

**United States Department of the Interior
Bureau of Land Management**

**Determination of NEPA Adequacy
DOI-BLM-UT-W020-2010-009-DNA**

January 2010

February 2010 Oil and Gas Lease Parcel

Location: Lots 1-8 in Section 19, and lots 3-6 in Section 30, T. 17 S., R. 5 W.,
Salt Lake Meridian

Applicant/Address: Not Applicable

Fillmore Field Office
35 East 500 North
Fillmore, UT 84631
(435) 743-3100
(435) 743-3135



Worksheet
Determination of NEPA Adequacy

U.S. Department of the Interior
Utah Bureau of Land Management

The signed CONCLUSION at the end of this worksheet is part of an interim step in the BLM's internal analysis process and does not constitute an appealable decision; however, it constitutes an administrative record to be provided as evidence in protest, appeals and legal procedures.

OFFICE: Fillmore Field Office

TRACKING NUMBER: DOI-BLM-UT-W020-2010-009-DNA

CASEFILE/PROJECT NUMBER: Not Applicable

PROPOSED ACTION TITLE/TYPE: February 2010 Competitive Oil and Gas Lease Sale

LOCATION/LEGAL DESCRIPTION: One parcel (UT0210-001) on the Preliminary February 2010 Oil and Gas Lease Parcel List as prepared by BLM Utah is within the area administered by the Fillmore Field Office. The parcel consists of lots 1-8 in Section 19, and lots 3-6 in Section 30, T. 17 S., R. 5 W., Salt Lake Meridian (Attachment 1).

APPLICANT: Not Applicable

A. Description of the Proposed Action and Any Applicable Mitigation Measures:

The Bureau of Land Management (BLM) proposes to offer one nominated parcel for oil and gas leasing in a competitive lease sale to be held February 23, 2010. Applicable stipulations and notices are included in Attachment 1. This parcel consists of lots 1-8 in Section 19, and lots 3-6 in Section 30, T. 17 S., R. 5 W., Salt Lake Meridian. The total acreage in this parcel equals 478.4 acres; acreage is entirely on BLM land. The parcel is in Millard County approximately 7 miles east to southeast of Delta and approximately 7 miles west to southwest of Oak City. The site is accessible from Highway 50, which is approximately 1 mile to the west, or from Highway 125, which is two miles to the north.

If a parcel is not taken by competitive bidding, then it may be leased by non-competitive sale for the two years following the competitive offer. A lease may be held for 10 years (43 CFR 3120.2), after which the lease would expire unless oil or gas are produced in paying quantities. A producing lease would be held indefinitely by paying production of oil or gas.

A lessee's right to explore and drill for oil and gas, at some location on the lease, is implied by issuance of the lease, unless the lease has a non-surface occupancy stipulation. A lessee must submit an application for permit to drill (APD) to the BLM for approval and must possess a BLM approved APD prior to drilling. An Environmental Assessment can be prepared and a Finding of No Significant Impact made prior to APD approval. For some APDs, other forms of NEPA compliance would also be acceptable (i.e. DNA or EIS). Compliance with lease stipulations must be demonstrated prior to the approval of the APD. Following BLM's approval

of an APD, the lessee may produce oil and gas from a lease in a manner approved by the BLM in the APD or in subsequent notices. The operator must notify the appropriate authorized officer 48 hours before starting any surface disturbing activity approved in the APD.

This lease parcel is classified as being in lease Category 1. Oil and gas lease acreage in Category 1 is open to oil and gas leasing, subject to standard stipulations and lease notices. Standard stipulations provide for the protection of 1) cultural resources and 2) Threatened and Endangered animal and plant species, and animal and plant species listed as sensitive. Lease notices notify the potential bidders of additional resources that may be protected, including specific resources that may already be covered by standard stipulations. The analysis of cultural resources includes consultation with interested tribal groups in Utah. The analysis of T&E and sensitive animal and plant species may include consultation with the U.S. Fish and Wildlife Service. There are 4,472,683 acres in the House Range and Warm Springs Resource Management Plans (RMPs) in this category.

