information and updates on the North Dakota RMP please visit the BLM e-Planning webpage at <https://eplanning.blm.gov> and searching *North Dakota Resource Management Plan Revision*. If you have any questions, please feel free to contact me at (701) 227-7713.

Sincerely,

Loren C. Wickstrom
North Dakota Field Manager

Appendix E

List of Commenters

This page intentionally left blank.

Appendix E. List of Commenters

First Name	Last Name	Organization Name
John	Bradley*	North Dakota Wildlife Federation
Blake	Henning	Rocky Mountain Elk Foundation
Ben	Machlis	Dorsey & Whitney LLP
Chris	Malkin	ConocoPhillips
Patricia	McQueary	U.S. Army Corps of Engineers, North Dakota Regulatory Office
N/A	N/A	North Dakota Backcountry Hunters and Anglers
N/A	N/A	North Dakota Petroleum Council, Western Energy Alliance, and Domestic Energy Producers Alliance
Kathleen	Schroder	N/A
Phillip	Strobel	U.S. Environmental Protection Agency
Stacey	Swanson*	Billings County

*Commenter submitted a written submission as well as a verbal submission during virtual public meeting.

This page intentionally left blank.

Appendix F

Substantive Public Scoping Comments

This page intentionally left blank.

Appendix F. Substantive Public Scoping Comments

First Name	Last Name	Organization Name	Comment Code	Comment Text
Philip	Strobel	U.S. Environmental Protection Agency	Adaptive management and monitoring	If BLM choses to utilize adaptive management and monitoring for this RMP, we recommend the Draft EIS identify the features of an effective adaptive management plan, including the following: * Achievable and measurable objectives to provide accountability and guide future decisions; * Specific decision thresholds with identified indicators for each impacted resource; * Targets that specify a desired future condition; ? Commitment to implement a monitoring plan with protocols to assess whether thresholds are being met; * Commitment to use monitoring results to modify management strategies as necessary; and * Designated timeframes for completion of necessary management modifications.
Ben	Machlis	Dorsey & Whitney LLP	Air Quality and Climate	Thus when analyzing the air impacts of energy development in the EIS and RMP, the BLM should consider the impacts of: - More efficient, engineered facility designs that capture a higher percent of gas and take advantage of the latest technology in equipment and inspection processes; - The development of larger and newer facilities which have better gas capture, vapor recovery infrastructure, and more efficient flaring to reduce airborne emissions of volatile organic compounds ("VOCs"); - The transition from field-built to fully engineered facilities, which include a higher level of design and the necessary gathering infrastructure to reduce air emissions; and - Consent decrees that individual operators may have with the state of North Dakota or the U.S. Environmental Protection Agency ("EPA"), which result in significant investments in control technologies to reduce air emissions.
N/A	N/A	North Dakota Backcountry Hunters and Anglers	Air Quality and Climate	NDBHA is also concerned with the recent change relaxing gas capture. Although the state of ND has set flaring reduction goals and sees no need for the federal government to be involved (even on federal lands), industry has continually failed to meet targets. We understand the BLM is frequently "whipsawed" by different administrations. We believe, however, the BLM should quantify the impacts of not requiring gas capture or meeting reduction goals in an analysis to inform the public. Certainly global warming is impacted with more gas in the atmosphere.

First Name	Last Name	Organization Name	Comment Code	Comment Text
N/A	N/A	North Dakota Petroleum Council, Western Energy Alliance, and Domestic Energy Producers Alliance	Air Quality and Climate	BLM must analyze and disclose impacts to air and other resources in NEPA documents but is not the regulating agency to ensure that oil and gas operations comply with the Clean Air Act (CAA). Under the CAA, each state has the primary responsibility for assuring air quality within the state. ¹⁸ The North Dakota Department of Environmental Quality (DEQ) has primary jurisdiction over air quality regulation on BLM lands. BLM is not legally authorized to regulate air quality standards and it is the responsibility of the State of North Dakota to issue air permits for oil and gas operations and to ensure that operators comply with those permits and the CAA. BLM's authority to develop land use plans and otherwise manage federal land under FLPMA does not usurp the air quality authority granted to the states under the CAA. BLM has identified a potential management opportunity to perform regional modeling to determine potential air resource impacts from BLM-authorized activities. We encourage BLM to utilize state and industry impacts when developing any type of model to ensure any modeling is accurate and completed with the highest level of expertise.
N/A	N/A	North Dakota Petroleum Council, Western Energy Alliance, and Domestic Energy Producers Alliance	Air Quality and Climate	We ask that BLM be consistent in their planning regarding climate change and regulation of greenhouse gases. We also ask that the cumulative impacts of oil and gas development be fully considered. The increased production of natural gas has helped decrease emissions in the United States. As this RMP scoping document is developed we urge BLM to consider the unique characteristics of different types of energy development and not lump all energy resources into the same category.

First Name	Last Name	Organization Name	Comment Code	Comment Text
Philip	Strobel	U.S. Environmental Protection Agency	Air Quality and Climate	<p>The EPA recommends that the BLM identify in the Draft EIS the measures (including control measures and design features) it would apply as stipulations or at the project level in the event that potential adverse impacts to air quality or AQRVs on affected lands are predicted. As a starting point we recommend the North Dakota RMP include stipulations consistent with the other Montana and South Dakota RMPs. In addition to those measures that have already been demonstrated to be appropriate, additional measures could include considerations for equipment type or design requirements, emission standards or limitations, best management practices (BMPs), dust suppression measures for unpaved roads and construction areas, incorporation of the Interagency Prescribed Fire Planning and Implementation Procedures Guide (July 2017) into site-specific prescribed burn plans, add-on control technologies, and limitations on the density and/or pace of development. The EPA also recommends that the BLM identify the mechanisms it will use to ensure project-level implementation of these measures including lease stipulations, conditions of approval, and notices to lessees.</p>
Philip	Strobel	U.S. Environmental Protection Agency	Air Quality and Climate	<p>Our primary recommendation for air quality is that the Draft EIS and air resources management plan summarize the analysis and impacts in the BLM Montana/Dakotas State Office Photochemical Grid Model (PGM) Modeling Study and near-field air quality assessment completed for the Montana and the Dakotas. We recommend a detailed air quality technical support document (ATSD) be prepared for this planning effort (similar to the recently completed Lewistown RMP ATSD). The summary in the ATSD and EIS should also relate the model assumptions, scenarios, and uncertainties to the proposed alternatives in the Draft EIS. These updates will support the implementation of stipulations and Best Management Practices (BMPs) in the Draft EIS and RMP and provide information to more clearly disclose the air quality analyses and impacts. We support stipulations and BMPs to protect human health and air quality and to provide consistent requirements for operators among the other BLM RMPs that have been completed across Montana and South Dakota. We also recommend that BLM's website for this action include a link to the full PGM study.</p>

First Name	Last Name	Organization Name	Comment Code	Comment Text
Philip	Strobel	U.S. Environmental Protection Agency	Air Quality and Climate	The EPA recommends that the Draft EIS provide an evaluation of the current air quality conditions and trends in the planning area as well as the potential impacts from future BLM authorized activities and any reasonably foreseeable future actions. We recommend that such an evaluation include the following: * Each of the criteria pollutants, i.e., ozone, particulate matter, carbon monoxide, nitrogen oxides, sulfur dioxide and lead, and their appropriate National Ambient Air Quality Standards (NAAQS); * AQRVs in potentially impacted Class I areas and sensitive Class II areas; * Prevention of Significant Deterioration increment at potentially impacted Class I and Class II Areas; * Estimated greenhouse gas emissions anticipated with each alternative; and * HAPs and relevant health-based risk thresholds for HAPs including acetaldehyde, benzene, ethyl benzene, ethylene glycol, formaldehyde, methanol, n-hexane, toluene, xylene (mixture), and any other compounds that the BLM identifies as potential hazardous air pollutants in the planning area.
Philip	Strobel	U.S. Environmental Protection Agency	Air Quality and Climate	Appendix B in the Analysis of the Management Situation (AMS) includes an oil and gas emissions inventory (2018) for North Dakota. It states this emission inventory for the planning area was developed based on 2018 North Dakota oil and gas activity and emission rates developed from the 2014 Western Regional Air Partnership Oil and Gas Working Group emission inventory and the PGM study. The AMS also refers to a Reasonably Foreseeable Development (RFD) scenario in the document, but one could not be located in it or on the BLM ePlanning website. We recommend the RFD used for this planning effort be included as an Appendix in the Draft EIS. We also recommend BLM clarify whether the RFD for this planning effort is the same as the RFD that was used in the PGM air quality modeling runs. The RFD used for this planning effort and in the development of the range of alternatives must be consistent with the RFD utilized in the PGM Study for the impacts to be directly comparable. If the RFD's greatly differ, we recommend convening the technical workgroup to discuss the best options for this Draft EIS.

