



Submitted via eplanning.blm.gov

March 27, 2024

Tracy Stone-Manning

Director

Bureau of Land Management

U.S. Department of the Interior, Director (630)

1849 C Street, NW, Room 5646

Washington, DC 20240

Re: National Environmental Policy Act Implementing Procedures for the Bureau of Land Management (516 DM 11) BLM_HQ_FRN_MO4500176277

Dear Director Stone-Manning:

Western Energy Alliance recognizes the importance of Categorical Exclusions (CX) for efficiently approving projects where the environmental impact is known or minimal, or for projects that deliver an obvious environmental benefit. Such is the case with the CXs for projects regarding gathering lines and associated field compression or pumping units servicing oil and natural gas wells as well as removal of pinyon pine and juniper trees for the benefit of mule deer or sage-grouse habitats. We appreciate that the Bureau of Land Management (BLM) has faithfully included the Infrastructure Investment and Jobs Act (IIJA) language on CXs for gathering lines because it will reduce venting and flaring by enabling quicker capture of methane. We question BLM's removal of the CX on pinyon pine and juniper management, since conifer removal enhances sagebrush habitat for Greater and Gunnison Sage-Grouse.

Western Energy Alliance is the leader and champion for independent oil and natural gas companies in the West. Working with a vibrant membership base for over 50 years, the Alliance stands as a credible leader, advocate, and champion of industry. Our expert staff, active committees, and committed board members form a collaborative and welcoming community of professionals dedicated to abundant, affordable energy and a high quality of life for all. Most independent producers are small businesses, with an average of fourteen employees.

Gathering Lines CX

We appreciate that BLM has faithfully incorporated the gathering lines CX established by Congress in the IIJA. The installation of gathering lines is a natural CX, as the environmental benefit to more expeditiously lay gathering lines and hence, more quickly capture natural gas off the wellhead and reduce venting and flaring of methane is well recognized. Other than the additional language in the proposed implementing procedures that is not found in IIJA regarding cathodic protection, (Specifically: 1) section 11318 A (iii), "if necessary, cathodic protection ancillary to the line," and; 2) Section 11318, B,

notes that a pipeline “and its cathodic protection as needed.”), BLM has faithfully incorporated the language passed by Congress.

We encourage BLM to acknowledge in the language or in the preamble that inherently, gathering lines enable companies to avoid venting and flaring, and therefore, meet the condition in Section 11318 (b) (1)(C)(i) that the gathering lines and associated equipment transporting methane “would reduce...the total quantity of methane that would otherwise be vented, flared, or unintentionally emitted from the field or unit.” We encourage BLM to acknowledge that the amount of methane reduced does not need to be quantified in order to meet the condition in Section 11318 (b) (1)(C)(i). Likewise, for gathering lines and associated equipment not transporting methane, we encourage BLM to acknowledge that the amount of vehicular traffic reduced does not need to be quantified in order to meet the condition in Section 11318 (b) (1)(C)(ii).

Removal of the Pinyon-Juniper CX

We question BLM’s proposal to remove CX 516 DM 11.J(1) regarding management of pinyon pine and juniper trees for the benefit of mule deer and sage-grouse. Greater Sage-Grouse (GrSG) is an iconic western species with a vast range. At the same time, many important oil and natural gas producing areas are within the sagebrush and sagebrush-steppe ecosystems. Our member companies work cooperatively with the states and federal land managers to protect the Greater and Gunnison Sage-Grouse species. Besides strictly implementing measures to protect sage grouse, such as timing stipulations during brooding and breeding periods, sound abatement, and buffers around leks, many companies engage in voluntary mitigation measures, commit to additional protections in their project NEPA documents, and partner with stakeholders to enhance the species. We are puzzled as to why BLM would put a greater burden on permitting habitat mitigation given that GrSG is a candidate for listing as a Threatened or Endangered species. We are concerned that the removal of 516 DM 11.J(1) will have negative impacts on the species.

It is well known that pinyon-juniper encroachment degrades sagebrush habitat. States like Utah, in particular, have been successful in restoring significant sage grouse habitat through conifer removal. Studies have shown that 86% of hens avoided conifer-invaded habitats and that 29% of tracked sage grouse nested in restored habitat within four years of conifer removal.¹ Studies also show that even a small percentage of pinyon-juniper encroachment can lead sage grouse to abandon areas that had previously provided suitable habitat.²

¹ [“Conifer Removal Boosts Sage Grouse Success,”](#) Sage Grouse Initiative, *Science to Solutions* Series Number 12, 2017.

² [“Saving sage-grouse from the trees: A proactive solution to reducing a key threat to a candidate species,”](#) Baruch-Mordo, S., J.S. Evans, J.P. Severson, D.E. Naugle, J.D. Maestas, J.M. Kiesecker, M.J. Falkowski, C.A. Hagan, and K.P. Reese, *Biological Conservation* 167 (2013) 233-241.

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Given the benefits of pinyon-juniper removal to sage grouse, it is unclear why BLM would wish to remove this administrative CX. We urge BLM to retain 516 DM 11.J(1) and not include its removal in the implementing procedures.

Sincerely,



Kathleen M. Sgamma

President