This DNA will tier to the references listed under C – “applicable NEPA documents and other related documents that cover the proposed action”. The most recent of these documents is the Fillmore Oil and Gas Leasing Environmental Assessment, which was prepared in early 2009. In the NEPA document, this reference is referred to as the Fillmore Oil and Gas Programmatic EA.

The Oil and Gas parcel to be offered is listed in Attachment 1. This parcel has corresponding notices, stipulations, and descriptions attached and included in Attachment 1. Attachments 2 and 3 contain the Interdisciplinary Team Checklist and specialist staff reports written in support of the Determination of NEPA Adequacy (DNA) document, respectively.

B. Land Use Plan (LUP) Conformance

LUP Name:

House Range Resource Area Resource Management Plan and Record of Decision Rangeland Program Summary (RMP/ROD),

Date Approved: October 28, 1987

The proposed action is in conformance with the applicable LUPs because it is specifically provided for in the following LUP decisions:

The House Range Resource Area RMP/ROD (10/87) specifically identifies the entire planning area as being open for leasing with standard stipulations in Decision D.3, page 76 of the RMP, except for 30,780 acres designated as Category 2 lands; 54,740 acres as Category 3 lands; and 58,990 acres as Category 4 lands. The Fillmore Oil and Gas Programmatic EA provides additional analysis.

C. Identify the applicable National Environmental Policy Act (NEPA) documents and other related documents that cover the proposed action.

Fillmore Oil and Gas Leasing Environmental Assessment, 2009.

Final Environmental Impact Statement and Proposed Resource Management Plan for the House Range Resource Area (HRRMP), August 1986/September 1986. In this DNA, this reference document will be referred to as the House Range FEIS.

House Range Resource Area RMP Oil and Gas Leasing Implementation Environmental Assessment (HRRAOGEA), Richfield District, December 21, 1988. In this DNA, this reference document will be referred to as the House Range Oil and Gas EA.

Other documents include:

- State of Utah Sensitive Species List (2007)
- Lease Sale SHPO Concurrence Letter (2009)
- Lease Sale Cultural Staff Report (2009)
- Lease Sale Biological Evaluation (2009)
- Lease Sale Noxious Weed Clearance (2009)
- Lease Sale Threatened, Endangered & Sensitive Plant Clearance (2009)
- December 2004 Programmatic Section 7 Consultation, Oil and Gas Lease Sales
- California Condor Lease Notice, Section 7 Consultation

D. NEPA Adequacy Criteria

1. Is the new proposed action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document(s)? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document(s)? If there are differences, can you explain why they are not substantial?

Yes
 No

Documentation of answer and explanation:

The proposed action of leasing lands as described in Section A (Description of the Proposed Action and Any Applicable Mitigation Measures) of this DNA has been considered and analyzed in the House Range Resource Area RMP, Implementation EA, and the Fillmore Oil and Gas Programmatic EA. The proposed action, leasing for oil and gas in the February 2010 sale, is substantially the same as the proposed action analyzed in the referenced documents. Public land would be offered for leasing, and subsequent exploration and development of oil and gas resources may occur, dependent on specific approval by the BLM and site-specific NEPA analysis. If land is leased, a lessee would be afforded rights to explore for and develop oil and gas, subject to the lease terms, regulations, and statutes.

All of the cited NEPA documents describe the affected environment and the impacts of the proposed action and other alternatives. The project area proposed for leasing is within the same geographic area with the resource conditions addressed.

Special stipulations and notices attached to the lease parcel on the Preliminary February 2010 Oil and Gas Lease Parcel List are included in this DNA. The HRRMP (1986) was prepared for the House Range Resource Area. The House Range Resource Area has since been consolidated into the current Fillmore Field Office.