First Name	Last Name	Organization Name	Comment Code	Comment Text
Ben	Machlis	Dorsey & Whitney LLP	Areas of Critical Environmental Concern	However, while we agree that ACECs and other special designation areas may properly have a place in the RMP, we note that ACECs are not intended to be a substitute for a wilderness designation by Congress or to prevent all development in the designated area. ⁵ The legislative history of FLPMA is very clear on this point. ⁶ As a result, any nominations for ACECs must consider existing or potential multiple uses on those lands and should be narrowly tailored to protecting the significant resource that has been identified. To the extent mineral leasing and development can occur without affecting the resource values targeted by the ACEC, the ACEC designation cannot be used to block leasing or development.
N/A	N/A	North Dakota Petroleum Council, Western Energy Alliance, and Domestic Energy Producers Alliance	Areas of Critical Environmental Concern	BLM notes that no areas of critical environmental concern (ACEC) are currently designated in the planning area, but new designations will be considered during the RMP process. We oppose any ACEC designation that is not narrowly tailored in scope and limited in its impact beyond the boundaries of the area. Any surface use restrictions that arise from a new ACEC should be carefully examined and justified in the RMP and balanced with BLM's multiple use mandate for managing public lands. Any ACEC must also respect all valid existing rights, as outlined in more detail previously in these comments.
N/A	N/A	North Dakota Petroleum Council, Western Energy Alliance, and Domestic Energy Producers Alliance	Best available information-baseline data	Specifically, we encourage BLM to seek input and consult research from the Energy and Environmental Research Center (EERC) at the University of North Dakota (UND). EERC is a first-class research center, a leader in the design and implementation of clean and efficient oil and gas exploration, development, and production technologies. In 2019, the North Dakota State Legislature created the State Energy Research Center, which is housed in EERC and focused on conducting exploratory, transformational, and innovative research that advances future energy opportunities within the state. ¹ True to its mission, EERC is doing important work in the areas of oil production optimization, CO ₂ enhanced oil recovery, pipeline research and technology development, and other topics of critical interest for oil and gas development and production. We urge BLM to consult this important research as they move forward in their analysis.

First Name	Last Name	Organization Name	Comment Code	Comment Text
Blake	Henning	Rocky Mountain Elk Foundation	Best available information-baseline data	<p>Actively managed landscapes based on the best available science: - Past and recent research has identified several challenges to North America's elk country, including unnaturally dense forests, noxious weed invasions, lack of dependable water sources, and many others. RMEF supports use of the past 25+ years of research from the Starkey Project and other studies that have laid the groundwork for managing healthy elk habitat (Quigley and Wisdom 2015). More recent research on ungulate migration (Sawyer et al. 2013, Middleton et al. 2013), nutrition (Cook et al. 2013, Rowland et al. 2018), and elk security (Ranglack et al. 2017, Wisdom et al. 2018) continues to build on this foundation, and should be considered in land-use plans and projects. - Early seral forest provides important habitat for elk and other wildlife and is often achieved following disturbance such as fire or mechanical thinning. Decades of fire suppression have reduced or nearly eliminated early seral stages across BLM lands. RMEF supports the use of mechanical thinning and prescribed burning to encourage growth of grasses, forbs, young shrubs, and trees which provide critical forage and cover for elk and other species (Swanson et al. 2011). Active management for early seral habitat not only improves elk habitat, but can help reduce the threat of catastrophic wildfire. - Noxious and invasive plants are slowly replacing native forage for elk and other species. RMEF encourages the BLM to actively manage landscapes to control and reduce invasive species through an integrated weed management approach (biological, mechanical, chemical, and outreach). Early detection and rapid response remains a critical component of effective weed management (Westbrooks 2004); RMEF encourages this collaborative approach for prompt containment and treatment of noxious and invasive plants. Native plant communities provide the highest nutritional value for wildlife; thus, RMEF encourages the use native plant seed mixes. - Managed livestock grazing can improve the health of rangelands and forest meadows if the system is designed with habitat values for elk and other wildlife in mind. An effective range management program between the agency and permittees is essential to maintaining the economic base and lifestyle that have helped keep private lands across elk country as working ranches. RMEF encourages the BLM to employ grazing management systems and techniques compatible with maintaining desired levels of elk and other wildlife.</p>

First Name	Last Name	Organization Name	Comment Code	Comment Text
Stacey	Swanson	Billings County	Comment Period Extension	The county has begun review of the Analysis of the Management Situation (AMS) prepared for the RMP/EIS. Since this is a lengthy, 532-page document, and we have limited resources at the county level, as a cooperating agency, we respectfully request additional time for submitting scoping comments.
Blake	Henning	Rocky Mountain Elk Foundation	Comprehensive Travel and Transportation Management	Management of motorized and non-motorized activity: - Elk and many other wildlife species are sensitive to human travel patterns, especially motorized use. Research from the Starkey Project has done much to quantify effects of roads, trails, and associated motorized (Wisdom et al. 2005) and non-motorized traffic on elk (Wisdom et al. 2018). Motorized access in areas with high open road densities or substantial non-motorized disturbance can displace elk and other species to adjacent private land for part or most of the year, resulting in several negative impacts. RMEF supports a balanced approach across multiple public land uses.
Stacey	Swanson	Billings County	Consistency with Federal/State/Local Plans	We would also like someone from this project to explain how the BLM RMP will interact with or complement the Dakota Prairie Grasslands Northern Great Plains Management Plans Revision and Final Supplemental Environmental Impact Statement for Oil and Gas Leasing. Billings County participated as a cooperating agency in this project as well and the DPG plan is in the final stages of approval. The Final Record of Decision is expected to be signed this fall. The county would like clarification on which plan takes precedence on oil and gas leasing and mineral development - the USFS plan, the BLM plan, or both?
Stacey	Swanson	Billings County	Consistency with Federal/State/Local Plans	One item I noticed in Chapter 6 of the AMS concerning consistency with local government plans was an omission of Billings County's Comprehensive Plan and Land Use Plan. These two plans stress the socioeconomic importance of oil and gas and mineral development in the county. The plans are located on the Billings County website at: https://www.billingscountynd.gov/169/Planning-Zoning . Please include these plans as part of your consistency review in the development of the RMP/EIS.

