United States Department of the Interior
Bureau of Land Management
Bakersfield Field Office
3801 Pegasus Drive
Bakersfield, California 93308-6837
www.ca.blm.gov/bakersfield

DECISION RECORD

Offering for Lease Certain Parcels within the
Bakersfield Field Office
For the
September 10, 2008 Oil and Gas Competitive Lease Auction

DECISION: It is my decision to approve the proposed actions as described in Environmental Assessment (EA) number CA-160-08-067, except as noted below. Mitigation measures were built into the proposed action, and I have determined that additional mitigation is not required.

RATIONALE: This decision allows fourteen parcels encompassing 3,873.54 acres of land within the Bakersfield Field Office to be offered for oil and gas lease auction. These lands were previously identified as being available for lease in the Caliente Resource Management Plan, which was prepared with extensive public involvement. Restrictive stipulations designed to protect sensitive resources were identified at that time. This action is in conformance with that direction, which was analyzed in an environmental impact statement.

The proposed action allows BLM to comply with national directives regarding oil and gas leasing. The Bureau of Land Management (BLM) has been mandated by Congress and the President to manage public lands for multiple uses. One of these legitimate uses is energy production. The Bakersfield Field Office has a proven track record of balancing energy production with other uses, including wildlife habitat and the protection of cultural resources. This EA documents that this action can be approved and implemented without unnecessary and undue degradation.

A "no action" alternative was also considered. Since no unresolved conflicts involving alternate uses of resources, or options offering meaningful differences in environmental impacts, were identified during the course of analysis, the range of three alternatives was considered to be sufficient.

The EA was made available for public review and comment on May 23, 2008. The public was notified of the availability of the environmental assessment via letters, press release, and notices on BLM web pages.

BLM received two letters commenting to the EA within the legal 30-day timeframe. One commentor identified concerns that the area should not be included for lease and identified the ruggedness of the land; that it would be dangerous for anyone to cross such terrain. The second commentor identified concerns regarding biological consultation, climate change and air quality. The final EA addresses these concerns. In addition, other minor clarifications and clerical corrections were made in the EA.

Key points in the final EA include:

The parcels to be offered for leasing are in Kern and Kings Counties. All of these parcels were nominated by industry. Therefore they represent areas of high interest (See Appendix A – description of lands). Approximately, 3,873.54 acres of Federal mineral estate are considered for leasing. Approximately

244.62 acres are public surface with Federal mineral estate and approximately 3,628.92 acres are split estate (private surface with Federal subsurface minerals). All parcels would be subject to special leasing stipulations that would protect both endangered species and sensitive species and their habitat.
BLM projects that up to 20 wells will be drilled on lands proposed for leasing in this action, with no more than 82 acres of disturbance, of which only 32 acres are considered permanent. It is not likely that all parcels will be leased, and the environmental assessment forecasts that only a small number of leased parcels will ever be developed. In addition, the disturbance from any development that does occur is projected to cover only a small part of a given parcel. This environmental assessment takes a hard look at the types and extent of the impacts that can be expected, and how they might affect critical resources. In the future when specific development proposals are received, they will be evaluated via subsequent site specific environmental analyses. Although a lessee has the right to develop a lease, BLM retains the authority to require proposals to be relocated or redesigned in such a way as to protect sensitive resources.

FINDING OF NO SIGNIFICANT IMPACT: See attached Finding of No Significant Impact.

APPEALS:

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations at Title 43 of the Code of Federal Regulations (CFR) Part 4, and the information provided in BLM Form 1842-1.

If an appeal is taken, your notice of appeal must be filed in the Bakersfield Field Office, Bureau of Land Management, U.S. Department of the Interior, 3801 Pegasus Drive, Bakersfield, California 93308, 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 of the effectiveness of this decision during the time that your appeal is being reviewed by the board, pursuant to Title 43 of the Code of Federal Regulations, Part 4, Subpart E, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards to Obtaining a Stay:

Except as otherwise provided by law or other pertinent regulations, a petition for a stay of a decision pending appeal shall show sufficient justification 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.

Timothy Z. Smith

Timothy Z. Smith
Bakersfield Field Office Manager

7/25/08
Date