

**U.S. Department of the Interior
Bureau of Land Management
Little Snake Field Office
455 Emerson Street
Craig, CO 81625**

**DOCUMENTATION OF LAND USE PLAN
CONFORMANCE AND NEPA ADEQUACY**

NUMBER: CO-100-2008-085 DNA

PROJECT NAME: November 2008 Oil & Gas Leasing, Little Snake Field Office

LEGAL DESCRIPTION: See Exhibit A

A. Describe the Proposed Action

The proposal is to lease, for potential oil and gas exploration and production, approximately 30,740 acres of Federal mineral estate within the Little Snake Field Office Area. The US Bureau of Land Management (BLM) and private landowners manage the surface estate. The mineral estate is administered by the BLM. Thirty parcels of varying sizes are recommended to be leased. (See Exhibit A) All of the acreage is in Moffat County and Routt County. The legal descriptions and applicable land use stipulations are identified in Exhibit A. The parcels identified in Exhibit A are proposed to be included in the upcoming November 2008 competitive lease sale.

As part of the Little Snake Field Office (LSFO) review, parcels are reviewed to make sure the appropriate stipulations will be attached at the time of the lease sale. Parcels: 4938, 4971, 4921, 4937, 4964, 4965, 4923, 4946, 4947, 4945, 4950, 4951, 4952, 4953, 4954, 4924, 4948, 4955 and 4949 recommended for leasing have the correct stipulations identified.

The following portions of parcels are recommended to be deferred from leasing as they are within .6 miles of a greater sage grouse lek.

The following parcels are recommended to be deferred from leasing as portions of these parcels are within the 100 year flood plain of the Yampa River which is critical habitat for the Colorado pikeminnow, a federally endangered fish species.

B. Land Use Plan (LUP) Conformance

LUP Name: Little Snake Resource Area, Resource Management Plan (RMP)/EIS and Record of Decision (ROD)

Date Approved: April 26, 1989

Final RMP/EIS, September 1986

Draft RMP/EIS, February 1986

The proposed action implements the LUPs Planned Action objective on Page 8 of the ROD to allow oil and gas leasing with required stipulations.

C. Identify applicable NEPA documents and other related documents that cover the proposed action.

Colorado Oil and Gas Leasing & Development Final EIS Plan Amendment
Date Approved: October 1991

D. NEPA Adequacy Criteria

1. Is the current proposed action substantially the same action (or is a part of that action) as previously analyzed? Is the current proposed action located at a site specifically analyzed in an existing document?

Yes, the proposed lease parcels are within the area analyzed by the RMP and this action is the same as proposed there in. That action was to make Federal oil and gas resources available for leasing with standard stipulations or, where necessary add special stipulations including no surface occupancy, avoidance, or timing restrictions.

According to the Tenth Circuit Court of Appeals, site-specific NEPA analysis is not possible absent concrete proposals. Filing of an Application for Permit to Drill is the first useful point at which a site-specific environmental appraisal can be undertaken. (Park County Resource Council, Inc. v. U.S. Department of Agriculture, 10th Cir., April 17, 1987). In addition, the Interior Board of Land Appeals has decided that, BLM is not required to undertake a site-specific environmental review before issuing an oil and gas lease when it previously analyzed the environmental consequences of leasing the land. (Colorado Environmental Coalition Et AL., IBLA 96-243, decided June 10, 1999).

2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the current proposed action, given current environmental concerns, interests, and resource values?

Yes, the alternatives analyzed in the RMP included Continuation of Present Management, Standard Terms and Conditions, and the Proposed Action. They provided a broad range of alternatives, which in our judgment adequately address current environmental concerns, interests, and resource values.

3. Is the existing analysis valid in light of any new information or circumstances?

Yes, the existing RMP/EIS is valid. We are not aware of any new information or circumstances that would require modification of the analysis. The impacts analyzed in the RMP/EIS are greatly in excess of those that have actually occurred to date.

Since the RMP was approved, on-going scientific research has identified the potential impacts of “greenhouse gases” (GHG) and their effects on global atmospheric conditions. These GHGs include carbon dioxide, CO₂; methane; nitrous oxide; water vapor; and several trace gases. Through complex interactions on a global scale, these GHG emissions are believed by some to cause a net warming effect of the atmosphere primarily by decreasing the amount of heat energy radiated by the Earth back into space.

In 2001, the Intergovernmental Panel on Climate Change (IPCC) predicted that by the year 2100, global average surface temperatures would increase 1.4 to 5.8°C (2.5 to 10.4°F) above 1990 levels. The National Academy of Sciences (2006) supports these predictions, but has acknowledged that there are uncertainties regarding how climate change may affect different regions. In 2007, the IPCC also concluded that “warming of the climate system is unequivocal” and “most of the observed increase in globally average temperatures since the mid-20th century is very likely due to the observed increase in anthropogenic [man-made] greenhouse gas concentrations.” Other theories about the effect of GHG’s on global climate change exist.