First Name	Last Name	Organization Name	Comment Code	Comment Text
Blake	Henning	Rocky Mountain Elk Foundation	Consistency with Federal/State/Local Plans	Coordination with state wildlife agencies: - RMEF works closely with each state's wildlife agency. These agencies are our vital partners. In setting new management directions for elk habitat in land-use plans and project design, we encourage that the BLM planning effort be coordinated with state wildlife agencies and that state agency goals for elk be integrated into the plan. RMEF encourages the BLM to utilize State Comprehensive Wildlife Plans and data in developing desired outcomes and monitoring results related to the management of elk and other wildlife species on BLM-administered lands.
Stacy	Swanson	Billings County	Consistency with Federal/State/Local Plans	One comment that I want to make right now is on the section 6.3 of the local government plans in the analysis of the management situation. The Billings County Comprehensive Plan and the Billings County Land Use Plan should also be included under the local government plans for the RMP
Ben	Machlis	Dorsey & Whitney LLP	Fluid Leasable Minerals	The AMS document does not recognize the full extent of the technical advances that have been made in the areas of horizontal drilling and hydraulic fracturing. These innovations in drilling and fracturing technology and practices have allowed the oil and gas industry to dramatically reduce its impact on the environment and other multiple uses of the surface lands while exponentially increasing production of federal mineral resources. In developing the RMP, BLM must ensure it is using up-to-date and accurate information about how modern oil and gas drilling is performed, new production operations, and the extent to which current technology and practices can substantially mitigate or eliminate the traditional impacts of oil and gas development on the aesthetic and recreational values of the surface lands. For example: - The AMS states that horizontal drilling and hydraulic fracturing "require large amounts of freshwater," but fails to acknowledge the water conservation and recycling practices used by operators in the field. In developing management practices in the RMP regarding the use of water resources in mineral development, the BLM must consider modern drilling and hydraulic fracturing practices, including the ability to mitigate impacts on freshwater resources through conservation and recycling. - The AMS acknowledges the benefits of horizontal drilling, including the ability to complete several wellbores on a single pad, which reduces the number of roads needed for development. ² While BLM is correct to observe these benefits, BLM must ensure the analysis in this planning process acknowledges the extent to which a single well pad can be used for development and the benefits this has for air, water, and other surface resources. Operators can now drill up to a dozen wells or more on

First Name	Last Name	Organization Name	Comment Code	Comment Text
				<p>a single pad with horizontal bores stretching beyond three miles. This not only reduces the impacts at the surface location and from associated infrastructure such as roads and pipelines, it allows access to remote resources without direct surface impact. These new technologies and practices dramatically reduce the impact of future oil and gas leasing on species, habitat, soil, water, and other surface uses, and must be incorporated into the BLMs impacts analysis and considered in determining which lands should be available for leasing in the RMP. - The AMS lists reducing the loss of gas due to flaring as a management opportunity for fluid leasable minerals.³ In analyzing the issue of flaring in developing the RMP, the BLM must acknowledge and respect the existing state regulatory framework on flaring. The BLM should also account for new gas gathering infrastructure in North Dakota and its impact on flaring. Further, it is important that any analysis of the benefits of reducing the loss of gas due to flaring appropriately consider the realities of oil and gas development and balance the benefits against the costs and constraints on development that such reductions would require.</p>
N/A	N/A	North Dakota Backcountry Hunters and Anglers	Fluid Leasable Minerals	<p>While we do not know how many abandoned wells are located on BLM administered lands or private lands with federal minerals ownership, we want assurance that industry, rather than the taxpayer, pays the freight for reclaiming impacted lands.</p>
N/A	N/A	North Dakota Petroleum Council, Western Energy Alliance, and Domestic Energy Producers Alliance	Fluid Leasable Minerals	<p>Regarding interim reclamation on well pads after drilling has been completed, we urge BLM to work closely with operators to more fully understand what is feasible, necessary and consistent with safe operation of oil and gas production sites. Interim reclamation does not make sense on an active well pad because after drilling is completed production equipment is installed on well pads. We urge BLM to communicate extensively with operators before creating additional reclamation requirements that may be unnecessarily burdensome.</p>
N/A	N/A	North Dakota Petroleum Council, Western Energy Alliance, and Domestic Energy Producers Alliance	Fluid Leasable Minerals	<p>We urge BLM to take new technologies into account as well as new practices of consolidated infrastructure. Consolidated infrastructure improves impacts on soil erosion, weeds, visual resources, air and other impacts and allows for oil and gas to be compatible with the other multiple uses of BLM managed lands.</p>

First Name	Last Name	Organization Name	Comment Code	Comment Text
N/A	N/A	North Dakota Petroleum Council, Western Energy Alliance, and Domestic Energy Producers Alliance	Fluid Leasable Minerals	Therefore, through the North Dakota RMP process, BLM cannot revise or restrict valid existing lease rights through imposition of COAs for drilling permits or through imposition of lease stipulation provisions from adjacent leases.17 BLM must make clear in the RMP that timing limitations, CSU and NSO stipulations, and any other management prescriptions across the planning area are not applied retroactively to existing leases.
Ben	Machlis	Dorsey & Whitney LLP	GIS data and maps	As the BLM is developing the RMP and EIS, it should provide the shapefiles on its website for its maps and figures, to allow stakeholders to fully analyze the details of what BLM is depicting on its maps.
Philip	Strobel	U.S. Environmental Protection Agency	GIS data and maps	The EPA also recommends the Draft EIS include the following information: * A map of water bodies within and/or downstream of the planning area that includes perennial, intermittent and ephemeral water bodies; water body segments classified by the North Dakota DEQ (NDDEQ) as water quality impaired or threatened under the Clean Water Act (CWA) Section 303(d); water bodies considered not impaired by NDDEQ, and water bodies that have not yet been assessed by the NDDEQ for impairment status. We also recommend that a table be provided to identify the designated uses of the water bodies and the specific pollutants of concern, where applicable; * A map of municipal watersheds and designated source water protection zones; and * Maps and descriptions of topography and soils, specifically steep slopes and fragile or erodible soils, especially near surface waters and intermittent and ephemeral channels.
Philip	Strobel	U.S. Environmental Protection Agency	GIS data and maps	We recommend that the Draft EIS present inventories and maps of existing wetlands and waters of the U.S. within the planning area, including waters that are regulated under Section 404 of the CWA and wetlands and waters that are protected under Executive Order 11990 - Protection of Wetlands (May 24, 1977). We suggest providing information on acreages and channel lengths, habitat types, values, and functions of these waters.

First Name	Last Name	Organization Name	Comment Code	Comment Text
Ben	Machlis	Dorsey & Whitney LLP	Lands and Realty	In general, rather than blanket-designating large areas as unavailable for leasing, BLM should consider alternatives that use appropriate stipulations and other mitigation measures to address surface management concerns. For example, the AMS notes that approximately 10,461 acres in the planning area are identified as not open to entry ("NOE"), due mostly to split estate issues created before the year 2001. The BLM should evaluate whether to include an opening order for these lands in the RMP, because any concerns regarding impacts to surface values may be mitigated by lease stipulations and/or permit conditions as needed. Additionally, as noted above, new directional drilling techniques can allow operators to access remote resources under sensitive areas with no direct surface impact.
Ben	Machlis	Dorsey & Whitney LLP	Lands and Realty	The BLM should adequately analyze the differences in impacts that can be achieved by offering consolidated blocs for leasing. Offering entire blocs in leasing can mitigate a host of impacts by allowing for the development of infrastructure in a sensible way that minimizes surface impacts.
Ben	Machlis	Dorsey & Whitney LLP	Lands and Realty	A significant portion of the federal leasable minerals within the RMP area lies under U.S. Forest Service ("USFS")-managed surface estate in the form of National Grasslands. The BLM has jurisdiction over oil and gas leasing for federal minerals on National Forest System ("NFS") lands, including National Grassland areas. It is our understanding that the USFS has recently issued a Draft Record of Decision ("Draft ROD") regarding oil and gas leasing on USFS managed Grasslands in North Dakota. This Draft ROD affects the leasing of nearly 900,000 acres where the federal (USFS-managed) surface overlays the federal (BLM-managed) mineral estate. The BLM should ensure that due consideration is given to the availability of these lands for leasing in the RMP.
N/A	N/A	North Dakota Backcountry Hunters and Anglers	Lands and Realty	Technology in the oil patch has changed drastically since development in the Bakken began. We believe the BLM should embrace technology and incorporate new practices to reduce roads and other ground disturbing activities. Avoiding development in large, contiguous undisturbed tracts, such as the BLM lands in Bowman County, should be addressed through the use of No Surface Occupancy (NSO) stipulations, unitization or master plans that offer maximum protection to large tracts.

