

March 18, 2020

William Perry Pendley  
Deputy Director, Policy and Programs  
Bureau of Land Management  
1849 C Street NW, Room 5665  
Washington, DC 20240

Re: Request for an Extension of the Comment Period for Greater Sage-grouse Draft Supplemental Environmental Impact Statements

Dear Deputy Director Pendley,

On behalf of our millions of members and supporters, the undersigned formally request that the Bureau of Land Management (BLM) extend the deadline for submitting comments on the six Greater Sage-grouse Draft Supplemental Environmental Impact Statements (Draft SEIS) issued in February 2020, addressing management of greater sage-grouse on public lands in Idaho, Colorado, Nevada/California, Oregon, Utah and Wyoming. Based on the applicable provisions of the National Environmental Policy Act, these Draft SEISs should be subject to a 90-day comment period, and the current state of emergency around the country is further complicating even that timeframe.

We request that BLM formally extend the comment period by an additional 45 days (to May 20, 2020) and commit to provide additional time as needed, as the impacts of the COVID-19 pandemic become clearer.

**The Supplemental Draft EISs must follow the same procedures as the Draft EISs, which requires a 90-day comment period.**

As explained by the BLM in the formal announcement of the Draft SEISs: “The draft SEIS addresses issues identified in an October 16, 2019, Order issued by the U.S. District Court for Idaho that placed a preliminary injunction suspending implementation of sage-grouse plans the BLM adopted in March 2019.” Further, the Draft SEISs acknowledge that the supplemental analysis is being prepared in response to a court’s findings that parties challenging the 2019 Amendments to the 2015 Greater Sage-grouse Plans “were likely to succeed on the merits of their claims that the BLM violated the National Environmental Policy Act (NEPA) when adopting the 2019 Greater Sage-Grouse plans.” However, BLM has not complied with NEPA’s requirements to provide the 90-day comment period specified for a draft supplemental EIS associated with a land use planning process.

NEPA requires agencies to “prepare, circulate, and file a supplement to a statement in the same fashion (exclusive of scoping) as a draft and final statement unless alternative procedures are approved by the Council.” 40 CFR § 1502.9(c)(4). The Draft EISs issued to support the 2019 land use plan amendments provided a 90-day comment period,

consistent with BLM's planning regulations. See, e.g., 83 Fed.Reg. 19800 (May 4, 2018) 43 CFR § 1610.2(e). Accordingly, the Draft SEISs should also provide a 90-day comment period; these Draft SEISs are part of the same planning process and explicitly issued to address identified deficiencies in the NEPA analysis that supported the 2019 land use plan amendments. The formal announcement of these Draft SEISs does not even cite to the appropriate regulation (43 CFR § 1610.2(e)), citing only NEPA's general requirements related to public involvement and timing of agency action. To comply with applicable law, BLM must provide a 90-day comment period for these Draft SEISs.

**The national emergency around COVID-19 will also interfere with this comment period, requiring a commitment to further extensions as needed.**

As the pandemic has expanded, disruptions to everyday work and life continue to intensify. We expect similar disruptions are and will continue to occur for BLM's staff, as they navigate this situation along with the rest of us. In light of the extraordinary efforts underway to respond to the COVID-19 pandemic, we expect that the ability of the public, including our staff and members, to meaningfully participate in this process will be disrupted. Please consider the challenges that will affect this process and provide for additional flexibility to extend this comment period as other limitations come to bear.

We appreciate your consideration of this request and would appreciate a prompt response, in advance of the approaching April 6 comment deadline. Please formally extend the comment deadline to May 20, 2020, and explicitly commit to further extensions as the impacts of the pandemic response become clearer. Should you have any questions or wish to discuss this further, please contact the undersigned.

Sincerely

National Audubon Society  
Nada Culver, Vice President, Public Lands  
1580 Lincoln Street, Suite 1280  
Denver, CO 80203  
[Nada.Culver@audubon.org](mailto:Nada.Culver@audubon.org)

Colorado Wildlife Federation  
Suzanne O'Neill, Executive Director

Conservation Colorado  
Luke Schafer, West Slope Director

Backcountry Hunters and Anglers  
John Gale, Conservation Director

Montana Wildlife Federation  
Nick Gevock, Conservation Director

The Wilderness Society  
Dan Smitherman, Wyoming State Manager

Western Values Project  
Jayson O'Neill, Deputy Director

Audubon Rockies  
Alison Holloran, Executive Director and Vice President

Natural Resources Defense Council  
Bobby McEnaney, Director, Dirty Energy Project

cc: Greater Sage-grouse Coordinators:  
Oregon: [jreganvienop@blm.gov](mailto:jreganvienop@blm.gov)  
Colorado: [lwaldner@blm.gov](mailto:lwaldner@blm.gov)  
Idaho [jmbeck@blm.gov](mailto:jmbeck@blm.gov)  
Utah: [mrwood@blm.gov](mailto:mrwood@blm.gov)  
California: [akosic@blm.gov](mailto:akosic@blm.gov)  
Nevada: [csherve@blm.gov](mailto:csherve@blm.gov)  
Wyoming: [jmarzluf@blm.gov](mailto:jmarzluf@blm.gov)