



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
Utah State Office
440 West 200 South, Suite 500
Salt Lake City, UT 84101-1345

In Reply Refer To:
3160, 3165.3
(UT9220)

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DECISION

WildEarth Guardians : State Director Review
3798 Marshall St., Ste. 8 : UT 17-01
Wheat Ridge, CO 80033 :

On February 22, 2017, pursuant to 43 C.F.R. § 3165.3(b), WildEarth Guardians (WEG) submitted a timely request for State Director Review (SDR) of the Monument Butte Oil and Gas Development Project Environmental Impact Statement, DOI-BLM-UT-G010-2016-0065 (Monument Butte EIS), and the accompanying Record of Decision (ROD). At that time, the ensuing State Director decision (signed by the Deputy State Director through his delegated authority) denied WEG’s request for SDR on the basis that WEG lacked standing to challenge the decision. WEG appealed that decision to the Interior Board of Land Appeals (the Board), and on January 15, 2022, the Board issued a decision, finding WEG had standing to request SDR and remanded the matter back to BLM for “further action consistent with this opinion.”

On remand from the Board, and upon further review of the ROD, the supporting National Environmental Policy Act (NEPA) documentation, and in consultation with the Vernal Field Office, it is my decision to set aside the Monument Butte ROD so that the Vernal Field Office may complete additional NEPA analysis. Consequently, BLM is granting, in part, WEG’s request for SDR regarding its concerns about greenhouse gas emissions and climate change and dismissing the remaining claims as moot.

Appeal Rights

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 C.F.R. Part 4 and the enclosed Form 1842-1. If an appeal is taken, the notice of appeal must be filed in this office (at the address shown on the enclosed Form) within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition for a stay pursuant to 43 C.F.R. Part 4, Subpart B § 4.21, during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay must show sufficient justification based on the standards listed below. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulations, a petition for a stay of a decision pending appeal shall be evaluated based on the following standards:

1. The relative harm to the parties if the stay is granted or denied,
2. The likelihood of the appellant's success on the merits,
3. The likelihood of immediate and irreparable harm if the stay is not granted, and
4. Whether the public interest favors granting the stay.

Copies of the notice of appeal, petition for stay, and statement of reasons also must be submitted to each party named in this decision and to the Office of the Solicitor, Intermountain Region, 125 South State Street, Suite 6201, Salt Lake City, Utah 84138, at the same time the original documents are filed in this office. Parties who purchased parcels subject to any appeal from this decision must be served with a copy of any notice of appeal, petition for stay, and statement of reasons.

If you have any questions concerning this decision, please contact Angela Wadman, Branch Chief of Fluid Minerals, at 801-539-4052.

Sincerely,

Gregory Sheehan
State Director

Enclosures:
Form 1842-1

cc:
BLM District Manager – Green River District
BLM Field Managers – Vernal Field Office