First Name	Last Name	Organization Name	Comment Code	Comment Text
N/A	N/A	North Dakota Petroleum Council, Western Energy Alliance, and Domestic Energy Producers Alliance	Lands and Realty	Regarding interim reclamation, when in a split estate development scenario, the BLM should defer the interim reclamation planning and implementation to the private and State surface owners. Oil and gas operators enter into Surface Use Agreements and Easement Agreements with these surface owners that have specifications for available development acreage, reclamation, and the timing to complete those actions. The required site preparation, seed mix, and application are dictated by these surface owners, and often differ from BLM COAs.
Blake	Henning	Rocky Mountain Elk Foundation	Lands and Realty	Resource management and land protection across land ownership: - Public lands are where the majority of the public hunts and otherwise enjoys elk. In some places a growing proportion of elk are using private land. Where elk populations are at or over population objectives, RMEF suggests considering elk occurrence specific to the interface of BLM and private lands. While multiple factors can affect distribution of elk and other big game across public and private lands, RMEF recommends inclusion of Objectives and Actions that emphasize coordination between the BLM, state wildlife agencies, private landowners, and others to provide habitat conditions that support year-round presence of elk and other big game on public land. - Each year, our public lands become more critical to elk and other wildlife due to habitat loss on private land. RMEF encourages the BLM to work with conservation partners to identify key conservation lands and work to acquire parcels, enter into land exchanges, or obtain conservation easements to secure more elk habitat for the future.

First Name	Last Name	Organization Name	Comment Code	Comment Text
N/A	N/A	North Dakota Petroleum Council, Western Energy Alliance, and Domestic Energy Producers Alliance	Lands with Wilderness Characteristics	Importantly, in Section 103(c) of FLPMA, Congress listed resources that BLM should take into account in allocating management, and "wilderness characteristics" is not included as such a resource. Section 603 of FLPMA provided a time -limited process for BLM to inventory and designate wilderness on BLM lands. That time has now passed, and those recommendations have been made to congress. As a result, BLM no longer has authority to designate wilderness. On the other hand, mineral development is a "principal or major use" of public lands under FLPMA. Congress further emphasized the importance of minerals development by, as noted above, declaring that public lands be managed "in a manner which recognizes the Nation's need for domestic sources of minerals."20 In addition, designation of LWCs and WSAs conflicts with a Congressional prohibition. Through the appropriations process, Congress has repeatedly denied funding for the implementation of Secretarial Order 3310 concerning the designation of "Wild Lands" since its release in 2010. LWCs and WSAs are "Wild Lands" in all but name. It is therefore a violation of both existing law and the multiple-use mandate for BLM to designate LWCs and WSAs in any planning document, and they should not be included in this RMP update.
Philip	Strobel	U.S. Environmental Protection Agency	Livestock Grazing	In addition, since the planning area is susceptible to periods of drought, we recommend the Draft EIS include a list of potential grazing strategies for use during periodic droughts that will maintain vegetation and aquatic resources in their desired conditions.
Philip	Strobel	U.S. Environmental Protection Agency	Livestock Grazing	EPA recommends that the Draft EIS incorporate BLM's "Standards for Rangeland Health and Guidelines for Livestock Grazing Management for Public Lands Administered by the Bureau of Land Management for Montana and the Dakotas." 10 Specifically, we recommend that the Draft EIS include discussion of monitoring requirements that will be applied at the project level to ensure that these standards and guidelines are being met. An explanation regarding how the Annual Operating Instructions will ensure compliance with project level monitoring requirements for parameters (such as water quality) would be helpful. To help evaluate and adjust grazing management strategies, EPA also recommends that the Draft EIS include a monitoring section that describes how monitoring will be implemented on an allotment level and at the watershed or sub-watershed level to determine rangeland condition (including water quality) status and trends. A wide array of monitoring options exists, and we are available to discuss options if desired.

First Name	Last Name	Organization Name	Comment Code	Comment Text
Ben	Machlis	Dorsey & Whitney LLP	Other Laws	In general, the RMP should acknowledge that orderly development of federal minerals is part of the multiple use mandate under FLPMA.8
N/A	N/A	North Dakota Petroleum Council, Western Energy Alliance, and Domestic Energy Producers Alliance	Other Laws	To comply with FLPMA, NEPA, the ESA, and the MBTA, and to provide for informed decision-making, BLM needs to appropriately analyze the impacts of management prescriptions, stipulations, and access restrictions upon minerals management and development, including both the economic and environmental impacts from these narrow operational windows. BLM must ensure that the conservation measures for special status species and migratory birds considered in the final RMP are not overly burdensome and within its authority under the appropriate laws.
N/A	N/A	North Dakota Petroleum Council, Western Energy Alliance, and Domestic Energy Producers Alliance	Other Laws	Furthermore, BLM must ensure the RMP complies with recent guidance from DOI and the U.S. Fish and Wildlife Service (FWS) regarding migratory birds. Opinion M-37050 determined that the MBTA does not provide criminal liability for incidental take of migratory birds or nests, and FWS issued additional guidance on June 14, 2018 clarifying that the MBTA does not prohibit the destruction of inactive nests and even provides guidance on the destruction or relocation of active nests. Based on this guidance, any imposition of blanket stipulations to protect migratory birds, nests, and trees from incidental take is superfluous and unjustifiable. Since the MBTA does not prohibit incidental take, BLM should not impose onerous restrictions on oil and gas lessees to prevent incidental take, and the final RMP should reflect this conclusion.
N/A	N/A	North Dakota Petroleum Council, Western Energy Alliance, and Domestic Energy Producers Alliance	Other Laws	Domestic oil and natural gas resource development is a legitimate use of public lands which can and is being done in an environmentally responsible manner and providing financial benefits to the federal, state and local governments. Throughout the development of this RMP, BLM must follow the requirements of the Energy Policy Conservation Act of 2000 and the Energy Policy Act of 2005 (EPAAct) to reduce rather than increase impediments to federal oil and gas leasing.

First Name	Last Name	Organization Name	Comment Code	Comment Text
N/A	N/A	North Dakota Petroleum Council, Western Energy Alliance, and Domestic Energy Producers Alliance	Other Laws	Furthermore, BLM's Manual on Land Use Planning specifically states that "[w]hen applying leasing restrictions, the least restrictive constraint to meet the resource protection objective should be used." ⁷ We urge BLM to observe this statutory mandate and regulatory guidance as it considers any stipulations for oil and natural gas leases, especially with regard to timing limitations, No Surface Occupancy (NSO) stipulations, and controlled surface use (CSU) restrictions. An NSO is the most restrictive stipulation; it should be used only sparingly. The final RMP should accurately reflect these policies. As BLM moves forward in updating the North Dakota RMP, it must ensure that the final RMP is consistent with Executive Order 13783, Secretarial Order 3349, and any further guidance provided by the Administration. BLM should not unnecessarily burden energy development through the RMP.
N/A	N/A	North Dakota Petroleum Council, Western Energy Alliance, and Domestic Energy Producers Alliance	Other Laws	BLM must ensure that any conservation measures for wildlife management are consistent with BLM's authority under FLPMA, the Endangered Species Act (ESA), and the Migratory Bird Treaty Act (MBTA). BLM cannot manage non-listed, state- or BLM-designated special status species with the same protections afforded ESA-listed species. Further, with respect to managing special status species habitat, BLM must ensure that its proposed conservation measures are within its authority.
Philip	Strobel	U.S. Environmental Protection Agency	Other Laws	We recommend including documentation of the USFWS consultation and any recommendations for design criteria, mitigation, monitoring, and adaptive management strategies to protect special status species.

