



# United States Department of the Interior



## BUREAU OF LAND MANAGEMENT

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**AUG 31 2006**

In Reply Refer To:  
3100 (920) P

### **CERTIFIED – RETURN RECEIPT REQUESTED**

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### **DECISION**

**PROTEST SUSTAINED, PARCELS RETROACTIVELY WITHDRAWN**

**PROTEST OF 11 PARCELS INCLUDED IN THE JUNE 2006 COMPETITIVE OIL AND  
GAS SALE**

PARCEL CA 6-06-8  
PARCEL CA 6-06-22  
PARCEL CA 6-06-23  
PARCEL CA 6-06-24

PARCEL CA 6-06-25  
PARCEL CA 6-06-26  
PARCEL CA 6-06-27  
PARCEL CA 6-06-28

PARCEL CA 6-06-29  
PARCEL CA 6-06-30  
PARCEL CA 6-06-31

On May 26, 2006, Los Padres Forestwatch and the Center for Biological Diversity (Forestwatch/CBD) filed a protest related to the Bureau of Land Management, California State Office offer of eleven parcels for a competitive oil and gas lease auction, to be held on June 14, 2006. Eight private surface owners also filed protests in advance of the June sale. In separate letters received on May 18<sup>th</sup> (Durham), May 24<sup>th</sup> (Johnson and Maines), and May 30<sup>th</sup> (Fowler and Fox) 2006, filed protests related to the offer of parcel CA 6-06-24. Mr. Farry, Ms. Lotta, Ms. Leos, and Mr. and Mrs. Leos also submitted letters of protest, but did not specify which parcel(s) were being protested. All of the protests were received more than 15 calendar days prior to the sale, and were considered to be timely filed. The State Director elected to include all of the parcels in the competitive sale while the merits of the protests were considered. All of the protested parcels received competitive offers at the sale.

#### **DECISION:**

After careful consideration of the issues outlined in the Forestwatch/CBD Statement of Reasons, I have decided to sustain the protests. The competitive bids are therefore declined, and the above numbered parcels are retroactively withdrawn from the June 14, 2006 competitive sale. The California State Office will refund all payments which may have been received from individuals or companies related to the protested parcels.

#### **DISCUSSION:**

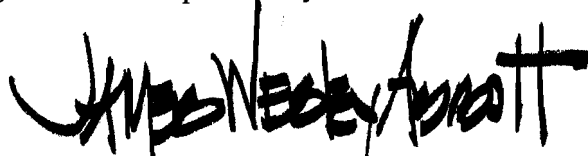
**1. The Forestwatch/CBD protest challenges six aspects of BLM's National Environmental Policy Act (NEPA) compliance for the lease sale. The protest maintains that: (1) BLM did not properly notify interested parties about the availability of the environmental assessment and comment period, (2) BLM should have prepared a full EIS for the leasing action, (3) the supporting environmental analysis was not sufficient, (4) BLM failed to take a "hard look" at environmental impacts, (5) BLM failed to comply with procedural requirements of NEPA, and (6) mitigation measures were not substantiated and were inadequate.**

**BLM Response:** With respect to one or more of the elements of the Forestwatch/CBD protest, I have determined that BLM may not have strictly followed internal policy and guidance regarding compliance with NEPA. Sustaining the protests will provide BLM with an opportunity to more fully address public concerns which have been raised in response to the decision to offer the parcels for competitive leasing.

The competitive bids are therefore declined, and the above numbered parcels are retroactively withdrawn from the June 14, 2006 competitive sale. The California State Office will refund all payments which may have been received from individuals or companies related to the protested parcels.

**2. The eight (8) private surface owners of parcels offered at the sale identified Forestwatch/CBD as the primary source of information for their protests. All of them specified BLM's failure to notify them of the potential to lease the minerals underlying their property as the key element of their protest. Other issues that were identified included concerns for habitat and wildlife, traditional cultural property values, as well as diminished property values.**

**BLM Response:** As mentioned above, my decision to sustain the Forestwatch/CBD protest will provide ample opportunity to address the concerns that have been raised by all of the protesting surface owners. Therefore, all remaining issues not specifically addressed in the discussion above are dismissed.



Mike Pool  
State Director

