

August 28, 2018

**BY ELECTRONIC MAIL AND
U.S. CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

Greg Shoop
Acting Director
Colorado State Office
U.S. Bureau of Land Management
2850 Youngfield
Lakewood, CO 80215

Re: Request for Public Hearings on Proposed December 2018 Oil and Gas Lease Sale

Dear Acting Director Shoop:

Pursuant to the National Environmental Policy Act (“NEPA”), the undersigned are writing to request that the U.S. Bureau of Land Management (“BLM”) hold public hearings in conjunction with its proposed December 2018 oil and gas lease sale in Colorado. Given the immense environmental controversy surrounding the agency’s proposed lease sale, as well as substantial public interest in holding hearings, the agency is required to hold such hearings prior to making any decision related to the December 2018 oil and gas lease sale.

In accordance with White House Council on Environmental Quality NEPA regulations, the BLM must “[m]ake diligent efforts to involve the public in preparing and implementing [its] NEPA procedures.” 40 C.F.R. § 1506.6(a). To this end, the BLM is obligated to “[h]old or sponsor public hearings or public meetings whenever appropriate[.]” 40 C.F.R. § 1506.6(c). It is appropriate to hold public hearings or meetings whenever there is “[s]ubstantial environmental controversy concerning the proposed action or substantial interest in holding the hearing.” 40 C.F.R. § 1506.6(c)(1). The agency’s duty to hold public hearings around its actions is also set forth in the BLM’s NEPA Handbook at H-1790-1, Section 6.9.1.

Here, there is no denying that there is substantial environmental controversy around the agency’s proposed lease sale in December 2018. The proposed sale includes many parcels in the North Fork Valley of Colorado, near Dinosaur National Monument, next to the Arapaho National Wildlife Refuge, and in sensitive wildlife habitat, including critical habitat for sage grouse. There is immense public concern and controversy over the impacts of leasing. This controversy has been fueled by accelerated leasing schedules, lack of NEPA analysis in several impacted areas, and moving forward with a lease sale prior to completion of revised Resource Management Plans in several Colorado Field Offices, including the Uncompahgre and Royal Gorge Field Offices.

The environmental controversy around the December 2018 lease sale is underscored by the fact that even Colorado Governor John Hickenlooper has expressed numerous concerns over the BLM’s proposed leasing. In a July 17, 2018 letter, the Governor voiced deep concerns over impacts to sage grouse, big game habitat, and over leasing in the North Fork Valley.

The proposed sale is all the more controversial given a recent federal court ruling holding that BLM is obligated to fully analyze and assess the environmental impacts of oil and gas leasing, including climate, water, and other impacts, pursuant to NEPA. *See San Juan Citizens All. v. U.S. Bureau of Land Mgmt.*, No. 16-CV-376-MCA-JHR, 2018 WL 2994406 (D.N.M. June 14, 2018). Here, there is significant concern that the BLM is not adhering to these fundamental requirements under the NEPA.

Without a doubt, there is substantial interest in holding a hearing. The undersigned, which represent 14 organizations and tens of thousands of members, are extremely interested in having a public forum within which to engage the BLM and to voice concerns and comments. Coupled with the level of controversy and interest in oil and gas leasing issues in Colorado, there is an enormous amount of public interest in holding a hearing.

We request the BLM hold at least three hearings around the December 2018 oil and gas lease sale, including one in the North Fork Valley, one in Grand Junction, and one at or near the Colorado State Office.

Absent public hearings, the December 2018 oil and gas lease sale will stand as an affront to the American public interest and our right to due process. We request the BLM respond in writing to our request as soon as possible.

Sincerely,



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U.S. Senator Cory Gardner
U.S. Representative Scott Tipton
Colorado State Senator Kerry Donovan
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