

**Protest from members of the North Fork Community and others of the public**

December 17, 2012

Helen Hankins, Colorado State Director  
Colorado State Office Bureau of Land Management  
2850 Youngfield Street  
Lakewood, CO 80215

Submitted via facsimile to 303-239-3799

## **Don't Lease the North Fork!**

### **Protest of Colorado BLM Lease Parcels**

COC75726, COC75860, COC75863, COC75864, COC75865, COC75866, COC75867, COC75868,  
COC75869, COC75870, COC75871, COC75872, COC75873, COC75874, COC75875, COC75876,  
COC75877, COC75878, COC75879, and COC75880

We the parties below hereby file protest on the leasing for oil and gas of public land and split estate parcels in the North Fork Valley of Colorado. These public lands, administered by the Bureau of Land Management (BLM) Uncompahgre Field Office, cannot be leased for oil and gas development:

- Until such a time as the BLM can show it has complied with agency regulation and federal law; and,
- Until the BLM has in place an updated Resource Management Plan that accounts for, protects, and provides adequate management for the North Fork's public lands and affected resources.

This protest asserts that the BLM's failure, so far, in its above obligations means that the twenty (20) North Fork parcels (COC75726, COC75860, COC75863, COC75864, COC75865, COC75866, COC75867, COC75868, COC75869, COC75870, COC75871, COC75872, COC75873, COC75874, COC75875, COC75876, COC75877, COC75878, COC75879, and COC75880) and the lands of which they are comprised; must be withdrawn from oil and gas leasing. This protest is timely filed.

### **The Statement of Reasons**

**I. The November 2012 Environmental Assessment fails to support its Finding of No Significant Impact, and thus cannot support the leasing of these parcels.**

The document issued by the Colorado State Office of the BLM offered as a final Environmental Assessment (EA) is a substantively different document than the initial EA offered up by the agency last winter. But its Findings of No Significant Impact are, in both cases, inexplicable.

There is a wealth of significant new information and greatly changed circumstances involving these lands. For most of the public and stakeholders this action is significant on its face. At some point public input has to weigh on public land agencies spending public funds to administer public resources. This new information and these changed circumstances affect the broad spectrum of resources the agency is mandated to manage for, to consider, and in some cases to protect.

Most of this was never properly considered in any Environmental Impact Statement-level document, as per the requirements of the National Environmental Policy Act (NEPA). Due to the likelihood of significant impacts, should oil and gas development occur on these lands that the agency is preparing to irretrievably commit to that activity under a 30-year-old analysis: the November 2012 Environmental Assessment cannot be used to support the leasing of these parcels.

**II. The 1980's Resource Management Plan is wholly inadequate in nearly every way as a framework for potential industrial development in the North Fork.**

The November leasing EA ignores a host of potentially significant impacts. This is due largely to the BLM's reliance on a flimsy document from during the Reagan presidency that purports to provide a 'Reasonable Foreseeable Development Scenario,' and thereby the basis for the agency's entire analysis of potentially significant impacts from oil and gas.

But an agency being purposefully obtuse is not an excuse for ignoring legal requirements. Simply put, the 1989 EIS is outdated and legally questionable. The 1989 EIS does not describe the human environment, the local communities, the natural environment, the sensitive resources, the watersheds and supplies, the recreational and public use, the community infrastructure, or the economy of the North Fork that is intertwined and dependent with and upon these public lands today. Nor does the 1989 EIS properly disclose, consider, and provide foundation for adequate management of these heavily utilized public lands.

As a consequence, the 1989 Resource Management Plan (RMP) based on this outdated, stale analysis does not provide a suitable framework for oil and gas development in 2013, such that the agency can show it is acting with prudence in avoiding undue degradation of the public lands and affected resources and uses of the lands.

In this case the agency has not met its requirements, and the leasing of these parcels should not proceed. The BLM cannot simply dodge its required analysis because it does not care to do its work. The agency must consider the overall impacts and cumulative effects of its action on the communities of the North Fork, on its scenic qualities, its agricultural and tourism economy, on the land, air, water and wildlife.

These parcels must be withdrawn and suspended until the BLM can demonstrate it has complied with its obligations.

**Request to withdraw parcels and suspend oil and gas leasing of public lands in the Uncompahgre Field Office**

We, the parties listed below, providing all necessary detail, hereby file protest on the sale of the following parcels:

Specifically, we request the withdraw and suspension of lease parcels COC75726, COC75860, COC75863, COC75864, COC75865, COC75866, COC75867, COC75868, COC75869, COC75870, COC75871, COC75872, COC75873, COC75874, COC75875, COC75876, COC75877, COC75878, COC75879, COC75880.

These parcels cannot be leased until the BLM has complied with agency regulation and federal law. Thus, we respectfully request that these twenty (20) parcels be withdrawn from this and all future oil and gas lease sales and that the BLM make completing its RMP revision for the Uncompahgre Field Office a top priority, ensuring that the North Fork have in place updated and relevant management.

BLM Colorado Oil and Gas Lease Sale-February 14, 2013

North Fork Protest of Parcels: COC75726, COC75860, COC75863, COC75864, COC75865, COC75866, COC75867, COC75868, COC75869, COC75870, COC75871, COC75872, COC75873, COC75874, COC75875, COC75876, COC75877, COC75878, COC75879, COC75880

**Protest submitted by the following parties**

Include: 1) name, 2) address, 3) your interest in these public lands, and 4) any relevant affiliation or entity in behalf of which you are protesting.

Cc:

Mike Pool, Director U.S. Bureau of Land Management  
Secretary Ken Salazar, U.S. Department of Interior  
U.S. Senator Mark Udall  
U.S. Senator Michael Bennet  
U.S. Congressman Scott Tipton  
State Senator Gail Schwartz  
State Representative Millie Hamner  
Commissioner-elect Mark Roeber  
BLM National Director Mike Pool  
Colorado Department of Natural Resources Director Mike King  
Colorado Agriculture Commissioner John Salazar  
Select members of the media