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

Yes
 No

Documentation of answer and explanation:

The Fillmore Oil and Gas Programmatic EA has been prepared as an update to the House Range Oil and Gas EA and the corresponding Resource Management Plan completed in 1988. It offers a proposed action and two alternatives, which is the proposed action with a reasonable range of alternatives.

The **Proposed Action** offers the leasing of nominated oil and gas lease parcels with additional resource protection consistent with existing lease categories discussed in the proposed action at the introduction of this document.

The **No Action Alternative** offers oil and gas leases consistent with the existing land use plan (HRRR Resource Management Plan finished in 1986) including decisions in the House Range Oil and Gas Leasing Implementation EA. This alternative proposes the continuation of the current management practice, and serves as a baseline for leasing lands within the area administered by the Fillmore Field Office.

The **No Leasing Alternative** offers additional protection for specific resources in the form of application of a no leasing category, the alternative is not in conformance with existing land use plans and therefore is not viable for analysis or assessment. In addition, if specific areas with significant potential impacts are identified through this analysis, the BLM could decide to defer such pieces of land until an amendment to the land use plans could be completed.

Two other alternatives were considered during the initial phases of the environmental assessment, but have been dropped from further consideration and the rationale is discussed in the programmatic oil and gas EA.

Analysis of this range of alternatives would respond to any concerns or interests and provides an alternative for protection of any resource values that may need protection by the current proposal. Issues, concerns, interests, and resource values identified and analyzed in the Fillmore Oil and Gas Programmatic EA are discussed in Section D.3 and D.5.

3. Is existing analysis adequate in light of any new information or circumstances (such as, rangeland health standards assessment; recent endangered species listings, updated list of BLM sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new proposed action?

Yes
 No

Documentation of answer and explanation:

An interdisciplinary team of BLM specialists reviewed the proposed lease parcel and found that circumstances and conditions are appropriate for oil and gas leasing, although mitigations may be required for drilling and other development. That mitigation would be developed during the preparation of a NEPA document in response to an application for a permit to drill (APD).

However, notices and some stipulations are attached to the lease to advise the leasee as to what may be required for mitigation at the APD stage. The checklist attached to this DNA reflects and documents input from the interdisciplinary team of BLM specialists that have reviewed the project (Attachment 2).

Air Quality and Greenhouse Gas Emissions: On 12/7/2009, EPA's administrator signed two distinct findings regarding greenhouse gases (GHG) which were also published* in the *Federal Register* on December 15, 2009.

- **Endangerment Finding:** The Administrator finds that the current and projected concentrations of the six key well-mixed greenhouse gases--carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF₆)--in the atmosphere threaten the public health and welfare of current and future generations.
- **Cause or Contribute Finding:** The Administrator finds that the combined emissions of these well-mixed greenhouse gases from new motor vehicles and new motor vehicle engines contribute to the greenhouse gas pollution which threatens public health and welfare.

As stated at sections III F (Impacts of Potential Future Regulations and Processes that Generate Greenhouse Gas Emissions) and VI H (Statutory and Executive Order Reviews), this action is a stand-alone set of findings regarding endangerment and cause or contribute for greenhouse gases under Clean Air Act (CAA) section 202(a) and is not a "significant energy action" as defined in Executive Order 13211 (66 FR 28355 (May 22,2001)), because it is not likely to have a significant adverse effect on the supply, distribution, or use of energy because it does not impose any requirements.

New engine installations will meet the standard current at the time of installation. Existing engines can be held to the standard applicable at the time of their installation. This is typical of New Source Performance Standards (NSPS).

The assessment of GHG emissions and climate change is still in its earliest stages of formulation. Global scientific models are inconsistent, and regional or local scientific models are lacking so that it is not technically feasible to determine the net impacts to climate due to GHG emissions. Should the leases be issued and development be proposed, the impact of development on air quality would be revisited on a site specific basis.

