


**Exhibit 4:**

March 18, 2019 BLM Email Regarding  
Wyoming Outdoor Council's FOIA Request

From: **FOIA, BLM\_WY** blm\_wy\_foia@blm.gov   
Subject: FOIA BLM-2018-00463 Determination, Status Update - Chain Lakes  
Date: March 18, 2019 at 12:16 PM  
To: John Rader jora3136@colorado.edu, Dan Heilig dan@wyomingoutdoorcouncil.org

BLM is writing to provide you a status update and determination of your FOIA request BLM-2018-00463 in reference to Chain Lakes. In your request, you sought the following:

- 1) The full and complete proposal to designate some or all of the Chain Lakes WHMA an “area critical environmental concern” (ACEC) referenced in the BLM's ACEC Proposal Evaluation R titled "Evaluation of Relevance and Importance Criteria for Existing and Proposed ACECs - BL Rawlins Field Office," available online at [https://eplanning.blm.gov/epl-front-office/projects/lup/63197/78314/89275/RevisedDraft\\_ACEC\\_Proposal\\_Report\\_101507.pdf](https://eplanning.blm.gov/epl-front-office/projects/lup/63197/78314/89275/RevisedDraft_ACEC_Proposal_Report_101507.pdf), and Table 4 of the BLM's Scoping Report, available online at <https://eplanning.blm.gov/epl-front-office/projects/lup/63197/78302/88923/ScopingReport.pdf>.
- 2) All interagency and intra-agency correspondence, records and communications related in any way, directly or indirectly, to the ACEC proposal referenced above including, but not limited to, correspondence with the Wyoming Governor's Office, Wyoming state agencies and other federal county, and local governments.
- 3) All records and communications that relate in any way, directly or indirectly, to the BLM's re and ultimate rejection of the above referenced ACEC proposal.
- 4) Records created or received after January 1, 2017, that relate in any way, directly or indirectly oil and gas development activities proposed or taking place within the Chain Lakes WHMA. You may exclude from this request: a) NEPA documents available on BLM's ePlanning website; b) records provided by the Wyoming Outdoor Council, such as requests for State Director Review, decisions issued by BLM in response thereto; and 3) email correspondence to and from the requester.

We have determined there to be approximately 12,631 pages/files of potentially responsive material to your FOIA request. All material will require a full review making an allowance for the nine FOIA exemption and three law enforcement exclusions with review emphasis on FOIA Exemptions 4 (confidential/trade secret), Exemption 9 (oil/water wells), Exemption 5 (predecisional/draft; commercial interest; attorney/client/work).

BLM has planned to provide installment responses to your request. You may limit the scope of your request, which may enable us to process it more quickly, or agree to an alternative time period for processing by communicating with us or our FOIA Public Liaison, Ryan Witt at 202-912-7562.

In addition, we are notifying you that at this time, we are seeking consultation with Well Operators, (hereinafter called the Submitters) to determine if documents (or portions thereof) are privileged and/or confidential. 43 C.F.R. § 2.27 and 2.31. Under 43 C.F.R. § 2.27, it states that a Bureau must notify a Submitter(s) in writing when it receives a FOIA request that the Bureau believes is requesting information that may be protected from disclosure.

As such, we will notify the Submitters of your FOIA request and that responsive records may include documents that contain possibly privileged and/or confidential information. We will provide the Submitters with a copy of your FOIA requests and responsive records in question.

However, if the Submitters have any objections to the disclosure of privileged and/or confidential information, the Submitters will provide a detailed written statement that specifies all grounds for withholding the particular information under any FOIA Exemption.

If the Submitters respond back to us with objections and the specific grounds for nondisclosure, we will carefully consider these objections in deciding whether to disclose the information. Please understand that the Bureau, not the Submitter(s), is responsible for deciding whether the information will be released or withheld.

We apologize for the delay. Although we hope that you will wait so that we can complete our review, duplication and consultation process, please note that you may seek dispute resolution services from our FOIA Public Liaison, Ryan Witt and/or seek dispute resolution services from the Office of Government Information Services (OGIS).

If you choose to contact OGIS, you may do so in any of the following ways:

Office of Government Information Services

Office of Government Information Services  
National Archives and Records Administration  
8601 Adelphi Road - OGIS  
College Park, MD 20740-6001  
E-mail: [ogis@nara.gov](mailto:ogis@nara.gov)  
Web: <https://ogis.archives.gov>  
Telephone: 202-741-5770  
Fax: 202-741-5769  
Toll-free: 1-877-684-6448

You may also file an appeal with the Department's FOIA/Privacy Act Appeals Officer regarding this delay. If you choose to appeal this delay, you may do so anytime between now and the date we make our determination on the FOIA request. Appeals arriving or delivered after 5 p.m. Eastern Time, Monday through Friday, will be deemed received on the next workday.

**Your appeal must be made in writing.** You may submit your appeal and accompanying materials to the FOIA/Privacy Act Appeals Officer by mail, courier service, fax, or email. All communications concerning your appeal should be clearly marked with the words: "FREEDOM OF INFORMATION APPEAL." You must also include with your appeal copies of all correspondence between you and BLM concerning your FOIA request, including your original FOIA request and BLM's response. Failure to include with your appeal all correspondence between you and BLM will result in the Department's rejection of your appeal, unless the FOIA/Privacy Act Appeals Officer determines (in the FOIA/Privacy Act Appeals Officer's sole discretion) that good cause exists to accept the defective appeal.

Please include your name and daytime telephone number (or the name and telephone number of an appropriate contact), email address and fax number (if available) in case the FOIA/Privacy Act Appeals Officer needs additional information or clarification of your appeal.

*DOI FOIA/Privacy Act Appeals Office Contact Information*

Department of the Interior  
Office of the Solicitor  
1849 C Street, N.W.  
MS-6556 MIB  
Washington, DC 20240

Attn: FOIA/Privacy Act Appeals Office

Telephone: (202) 208-5339  
Fax: (202) 208-6677  
Email: [FOIA.Appeals@sol.doi.gov](mailto:FOIA.Appeals@sol.doi.gov)

We regret the delay and appreciate your consideration. For more information on FOIA Administrative Appeals, you may review the Department's FOIA regulations at [43 C.F.R. Part 2, Subpart H](#). If you have any questions, you may contact the BLM WY FOIA Office at 307-775-6180, by email at [BLM\\_WY\\_FOIA@blm.gov](mailto:BLM_WY_FOIA@blm.gov) or by mail at 5353 Yellowstone Road, Cheyenne, WY 82009.

Sincerely,

Bureau of Land Management FOIA Specialists  
Wyoming State Office  
Phone: (307) 775-6180  
[BLM\\_WY\\_FOIA@blm.gov](mailto:BLM_WY_FOIA@blm.gov)

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