First Name	Last Name	Organization Name	Comment Code	Comment Text
Philip	Strobel	U.S. Environmental Protection Agency	Public Health and Safety	<p>To protect human health, the EPA recommends identifying and implementing an oil and gas surface occupancy buffer from occupied structures such as homes, schools and office buildings. The buffer or "setback" distance should be sufficient to minimize the potential for public health impacts associated with exposure to the following: near-field criteria pollutants; HAPs emissions and any other potential toxic emissions such as hydrogen sulfide releases; and potential emissions associated with well blowouts or other explosive events. Setbacks can be an effective health protection tool because they provide an opportunity for emitted air pollutants to disperse before entering an area where they could affect human health. They also provide extra time to warn residents of any unintended releases or emissions. We recommend the setback distances be informed by the following factors:</p> <ul style="list-style-type: none"> * Any near-field modeling results that have been completed for this EIS or similar projects that have been demonstrated to be relevant. We recommend the setback buffer ensures that people are not exposed to air pollution levels exceeding the NAAQS or other health-based thresholds. * Whether mitigation measures and BMPs will be required to reduce risks to nearby residents and other building occupants. Examples of risk reduction mitigation may include requiring closed loop drilling and completion; prohibiting reserve pits or produced water ponds; using lower emitting engine technology; capturing emissions from tanks, separators, and glycol dehydrators; and implementing stringent fugitive vapor controls. * The composition of the planning area's oil and gas resources. For example, certain conditions may indicate the need for a larger setback buffer, including oil and gas resources with high HAPs content, higher explosive potential, or high sulfur or hydrogen sulfide content.

First Name	Last Name	Organization Name	Comment Code	Comment Text
John	Bradley	North Dakota Wildlife Federation	Recreation and Visitor Services	The Big Gumbo and Lost Bridge areas should be managed for their wildlife and recreational values. The Big Gumbo and Lost Bridge tracts offer diverse recreational opportunities, including wildlife viewing, hiking, camping, and hunting. The Big Gumbo area has critical pronghorn and mule deer habitat and provides hunting opportunities for pronghorn, mule deer, as well as grouse. The Lost Bridge area offers hunting and wildlife viewing opportunities for numerous species including mule deer, elk, bighorn sheep, turkey, and sharp-tailed grouse. We recommend that protecting these areas for their recreational areas be prioritized in the RMP. While oil and gas development has had impacts on both areas, we still believe that the acres should be managed under the Backcountry Conservation Area designation. The acres of intact land within Big Gumbo and Lost Bridge should be conserved to retain their wild character and functioning wildlife habitat. The acres that have been impacted by development should be prioritized for restoration back to functional habitat for wildlife and recreational opportunities. BLM lands in Western North Dakota, specifically the larger tracts, provide for high-quality wildlife-dependent recreation associated including hunting and wildlife watching. Those areas should receive special management consideration that prioritizes responsible recreation access, habitat restoration and management-including weed treatments, while maintaining traditional uses of the land that benefit rural communities.
N/A	N/A	North Dakota Backcountry Hunters and Anglers	Recreation and Visitor Services	NDBHA is strongly advocating for the revised RMP to include meaningful actions that would enhance public access, allowing for greater outdoor recreation opportunities. Examples would include the pursuit of easements or land exchanges that would provide greater access to the public's lands.
N/A	N/A	North Dakota Backcountry Hunters and Anglers	Recreation and Visitor Services	NDBHA believes more emphasis should be placed on non-commodity values such as recreation, wildlife and cultural resources. While the chapter supports minerals development and livestock grazing, those activities should not take precedence but rather complement these other uses. While North Dakota has experienced booms and busts in the oil patch, outdoor recreation pursuits have undoubtedly increased. With so little public land in the state, the recreating public looks to these lands as well as the national grasslands and parks to find solitude and quality outdoor experiences.

First Name	Last Name	Organization Name	Comment Code	Comment Text
Blake	Henning	Rocky Mountain Elk Foundation	Recreation and Visitor Services	Public access and hunting heritage: - For many hunter-conservationists, public lands provide the best opportunity to pursue their hunting heritage. These activities deliver economic benefits for local communities, as well as cultural and social benefits. RMEF recommends inclusion of hunting, fishing, trapping, and shooting sports as contributing to local economies and the well-being and quality of life of BLM land users. BLM plans should provide for the continuation of these activities as a valid and vital component of the recreation spectrum. - Identified as the largest barrier to maintaining hunting and angling participants, access to public land plays a critical role in ensuring the future of our hunting heritage. RMEF recommends consideration of public land access needs in BLM planning efforts, including close collaboration with state wildlife agencies to create or maintain access points to the BLM lands that are important for managing wildlife.
N/A	N/A	North Dakota Petroleum Council, Western Energy Alliance, and Domestic Energy Producers Alliance	Social and Economic Conditions	We recommend that BLM include a comprehensive socio-economic impact analysis that analyzes the positive economic benefits of the industry to the State of North Dakota as a whole. Such an analysis is used to assess the social and economic consequences of implementing the various alternatives identified through the planning process. The impact analysis must also include recent and verifiable income and employment information for various economic sectors, community infrastructure, state and local revenues and expenditures, and land use patterns. Mineral development plays a large role in the local economic growth and opportunity for the State of North Dakota.
N/A	N/A	North Dakota Petroleum Council, Western Energy Alliance, and Domestic Energy Producers Alliance	Social and Economic Conditions	The socio-economic analysis within the EIS should also account for the adverse economic impacts from certain restrictions on development and how such restrictions would negatively impact mineral development, as well as the related impacts to jobs and the local economies. These impacts include tax revenues, employment, energy prices and royalty payments. Any decision by BLM in the RMP process that reduces mineral development must fully consider the economic impact of restricting oil and gas development on lands in the Project Area before making any final decisions on an RMP.

First Name	Last Name	Organization Name	Comment Code	Comment Text
N/A	N/A	North Dakota Petroleum Council, Western Energy Alliance, and Domestic Energy Producers Alliance	Social and Economic Conditions	The North Dakota Petroleum Council commissions a study by North Dakota State University every other year to measure the economic impact of the industry in the state. The latest data, from 2017, found that the gross business volume for the entire industry, including infrastructure spending, in North Dakota was estimated at \$32.6 billion. The industry supported 51,400 jobs with a total payroll of \$3.8 billion. Additionally, the industry was estimated to make direct contributions to local and state government tax revenues of \$2.7 billion. Secondary business activity generated an additional \$188 million in government revenues in 2017, with over \$82 million of the total representing sales tax collections. ²⁴ We encourage the BLM to utilize this study as part of its analysis.
N/A	N/A	North Dakota Petroleum Council, Western Energy Alliance, and Domestic Energy Producers Alliance	Social and Economic Conditions	The RMP must include an accurate and timely socio-economic analysis that considers the economic benefits of oil and natural gas development. This analysis should include the potential value of oil and natural gas sales, royalty revenues, production and sales tax revenues and wages generated by the increase or decrease in production that results from each alternative.