*Accessed online at: <http://www.epa.gov/climatechange/endangerment.html> and <http://edocket.access.gpo.gov/2009/pdf/E9-29537.pdf>

Cultural Resources: The area of potential effect for this undertaking is generally the entire 478.4 acres in the nominated lease parcel as described in this DNA. To assure appropriate consideration of future effects from the February 2010 lease sale, the BLM will add the following cultural resource "lease stipulation" (WO-IM-2005-003) to this parcel:

"This lease may be found to contain historic properties and/or resources protected under the following acts: National Historic Preservation Act (NHPA), American Indian Religious Freedom Act, Native American Graves Protection and Repatriation Act, E.O. 13007, or other statues 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 will 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.”

Based on the information provided in the Cultural Staff Report (November 18, 2009), the potential for locating additional cultural resources within the proposed lease parcel reviewed for the February 2010 Oil and Gas lease sale is low. Furthermore, analysis of the reasonably foreseeable impacts of leasing on both identified and unidentified cultural properties and the use of additional stipulations resulted in the determination of “No Adverse Effect”. The Fillmore Field Office received concurrence from the Utah State Historic Preservation Office on December 28, 2009. This correspondence is part of the administrative record.

Native American Tribal Consultation: On November 25, 2009, letters were sent out to the following Tribes for Native American consultation: Paiute, Uinta and Ouray Ute, Kanosh Band of the Paiutes, Goshute Business Council, and Skull Valley Goshutes. The tribes were asked to provide comments on this lease sale by December 28, 2009. If any concerns are raised, they will be addressed prior to the February 2010 lease sale. Consultation will be considered to be complete unless tribal response(s) is received and/or objections are presented seven (7) days prior to the date of the proposed sale. Additional consultation will be conducted should site-specific use authorization requests for a lease be received. This correspondence is part of the administrative record.

Invasive, Non-Native Weeds: White top or Hoary Cress (*Cardaria draba*), Squarrose knapweed (*Centaurea virgata*), Russian knapweed (*Centaurea repens*), Scotch thistle (*Onopordum acanthium*), Musk thistle (*Carduus nutans*), Perennial pepperweed (*Lepidium latifolium*), Spotted knapweed *Centaurea maculosa*, and Purple loosestrife (*Lythrum salicaria*) are noxious weed species identified and documented as being present in Millard County. Because of the high probability of noxious weed presence on and adjacent to this parcel, Lease Notice UT-LN-41 should be added to this parcel. If an APD is submitted for exploration and/or development in this parcel, two actions would be included as a condition of approval. The first would require that equipment be cleaned prior to entering the project area. The second would require that equipment be cleaned prior to leaving the project area.

Livestock and Grazing: A trend study plot is located to the north of the nominated lease parcel. If the lessee submits an APD for exploration or development that proposes new road construction, the trend study plot may need to be protected.

Migratory Birds: The guidelines set forth in IM 2008-050 are followed for all NEPA procedures. The Migratory Bird Treaty Act of 1918 protects migratory birds and their parts. Executive Order 13186 (Responsibilities of Federal Agencies to Protect Migratory Birds), signed on January 10, 2001, directs federal agencies to evaluate the effects of actions and agency plans on migratory birds, with emphasis on species of concern. *Birds of Conservation Concern* (FWS 2002) identifies the migratory bird species of concern in different Bird Conservation Regions (BCRs) in the United States. The *Utah Partners in Flight Avian Conservation Strategy* (Parrish et al. 2002) also identified 24 priority species. Migratory birds in Utah are primarily present between April and September. Migratory birds occur in a wide variety of habitat types including the pinyon and juniper woodland, sagebrush-steppe, and grasslands found in the project area. A

migratory bird notice and sensitive species notice has been attached to the lease parcel which contains habitat for priority species.

Migratory birds that utilize this area include the black-throated gray warbler (*Dendroica nigrescens*), Brewer's sparrow (*Spizella breweri*), broad-tailed hummingbird (*Selasphorus platycercus*), loggerhead shrike (*Lanius ludovicianus*), northern harrier (*Circus cyaneus*), pinyon jay (*Gymnorhinus cyanocephalus*), prairie falcon (*Falco mexicanus*), and sage sparrow (*Amphispiza belli*).