The assessment of GHG emissions and climate change remains in its formative phase; therefore, it is not yet possible to know with certainty the net impact to climate from GHGs produced globally over the last century or from those produced today. The lack of scientific tools designed to predict climate change on regional or local scales limits the ability to quantify potential future impacts of climate change on the specific area offered for leasing. In addition, while any leasing and future development may involve some future contribution of GHGs, these contributions would not have a significant effect on a phenomenon occurring at the global scale believed by some to be due to over a century of human activities.

In any case, no emission generating activities can occur without further BLM approval. If the parcels are proposed for development subsequent to lease issuance, operations that may be considered sources of GHG emissions could be made subject to any condition of approval addressing greenhouse gas emissions that BLM may develop through future NEPA analysis at either the plan or development project level designed specifically to reduce GHG emissions. Specific measures developed at the project stage would be incorporated as “Conditions of Approval” in the approved APD and are binding on the operator.

While there is new information concerning the contribution of greenhouse gas emissions to climate change, the information is not significant in relation to the environmental effects of this action. Therefore, no additional NEPA analysis is needed for this action.

4. Do the methodology and analytical approach used in the existing NEPA document(s) continue to be appropriate for the current proposed action?

The methodology and analytical approach used in the 1991 leasing EIS is appropriate for this proposed action. The use of new methodologies or approaches would result in the same impact conclusion and leasing decisions.

5. Are the direct and indirect impacts of the current proposed action substantially unchanged from those identified in the existing NEPA document(s)? Does the existing NEPA document analyze site-specific impacts related to the current proposed action?

The direct and indirect impacts of the current proposed action are substantially unchanged from those identified in the 1991 leasing EIS. (See also D.1. above.)

6. Are the cumulative impacts that would result from implementation of the current proposed action substantially unchanged from those analyzed in the existing NEPA document(s)?

Yes, the actual cumulative impacts are well within the parameters addressed in the 1991 Oil & Gas Leasing Plan Amendment on pages 2-27 thru 4-29. To date, the amount of surface disturbance on public land has been less than predicted and added to past present and reasonably foreseeable actions of BLM and others, the impact prediction remains accurate. Implementing the proposed action will not substantially change the cumulative impact analysis.

7. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action?

Yes. Full public review occurred during the RMP/EIS process. The current proposed lease sale would fall under the RMP/EIS. In addition, a notice of competitive lease sale is posted in all BLM and USFS offices approximately 45 days prior to the sale or on the BLM web site, www.co.blm.gov/oilandgas/leasinfo.htm. It is also available through the mail for a fee to those that request it and make arrangements to pay the fee.

E. Interdisciplinary Analysis: Identify those team members conducting or participating in the NEPA analysis and preparation of this document.

Name	Title	Resource	Initials	Date
Jeremy Casterson	Environmental Coordinator	NEPA	JC	
Roy McKinstry	Natural Resource Specialist	Soil, Air, and Water	RM	
Tim Novotny	Wildlife Biologist	Wildlife, Wetlands/Riparian Zones, T&E Animal Species	TN	
Rob Schmitzer	Recreation Planner	WSA, W&S Rivers	RS	
Robyn Morris	Archaeologist	Cultural Resources & Native American Religious Concerns	RM	
Hunter Seim	Range Specialist	BLM Sensitive, T&E Plant Species	HS	
Bonnie Hickey	Land Law Examiner	Legal Verification	BH	

Remarks:

Cultural Resources: Any lease parcel may contain historic properties and/or resources protected under the National Historic Preservation Act (NHPA), American Indian Religious Freedom Act, Native American Graves Protection and Repatriation Act, E.O.13007, or other statutes and executive orders. The BLM will not approve any ground disturbing activities that may affect any such properties or resources until it completes its obligations under applicable requirements of the NHPA and other authorities. The BLM may require modification to exploration or development proposals to protect such properties, or disapprove any activity that is likely to result in adverse effects that cannot be successfully avoided, minimized or mitigated.”

Native American Religious Concerns: None known. Further tribal consultation will occur prior to the issuance of any permit.

Wildlife: The following portions of offered parcels are with greater sage-grouse core areas identified by the Colorado Division of Wildlife. It is suggested that a notification to the lessee be placed on these parcels notifying them that these leases fall within a core area for greater sage-grouse.

Conclusion

Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the NEPA documentation fully covers the proposed action and constitutes BLM’s compliance with the requirements of NEPA.

Signature of Lead Specialist _____ Date _____

Signature of NEPA Coordinator _____ Date _____

Signature of the Authorizing Official _____ Date _____

Note: The signed Conclusion on this document is part of an interim step in the BLM’s internal decision process and does not constitute an appealable decision.

Exhibit A

November 2008 DRAFT SALE NOTICE

NOTICE OF COMPETITIVE LEASE SALE
OIL AND GAS

THE FOLLOWING ACQUIRED LANDS ARE SUBJECT TO FILINGS IN THE MANNER SPECIFIED IN THE APPLICABLE PORTIONS OF THE REGULATIONS IN 43 CFR, SUBPART 3120.