First Name	Last Name	Organization Name	Comment Code	Comment Text
Philip	Strobel	U.S. Environmental Protection Agency	Social and Economic Conditions	<p>The EPA recommends the NEPA analysis for the North Dakota RMP include the following: * Identification of any minority, low-income and tribal communities within the geographic scope of the impact area, including the sources of data and a description of the methodology and criteria utilized. The EPA recommends comparing census block group percentages (if available, or, at a minimum, census tract data) for below poverty and minority populations with the state average, and conducting the following steps if a block group percentage is greater than the state average. The EPA does not recommend use of higher thresholds. * A detailed assessment of environmental justice and other socioeconomic concerns for any environmental justice communities, to the extent information is available, including:</p> <ul style="list-style-type: none"> o A discussion of the potential direct, indirect and cumulative environmental impacts of potential BLM-authorized RMP activities on the health of these communities, including air quality and water quality and quantity impacts. o An evaluation of the socio-economic impacts to the local communities, including the potential for any additional loading placed on local communities' abilities to provide necessary public services and amenities. o A determination of whether there may be disproportionately high and adverse impacts, including cumulative impacts, on the identified communities. <p>* Mitigation measures to reduce any disproportionate adverse impacts. We recommend involving the affected communities in developing the measures. The EPA recognizes the need for early involvement of the local communities and supports the meaningful participation of community representatives in the NEPA process.</p>
Philip	Strobel	U.S. Environmental Protection Agency	Soil Resources	<p>Because sediment loading has already caused impairment of water bodies in the planning area, and future activities (including livestock grazing, oil and gas development, and use of off-highway vehicles) that may be authorized under this RMP would result in new surface disturbance that may enable erosion, it is important the Draft EIS include information about this concern. Erodible soils may represent a significant source of pollutants in the planning area. Depending on a host of variables including soil characteristics, industrial operations and topography, associated runoff could introduce sediments as well as salts, selenium, heavy metals, nutrients and other pollutants into surface waters. We recommend providing a map of fragile soils, such as those with elevated levels of salinity or selenium and those prone to erosion, in the planning area.</p>

First Name	Last Name	Organization Name	Comment Code	Comment Text
Philip	Strobel	U.S. Environmental Protection Agency	Solid Leasable Minerals	We recommend that the Draft EIS discuss the potential for coal resources to be explored or developed and anticipated market conditions (e.g., likelihood of development) during the 15- to 20-year planning horizon of the RMP. The analysis should consider if the various coal resources have special factors that could increase environmental effects such as: open pit mining, high methane coal, or higher than typical impacts from transporting the coal to rail or end-users. The analysis should also consider the potential for associated resource impacts at the development stage, including potential air and water resources impacts associated with developing or expanding a mine in areas with limited previous commercial coal mining. The specifics of opening any of these areas to coal leasing should be more fully analyzed with a site-specific environmental analysis
N/A	N/A	North Dakota Petroleum Council, Western Energy Alliance, and Domestic Energy Producers Alliance	Treaty and Tribal Interests	Specifically, the scoping notice suggests that BLM is concurrently conducting a Class I inventory effort for cultural resources and will develop priorities for site protection, including surface use restrictions, visual buffers and physical barriers. We support appropriate management of BLM lands for these site protections, but request that any surface use restrictions or buffers be carefully considered, limited in scope to the least restrictive measures necessary to protect the sites, and identified early enough in the RMP process that the public is able to comment on any proposed protections.
N/A	N/A	North Dakota Petroleum Council, Western Energy Alliance, and Domestic Energy Producers Alliance	Treaty and Tribal Interests	We also request that BLM provide clear guidance regarding cultural resources located on private lands within the planning area, as privacy and landowner access concerns have arisen in similar situations across the West. In those situations, operators have been required to facilitate tribal consultation for sites located within expansive areas of potential effects (APE), in many cases where the operator has no right to access the private lands. BLM should clarify tribal consultation requirements on private surface in the RMP so that these issues do not occur in the planning area. BLM should also ensure that the RMP properly defines APEs so they are not overly expansive and unduly burdensome.

First Name	Last Name	Organization Name	Comment Code	Comment Text
N/A	N/A	North Dakota Petroleum Council, Western Energy Alliance, and Domestic Energy Producers Alliance	Visual Resources	<p>Any surface use restrictions contemplated in the RMP process to protect visual resources should be reasonably tailored and site-specific, and they should recognize the relatively short-term surface disturbance resulting from oil and natural gas operations. A blanket application of broad surface use stipulations is inconsistent with NEPA's requirement to apply the least restrictive prescriptions necessary to protect a resource and should not be included in the RMP. Impacts to visual resources can be successfully mitigated by incorporating best management practices, including design, location, and camouflaging when appropriate. As BLM is aware, many of the more noticeable aspects of oil and natural gas development are temporary in nature, with a large proportion of equipment and infrastructure removed and surface disturbances reclaimed after initial development. Flexible, discretionary management for visual resource impacts based on the unique circumstances presented at each locale is necessary. We recommend that BLM adopt stipulations for visual resource management that fully recognize the transient nature of many of the impacts. Visual impact mitigation requirements for relatively temporary impacts would incur unnecessary additional costs to development which could arbitrarily render a project economically infeasible.</p>

First Name	Last Name	Organization Name	Comment Code	Comment Text
N/A	N/A	U.S. Army Corps of Engineers, North Dakota Regulatory Office	Water Resources	U. S. Army Corps of Engineers Regulatory Offices administer Section 10 of the Rivers and Harbors Act (Section 10) and Section 404 of the Clean Water Act (Section 404). A Section 10 permit would be required for work impacting navigable waters, this includes work over, through, or under Section 10 waters. Section 10 waters in North Dakota are the Missouri River (including Lake Sakakawea and Lake Oahe), Yellowstone River, James River (south of the railroad tracks in Jamestown, North Dakota), Bois de Sioux River, Red River of the North, and Upper Des Lacs Lake. A Section 404 permit would be required for the discharge of dredge or fill material (temporarily or permanently) in waters of the United States. Waters of the United States may include, but are not limited to, rivers, streams, ditches, coulees, lakes, ponds, and their adjacent wetlands. Fill material includes, but is not limited to, rock, sand, soil, clay, plastics, construction debris, wood chips, overburden from mines or other excavation activities and materials used to create any structure or infrastructure in waters of the United States. Although a Resource Management Plan (RMP) does not typically require a Section 404/10 permit action, activities included in the RMP may. Oil and gas development, coal development and mining, even some recreational activities; such as maintenance of trails or access roads, may require a Section 404/10 permit from the Corps.
N/A	N/A	North Dakota Petroleum Council, Western Energy Alliance, and Domestic Energy Producers Alliance	Water Resources	During this scoping process, it is important to keep BLM's role regarding water quality within proper context. BLM must analyze and disclose impacts to water and other resources in NEPA documents but is not the regulating agency responsible for ensuring that oil and gas operations comply with the Clean Water Act (CWA). The North Dakota Department of Environmental Quality (DEQ) has primary water quality jurisdiction on BLM lands. BLM is not legally authorized to regulate water quality standards and it is the responsibility of the State of North Dakota to issue necessary permits for oil and gas operations and to ensure that operators comply with those permits and the CWA. We do not believe it is appropriate for this RMP to impose water quality standards or alter their management decisions to try to manage for water supply. Further, BLM's authority to develop land use plans and otherwise manage federal land under FLPMA does not usurp the water quality authority granted to the states under the CWA.