Special Status Plant Species: None of the plants designated as BLM sensitive species in the Fillmore Field Office area are known to occur within the proposed project area. As such, no impacts to these species are anticipated. If an APD is submitted for exploration and/or development in this parcel, a survey of BLM sensitive plant species will have to be completed as a condition of the NEPA process and prior to BLM approval of the APD.

Fish and Wildlife Excluding USFWS Designated Species: Detailed information on the inclusion of the appropriate lease notices and stipulations are contained in Appendices A (Parcel List), B (ID Team Checklist) and C (Staff Reports). Wildlife habitat and criteria were identified for mule deer (*Odocoileus hemionus*), pronghorn antelope (*Antilocarpa Americana*), mountain lion (*Felis concolor*), blacktail jackrabbits (*Lepus californicus*), coyote (*Canis latrans*), Great Basin rattlesnake (*Crotalus oreganus lutosus*), greater short-horned lizard (*Phrynosoma hernandesi*) and Great Basin collard lizard (*Chrotaphytus bicinctores*).

BLM special status species that could be found in this portion of Millard County that could potentially utilize the environment within the vicinity of the proposed action include golden eagle (*Aquila chrysaetos*), bald eagle (*Haliaeetus leucocephalus*), burrowing owl (*Athene cucularia*), Ferruginous hawk (*Buteo regalis*), and kit fox (*Vulpes macrotis*).

The parcel lies approximately 50 miles from mapped sage grouse winter and brooding range to the north in the Sheeprock-Tintic Mountains. Historically the parcel location may have been dominated by sagebrush and may have been suitable habitat for sage grouse. However, as the result of years of fires, grazing, range conversions, roads, development, cheat grass invasion etc., cover and forage for sage grouse have been fragmented and lost. Currently the condition and composition of the habitat is unsuitable and the potential of any impacts to sage grouse would be very unlikely.

Utah Division of Wildlife Resources/Utah Natural Heritage Program was utilized to determine presence and absence of species in addition to field office records. The local Wildlife Biologist also visited the lease parcel on 11/18/09 to confirm the presence or absence of habitats.

All of the habitats for the above listed species have been addressed in the RMP or in the Fillmore Oil and Gas Leasing Environmental Assessment, 2009 which have provided appropriate protections through stipulations or notices attached to the parcel (Attachment 1) .

Threatened, Endangered or Candidate Wildlife Species:

In accordance with Washington Office Instruction Memorandum No. 2002-174, this parcel would be subject to the Endangered Species Act Section 7 Consultation Stipulation. This stipulation is as follows:

“The lease area may now or hereafter contain plants, animals or their habitats determined to be threatened, endangered, or other special status species. BLM may recommend modifications to exploration and development proposals to further its conservation and management objective to avoid BLM-approved activity that would contribute to a need to list such species or their habitat. BLM may require modifications to or disapprove proposed activity that is likely to result in jeopardy to the continued existence of a proposed or listed threatened or endangered species or result in the destruction or adverse modification of a designated or proposed critical habitat. BLM will not approve any ground-disturbing activity until it completes its obligations under applicable requirements of the Endangered Species Act as amended, 16 U.S.C. 1531 et seq. including completion of any required procedure for conference or consultation.”

In December 2004, BLM and U.S. Fish and Wildlife Service personnel completed work on a set of programmatic level, lease notices for federally listed species occurring in Utah, that are to be attached to oil and gas leases offered in the State of Utah. On December 13, 2004, section 7 consultation was initiated with the submission of a memorandum to FWS, containing the lease notices. The FWS responded with a memorandum dated December 16, 2004 concurring with the BLM determination that attachment of the lease notices to appropriate lease parcels would constitute a “may affect, but not likely to adversely affect” determination for listed species in Utah. Another lease notice was developed for the California condor through section 7 consultation that began on June 16, 2008 and was completed on June 20, 2008. The FWS responded with a memorandum concurring with the BLM determination that attachment of the lease notice for California condor to appropriate lease parcels would constitute a “may affect, but not likely to adversely affect” determination for the species in Utah.

