



May 30, 2023

Tracy Stone-Manning, Director
Bureau of Land Management,
1849 C Street NW,
Washington, DC 20006

Director Stone-Manning,

As we briefly discussed during my visit on February 8th, it appears that in Wyoming, the Bureau of Land Management (BLM) has completely halted approvals of oil and gas drilling permits and routine authorizations on any acreage involved in environmental lawsuits, even if not judicially ordered to do so. This unnecessary self-imposed moratorium is extremely concerning, highly unusual and has negative cumulative impacts for State revenue and for the economic health of the state.

Specifically, this relates to a number of cases brought by non-governmental organizations against the BLM. For example, the BLM entered into stipulated settlement agreements to perform additional environmental analysis for leasing decisions challenged in *WildEarth Guardians v. Jewell* (16-cv-1724-RC (D.D.C.)), *WildEarth Guardians v. Bernhardt* (20-cv-56-RC (D.D.C.)), and *WildEarth Guardians v. Haaland* (21-cv-175-RC (D.D.C.)). But those settlement agreements anticipated that the BLM would approve drilling permits during the pendency of its remedial environmental reviews. That has not occurred. BLM has also not issued any approvals associated with challenged leases in *Western Watersheds Project v. Zinke* (18-cv-187-REB (D. Idaho)), *Montana Wildlife Federation v. Zinke* (18-cv-69-BMM (D. Mont.)), despite the fact that those respective courts have not yet reached the merits in the advanced stages of those cases. Collectively, these lawsuits challenge nineteen lease sales in Wyoming held between 2015 and 2020, with some lease sales subject to multiple suits. Of the nineteen challenged sales, only seven are subject to a court order preventing the BLM from approving development.

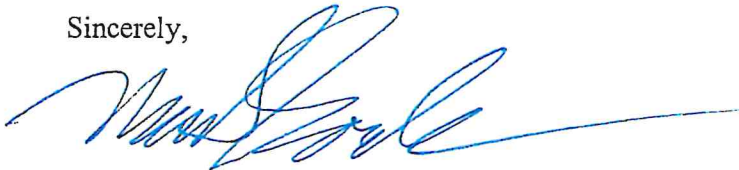
This leaves twelve remaining sales of which the BLM is not subject to any injunction, court ordered cancellation, or suspension from approving drilling permits. However, the BLM is effectively self-enjoining itself from approving development on any of the remaining leases. Wyoming is left with 2,150,844 acres of oil and gas leases being completely blocked from development without any legal reasoning or official justification provided.

To add to the overall concern, to date the State BLM has not issued any of the leases purchased in the 2020 4th quarter sale. Such a delay is certainly unprecedented and unwarranted. This sale involved 165,753 acres with a total bonus bid of \$6,709,811 resulting in \$3.28M to Wyoming. Certainly, a notable sale. However, even though these leases are not under litigation, the leases have not been issued. I understand that the BLM has said that they have received protests that are similar to protests received in the litigated sales. Even so, the general practice has been to issue leases and subsequent APDs and sundries, until a court directs otherwise. These are leases that are currently able to be developed, but due to BLM inaction, are not.

I cannot overstate how important this matter is to our state, industries, economy, and communities. I request that the BLM resume its statutory obligations and take action on the wrongfully stalled lease sale acreage in Wyoming. Attempting to avoid any unknown potential court action by refusing to act is not a solution. The oil and gas industry, along with the State, is left in the dark by the BLM's lack of communication. If this is an internal policy, I ask that it be made known to the public. The BLM must be willing to defend its policies and decisions before the people it serves.

A timely response to my concerns would be greatly appreciated. Please contact Nolan Rap in my office if you have any questions: nolan.rap@wyo.gov or 307-777-7521.

Sincerely,



Mark Gordon
Governor

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cc: Director Andrew Archuleta, State Director