First Name	Last Name	Organization Name	Comment Code	Comment Text
Philip	Strobel	U.S. Environmental Protection Agency	Water Resources	The EPA recommends that the Draft EIS address how water quality monitoring in the planning area will occur prior to, during, and after anticipated development to detect impacts to both surface water and groundwater resources, including private well monitoring. The National Ground Water Association's Water Wells in Proximity to Natural Gas or Oil Development Brief provides information on the importance of baseline sampling for private wells and the types of analyses recommended
Philip	Strobel	U.S. Environmental Protection Agency	Water Resources	EPA suggests that the BLM describe potential impacts to wetlands and riparian areas that could occur due to project-induced changes on the following: * Stream structure and channel stability; * Streambed substrate, including spawning habitats; and * Stream bank vegetation, riparian habitats, and aquatic biota.
Philip	Strobel	U.S. Environmental Protection Agency	Water Resources	We recommend that the Draft EIS analyze methods to protect wetlands, riparian areas and floodplains, including the following: * Application of minimum setback requirements through leasing stipulations such as NSO for wetlands and riparian areas. EPA's recommended setback and/or NSO distances intended to protect water resources, including wetlands and riparian areas are provided on page 7; * Leasing stipulations to protect floodplains, such as NSO within the 100-year floodplain; and * Delineation and marking of perennial seeps, springs and wetlands on maps and on the ground prior to project level development to ensure identification of these resources to facilitate their protection.
Philip	Strobel	U.S. Environmental Protection Agency	Water Resources	Since projects will tier to this RMP, we recommend the BLM include a map of other groundwater resources and a discussion to include the following the following topics, as appropriate, in the Draft EIS: * Identification of major aquifers, and their physical and chemical characteristics; * Locations of shallow and sensitive aquifers that are susceptible to contamination from surface activities, including alluvial aquifers along streams and rivers; * Location and extent of groundwater recharge areas; * Location and characterization of source water protection zones for public water systems; * Location of existing and potential (i.e., those that can reasonably be used in the future) underground sources of drinking water (USDW) ⁵ ; and * A map and discussion of proposed wells, existing producing wells, and nonproducing wells in the area including their status (e.g., idle, shut-in, plugged and abandoned), if available. Please refer to the North Dakota's Industrial Commission which oversees plugging and reclaiming operations in the State and for well location and abandonment information. ⁶

First Name	Last Name	Organization Name	Comment Code	Comment Text
Philip	Strobel	U.S. Environmental Protection Agency	Water Resources	Please include available groundwater quality information and identify which shallow aquifers are sources for public water systems, domestic wells or stock wells. We also recommend identifying any public water systems in the planning area with water quality violations or with requirements for increased frequency of monitoring for contaminants.
Philip	Strobel	U.S. Environmental Protection Agency	Water Resources	Inspection, maintenance and adjustment of BMPs will help protect groundwater and surface water resources. We recommend that the Draft EIS include a list of potential measures with consideration of the following: * Special protections, such as buffer zones, for high quality riparian and wetland resources including springs and fens. * Management to limit deposition of animal waste in and adjacent to water bodies, such as protecting or repairing any existing exclusions and providing upland water developments and development of new range improvements to discourage congregation near water bodies. * Enhanced monitoring of resource conditions adjacent to high value water resources. * Monitoring to assess effectiveness of range improvements in protecting aquatic resources.
Philip	Strobel	U.S. Environmental Protection Agency	Water Resources	The EPA also recommends that the Draft EIS discuss measures the BLM will require at the project design level to minimize the potential for these impacts to occur and how the operations will be monitored to determine if the mitigation measures are effective. Appropriate groundwater protection measures can vary depending on hydrologic conditions and the presence of drinking water resources or groundwater-dependent ecosystems.
Philip	Strobel	U.S. Environmental Protection Agency	Water Resources	The EPA recommends the Draft EIS describe the current water quality conditions for surface water bodies within the planning area, including perennial, intermittent, and ephemeral streams, rivers, lakes, reservoirs, and surface water drinking water sources. We recommend comparing existing conditions to existing water quality standards or other reference conditions and presenting associated water quality status and trends.

First Name	Last Name	Organization Name	Comment Code	Comment Text
Philip	Strobel	U.S. Environmental Protection Agency	Water Resources	<p>To avoid the potential for project activities to contribute to water quality standards violations and to provide a buffer for attenuating or remediating spills and sediment runoff, we recommend the BLM include the following NSO setbacks in the Draft EIS. These setback distances are likely to be protective of Planning Area water resources in most circumstances. The EPA recognizes that the BLM may adjust setback distances during project permitting to reflect site-specific conditions. * Minimum 100-foot NSO setback from slopes greater than 30%; * Minimum 500-foot NSO setback for flowing waters (rivers and streams) or 100-year floodplain, whichever is greater; 7 * Minimum 500-foot NSO setback for lakes, ponds and reservoirs, wetland and riparian areas and springs; * Minimum 750-foot NSO setback for CWA Section 303(d) impaired waters; * Minimum 1,000-foot NSO setback for state or federally designated exceptional waters; * Minimum 100-foot NSO setback for intermittent and ephemeral streams; * NSO for state-designated source-water protection areas; * Minimum 500-foot NSO setback from private wells. We note that a number of states including Colorado and North Dakota have adopted a 500-foot setback from occupied dwellings (and by default, the associated domestic well); * Minimum 1000-foot NSO for groundwater and GWUDISW sources; 8 and * NSO within ACECs or other valued areas where important aquatic resources may be impacted.</p>
Philip	Strobel	U.S. Environmental Protection Agency	Water Resources	<p>In addition, the EPA recommends the Draft EIS include a general discussion of how flowback and produced water will be managed including: * Estimated volume of produced water per well; * Options and potential locations for managing the produced water (i.e., recycling, UIC wells, evaporation ponds, and surface discharges); * Possible target injection formations, formation characteristics and depth of any UIC wells; and * Potential impacts of produced water management.</p>

First Name	Last Name	Organization Name	Comment Code	Comment Text
Philip	Strobel	U.S. Environmental Protection Agency	Water Resources	The EPA recommends that the Draft EIS analyze potential impacts to surface waters related to erosion and sedimentation from land disturbance and stream crossings, as well as potential impacts associated with oil and gas well development, including drilling and production and potential spills and leaks from pits, evaporation ponds, and pipelines. We also recommend analyzing potential impacts to impaired water bodies within and/or downstream of the planning area, including water bodies listed on the most recent EPA-approved CWA § 303(d) list. This analysis is particularly important given the number of impaired water bodies in the planning area and water bodies with completed Total Maximum Daily Loads (TMDLs). Where TMDL analyses for impaired water bodies within, or downstream of, the planning area still need to be developed, we recommend that proposed activities in the drainages of CWA impaired or threatened water bodies be either sited and designed to improve resource conditions, or to prevent any worsening of the impairment. Activities should be avoided where impacts would cause or additionally contribute to water quality impairment.
Philip	Strobel	U.S. Environmental Protection Agency	Water Resources	We recommend that the Draft EIS include a discussion of the following: * A range of water demand per well developed in the planning area (based on predicted well depths, formation characteristics, and well designs, as well as hydraulic fracturing operations, if used); * Possible sources of water needed for oil and gas development; and * Potential impacts of the water withdrawals (e.g., drawdown of aquifer water levels, reductions in stream flow, impacts on aquatic life, wetlands, groundwater-dependent ecosystems, and other aquatic resources).
Philip	Strobel	U.S. Environmental Protection Agency	Water Resources	We also recommend including a list of required protection measures and BMPs that would be applicable at the project level for construction, oil and gas well drilling and production activities to prevent adverse impacts to these aquatic resources. These could include silt fences, detention ponds and other stormwater control measures.
Philip	Strobel	U.S. Environmental Protection Agency	Water Resources	The potential environmental impacts of grazing may stem from vegetation loss, accelerated soil loss, bank erosion, soil compaction, increased surface storm flow, reduced stream base flows from decreased infiltration to groundwater, and changes in water temperature associated with shade loss or channel widening. Based on the BLM's experience with grazing in the planning area, we recommend the Draft EIS include an assessment of each alternative's potential impacts and benefits to aquatic resources, including impacts to water quality, stream and wetland processes, and fish populations/habitat.

First Name	Last Name	Organization Name	Comment Code	Comment Text
Philip	Strobel	U.S. Environmental Protection Agency	Water Resources	The EPA recommends that the Draft EIS include a summary description of the types of impacts that may result from grazing to riparian areas, wetlands and associated springs. Such impacts may include functional conversion of wetlands (e.g., forested to shrub-scrub); changes to supporting wetland hydrology (e.g., snow melt patterns, sheet flow, and groundwater hydrology); and wetland disturbance. With respect to grazing, we also recommend that the Draft EIS describe how the BLM intends "to minimize the destruction, loss or degradation of wetlands, and to preserve and enhance the natural and beneficial values of wetlands" as described in Executive Order (EO) 11990, Protection of Wetlands.
Philip	Strobel	U.S. Environmental Protection Agency	Water Resources	The EPA recommends that the Draft EIS analyze potential impacts to groundwater quality and quantity related to resource extraction such as mining and oil and gas production. Potential impacts include those associated with the following: leaks and spills; production and disposal of produced water or processing waters; use of pits, underground injection control (UIC) wells, tailing ponds, infiltration basins and evaporation ponds; production wellbore integrity; closure requirements; pipeline use; and impacts associated with restimulation and abandonment of existing wells.