The parcel lies within the range of the federally threatened Utah prairie dog (UPD). During the site visit, on 11/18/09 the habitat was inadequate and there were no burrows identified that would house Utah prairie dogs (UPDs). The area appeared to be unoccupied historic habitat and it was concluded that the parcel location is not suitable habitat at this time. Since the parcel is within the UPD range, the ESA lease stipulation should be applied in accordance with BLM IM 2002-174.

Based on the information provided in Attachment 3 (staff report), and inclusion of all appropriate lease notices and stipulations, the February 2010 sale of one Fillmore oil and gas lease parcel complies with the Utah 2004 programmatic consultation, so that no listed species are likely to be adversely affected by the proposed action.

4. Are the direct, indirect, and cumulative effects that would result from implementation of the new proposed action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?

Yes
 No

Documentation of answer and explanation:

The direct, indirect, and cumulative effects of leasing are comparable to those analyzed in the Fillmore Oil and Gas Programmatic EA (pages 55-83) because the proposed action is essentially the same and the existing resource conditions and values have effectively not changed since

analyzed in the EA. Oil and gas exploration is discussed. The potential to date for the occurrence of producible quantities of oil and gas appears to be low. Historically, about one exploration well has been drilled every two years within the House Range Resource Area. The House Range RMP allows for the drilling of five oil and gas wells over a planning period of 10 years. There are no wells producing oil or gas on lands administered by the Fillmore Field Office. The analysis in the Fillmore Oil and Gas Programmatic EA is based on the drilling of one exploration well every year for the entire Field Office.

Since the completion of the House Range Oil and Gas EA, two oil and gas exploration wells have been drilled in the House Range Resource Area (HRRRA). Three other APDs were approved in the HRRRA, but the sites were never drilled. These efforts have not demonstrated any quantities of hydrocarbons that are economically feasible. The total disturbance in the HRRRA planning unit from the two exploration wells totals approximately four acres, which is well within the scenario analyzed in the implementation EA. Two “Notice of Staking” forms were recently submitted for two exploration wells within the HRRRA; the Fillmore Field Office anticipates the submittal of two APDs as a follow up action. The anticipation of two APDs plus previous APDs for oil and gas exploration wells in the HRRRA is in compliance with the House Range RMP (1986). Because the proposed action is essentially the same and the existing conditions and values have not changed, the potential direct and indirect environmental effects of the current lease proposal are substantially unchanged from those addressed in the Fillmore Oil and Gas Programmatic EA.

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

Yes
 No

Documentation of answer and explanation:

The public involvement and interagency review procedures and findings made through the development of the Fillmore Oil and Gas Programmatic EA is adequate for the proposed lease sale.

Consultation letters to determine Native American Religious concerns in Utah was sent via registered mail to affected tribes on November 25, 2009.

The BLM has been in consultation with the U.S. Fish and Wildlife Service and Utah Division of Wildlife Resources. The BLM received comments about the Fillmore Oil and Gas Programmatic EA from the U.S. Fish and Wildlife Service on December 1, 2009 – including consultation on the yellow-billed cuckoo. Programmatic consultation on all other T&E notices was completed on December 16, 2004. There have been no changes to the T&E list and/or status during the interim period between 2004 and 2009.

The United States Fish and Wildlife Service, National Park Service, United States Forest Service, State of Utah and State Institutional Trust Lands Administration were notified of the proposed action via letter November 3, 2009

Public outreach and notification for the approved environmental assessment that authorizes this lease sale was initiated on November 5, 2009 by posting on BLM’s Environmental Notification Bulletin Board (ENBB) (<https://www.blm.gov/ut/enbb/index.php>). Public information on Oil and Gas Leasing and the current lease sale is also maintained on

http://www.blm.gov/ut/st/en/prog/energy/oil_and_gas_lease.html (Utah State Office Oil and Gas web page). ENBB updates and other notices are made part of the administrative record.

E. Persons/Agencies/BLM Staff Consulted:

Name	Title	Resource Represented
Joelle McCarthy	Archeologist	Cultural Resource and Native American Consultation
Erin Rajala	Outdoor Recreation Planner	Wilderness, Recreation
Jim Priest	Wildlife Biologist	Wildlife, T&E and Special Status Wildlife Species, & Fisheries
Dave Whitaker	Rangeland Management Specialist and Special Status Plant Species Specialist	T&E and Special Status Plant Species
Bill Thompson	Rangeland Management Specialist and Riparian Program Lead	Livestock and Grazing, Riparian Zones, and Soils
Paul Caso	Rangeland Management Specialist, Water Rights and Water Quality Lead	Water Quality
R.B. Probert	Weeds Specialist	Weeds and Invasive Plants
Teresa Frampton	Realty Specialist	Lands/Access
Matt Rajala	Natural Resource Specialist (Geology) and NEPA Coordinator	NEPA Coordination, Air Quality, Greenhouse Emissions, Farmlands
Jerry Mansfield	Geologist	Minerals
George Cruz	Natural Resource Specialist and Fluids Minerals Program Lead	Oil and Gas Leases

Refer to the ID team checklist (Attachment 2) and list of preparers for the documents identified in Items B and C above.

CONCLUSION

Plan Conformance:

- This proposal conforms to the applicable land use plan.
- This proposal does not conform to the applicable land use plan

Determination of NEPA Adequacy

- 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 the NEPA.
- The existing NEPA documentation does not fully cover the proposed action. Additional NEPA documentation is needed if the project is to be further considered.

<i>/s/ George L Cruz</i>	<i>1/06/2010</i>
_____	_____
Signature of Project Lead	Date
 <i>/s/ Matt Rajala</i>	 <i>1/06/2010</i>
_____	_____
Signature of NEPA Coordinator	Date
 <i>/s/ Patricia M. Bailey</i>	 <i>1/7/2010</i>
_____	_____
Signature of the Responsible Official	Date

Note: The signed Conclusion on this Worksheet is part of an interim step in the BLM’s internal decision process and does not constitute an appealable decision. However, the lease, permit, or other authorization based on this DNA is subject to protest or appeal under 43 CFR Part 4 and the program-specific regulations.

ATTACHMENTS:

- Attachment 1: Legal Descriptions and Recommended Lease Stipulations/Notices for Nominated Parcel
- Attachment 2: Interdisciplinary Team Checklist
- Attachment 3: Staff Reports

ATTACHMENT 1

Legal Descriptions and Recommended Lease Stipulations/Notices for Nominated Parcel

UT0210-001

T. 17 S., R. 5 W., Salt Lake

Sec. 19: Lots 1-8;

Sec. 30: Lots 3-6.

478.40 Acres

Millard County, Utah

Fillmore Field Office

NOTICES

UT-LN-41:	Raptors
UT-LN-49:	Noxious Weeds
UT-LN-46:	Utah Sensitive Species
UT-LN-39:	Burrowing Owl Habitat
UT-LN-33:	Bald Eagle Habitat
UT-LN-42:	Migratory Birds

ATTACHMENT 2
Interdisciplinary Team Checklist

INTERDISCIPLINARY TEAM CHECKLIST

Project Title: February 2010 Competitive Oil and Gas Lease Sale

NEPA Log Number: DOI-BLM-UT-W020-2010-009-DNA

File/Serial Number: Not Applicable

Project Leader: George Cruz, Natural Resource Specialist

DETERMINATION OF STAFF:

NP = not present in the area impacted by the proposed or alternative actions

NI = present, but not affected to a degree that detailed analysis is required

PI = present with potential for relevant impact that need to be analyzed in detail in the EA

NC = (DNAs only) actions and impacts not changed from those disclosed in the existing NEPA documents cited in Section D of the DNA form. The Rationale column may include NI and NP discussions.