First Name	Last Name	Organization Name	Comment Code	Comment Text
Philip	Strobel	U.S. Environmental Protection Agency	Water Resources	<p>Specifically, the EPA recommends that the BLM analyze and disclose potential groundwater monitoring and protection measures, including but not limited to: * BMPs and measures such as water reuse, closed loop drilling, lining of evaporation ponds, monitoring of water quality and water levels, closure and monitoring of tailings ponds, reserve pits and evaporation ponds; * Setback stipulations, such as No Surface Occupancy (NSO), to minimize the potential for impacts to potential drinking water resources, including domestic water wells and public water supply wells. Setbacks are effective health and environmental protection tools because they provide an opportunity for released contaminants to attenuate before reaching a water supply well and other water resources. They may also afford an opportunity for a release to be remediated before it can impact a well, or for an alternate water supply to be secured. EPA has provided a consolidated list of recommended setback and/or NSO distances for water resources are provided on page 7. * A mitigation plan for remediating future unanticipated impacts to drinking water wells, such as requiring the operator to remedy those impacts through treatment, replacement, or other appropriate means; * A general production well schematic for the project area that depicts the following: casing strings; cement outside and between the various casing strings; and the relationship of the well casing design to potentially important hydro-geological features such as confining zones and aquifers or aquifer systems that meet the definition of a USDW. Discuss how the generalized design will achieve effective isolation of USDWs from production activities and prevent migration of fluids of poorer quality into zones with better water quality; and * Abandonment procedures for sealing wells no longer in use in order to reduce the potential for inactive wells to serve as conduits for fluid movement between production zone(s) and aquifer(s). This is particularly important where existing wells do not have surface casing set into the base of USDWs and lack sufficient production casing cement.</p>

First Name	Last Name	Organization Name	Comment Code	Comment Text
Philip	Strobel	U.S. Environmental Protection Agency	Water Resources	If shallow aquifers are present and could be impacted by future BLM-authorized project activities, then we recommend that the Draft EIS include appropriate standards and guidelines to address siting of management areas and facilities to protect vulnerable resources. For example, latrines and fuel tanks should be sited a minimum of 50 feet away from water wells. We also recommend that the BLM require best management practices (BMPs) such as: establishing proper equipment and vehicle fueling and maintenance practices; providing well-maintained toilets, including secondary containment pans under portable toilets where possible; inspecting vehicles, equipment and storage tanks regularly for leaks; and developing a spill plan.
N/A	N/A	North Dakota Backcountry Hunters and Anglers	Wildlife	The chapter is also advocating for greater emphasis on wildlife habitat to provide hunting and wildlife viewing opportunities. Drastic increases in energy development have occurred since the last RMP was approved in 1988. Since that time, much of the “wildest” parts of North Dakota have been carved up and subdivided for development, including public lands that are very popular with both residents and non-residents alike. A trespass bridge was built over the Little Missouri River without the BLM’s knowledge or approval. These public lands represent some of the core areas of distribution for many of North Dakota’s iconic game species, including pronghorn, elk, mule deer, and sharptail grouse, along with numerous sensitive non-game fauna and flora that depend on grasslands for survival.
N/A	N/A	North Dakota Petroleum Council, Western Energy Alliance, and Domestic Energy Producers Alliance	Wildlife	Finally, we note that any protections contemplated in the RMP for the Dakota Skipper should recognize the strong population levels for the species in 2020 and the possibility that it could potentially be delisted as a Threatened species under the ESA in the near future. BLM should contemplate the need for flexible management provisions that can be quickly adapted should the population levels continue to increase and regulatory protections for the species shift over time.

First Name	Last Name	Organization Name	Comment Code	Comment Text
N/A	N/A	North Dakota Petroleum Council, Western Energy Alliance, and Domestic Energy Producers Alliance	Wildlife	Any proposed stipulations protecting special status plant species habitat must recognize valid existing lease rights, and thereby afford enough flexibility through exception, waiver, and modification criteria to allow for activities needed for exploration and development of those valid lease rights. If the stipulations are too inflexible or regimented with respect to operational and technical issues, BLM will not be able to address such issues appropriately on a project basis. Further, BLM cannot apply such restrictions to existing oil and natural gas leases that do not contain lease stipulations to protect these BLM "sensitive species." While it may be appropriate for the BLM to impose prospective conservation measures for the conservation of special status species, including listed and non-listed species, these conservation measures must allow for site-specific flexibility. Additionally, in the case of non-listed species, BLM cannot entirely prohibit development within species habitat, nor can it impose broad, unjustified buffers around habitat.
Blake	Henning	Rocky Mountain Elk Foundation	Wildlife	Inclusion of elk and elk habitat in planning efforts: - Healthy, free-roaming elk herds contribute to and are intermingled with the social well-being, ecological integrity, cultural objectives, and economic goals of the BLM. Because of this, we suggest that elk and elk habitat be considered a focus for management planning efforts. Where appropriate, BLM Resource Management Plans and other planning documents should provide specific direction for managing priority elk habitat and supporting priority elk populations.
John	Bradley	North Dakota Wildlife Federation	Wildlife	I would just like to stress that North Dakota has very few public land in the state for hunters and anglers and so the importance of wildlife habitat and the Bureau of Land Management, as well as, you know, grasslands and state tracks are critical to our hunters and anglers so we'd really like to see priority on increasing wildlife habitat. Particularly, you know the back-country towns or vacation areas. Using BLM land as a connector of other tracts of land as quality habitat for wildlife species to travel, and I know the Bureau of Land Management has made that a priority and all the resource management plans, but we just like to see that in the North Dakota RMP.

This page intentionally left blank.

Appendix G

Substantive Issues

This page intentionally left blank.

Appendix G. Substantive Issues

Last Name	First Name	Organization Name or Individual	Substantive Issues Raised in Submissions
Bradley*	John	North Dakota Wildlife Federation	Recreation and visitor services Wildlife
Henning	Blake	Rocky Mountain Elk Foundation	Best available information-baseline data Comprehensive travel and transportation management Consistency with Federal/State/local plans Lands and realty Recreation and visitor services Wildlife
Machlis	Ben	Dorsey & Whitney LLP	Air quality and climate Areas of critical environmental concern Fluid leasable minerals GIS data and maps Lands and realty Other laws
Strobel	Philip	U.S. Environmental Protection Agency	Adaptive management and monitoring Air quality and climate GIS data and maps Livestock grazing Other laws Public health and safety Social and economic conditions Soil resources Solid leasable minerals Water resources
Swanson*	Stacy	Billings County	Comment period extension Consistency with Federal/State/local plans
N/A	N/A	U.S. Army Corps of Engineers, North Dakota Regulatory Office	Water resources
N/A	N/A	North Dakota Backcountry Hunters and Anglers	Air quality and climate Fluid leasable minerals Lands and realty Recreation and visitor services Wildlife

Last Name	First Name	Organization Name or Individual	Substantive Issues Raised in Submissions
N/A	N/A	North Dakota Petroleum Council, Western Energy Alliance, and Domestic Energy Producers Alliance	Air quality and climate Areas of critical environmental concern Best available information-baseline data Fluid Leasable minerals Lands and realty Lands with wilderness characteristics Other laws Social and economic conditions Treaty and tribal interests Visual resources Water resources Wildlife

*Commenter submitted a written submission as well as a verbal submission during virtual public meeting.