Determi- nation	Resource	Rationale for Determination	Signature	Date
RESOURCES AND ISSUES CONSIDERED (INCLUDES SUPPLEMENTAL AUTHORITIES APPENDIX 1 H-1790-1)				
NC	Air Quality	The previous analysis adequately covers Air Quality and is limited by the RFD. Once the RFD threshold is reached by either production or excess exploration Air Quality will be reanalyzed.	/s/Matt Rajala	12/7/2009
NC	Areas of Critical Environmental Concern	There are no ACECs present within the area surrounding the proposed parcel that would be potentially impacted by future development.	/s/ Matt Rajala	12/7/2009
NC	Cultural Resources	The Utah Protocol Part VII.A.B. was applied to the cultural resource review for the February 2010 Oil and Gas Lease Sale. The FFO has determined that the proposed undertaking will have No Adverse Effect on historic properties. SHPO Concurrence was received on 12-28-09	/s/Joelle McCarthy	12-29-09
NC	Greenhouse Gas Emissions	The previous analysis adequately covers Greenhouse Gas Emissions through air quality and is limited by the RFD. Once the RFD threshold is reached by either production or excess exploration Greenhouse Gas Emissions will be reanalyzed.	/s/Matt Rajala	12/7/2009
NC	Environmental Justice	The previous analysis is adequate in regards to environmental justice. No minority or economically disadvantaged communities would be disproportionately affected by the proposed leasing.	/s/ Matt Rajala	12/7/2009
NC	Farmlands (Prime or Unique)	There are no prime or unique farmlands in the project area.	/s/ Bill Thompson	12/3/2009
NC	Fish Habitat	There is no fish habitat located within or near the parcel.	/s/ James Priest	12/7/09
NC	Floodplains	There are no floodplains within the nominated oil and gas lease parcel and no change from the Fillmore Oil and Gas Programmatic EA.	/s/ George Cruz	11/17/09
NC	Fuels/Fire Management	There would be no impact to fuels or fire management as a result of the proposed action. Precautions should be taken to prevent any fire ignition.	/s/ Justin Johnson	11/17/09

Determination	Resource	Rationale for Determination	Signature	Date
NC	Geology / Mineral Resources/Energy Production	Leases and lease activity would be according to regulation and the appropriate management plan. However, leasing would not necessarily result in exploration or production activity. Production of oil and gas would result in a permanent removal of these resources. With coordination and collaboration, other minerals could be extracted from the same acres covered in these leases.	/s/J Mansfield	12/1/2009
NC	Invasive Species/Noxious Weeds	Refer to staff report. Noxious or invasive weeds are not known to occur on the parcel.	/s/R.B. Probert	12/8/09
NC	Lands/Access	Oil and gas leasing should not affect access to public land and leases would be subject to valid existing rights-of-way (ROW). Existing roads and trails should be used for travel unless otherwise authorized. During wet road conditions, any ruts deeper than four inches remaining on the roads from the project should be repaired at the Authorized Officer's discretion. Subsequent projects should coordinate with existing ROW holders and apply operating procedures and site specific mitigation at the APD stage that would ensure that communication sites, water projects, and power-lines, etc. would be avoided, restored or replaced.	/s/ Teresa Frampton	11/30/09
NC	Livestock Grazing	Leasing this parcel for oil & gas would not affect grazing. However, when ground disturbing activities are approved then depending on how much disturbance of vegetation and timing of disturbance and other unknown factors there may be an effect.	/s/ Bill Thompson	12/3/2009
NC	Migratory Birds.	Migratory birds may use the parcel for nesting and/or foraging. Impacts may occur during construction and road development. Although impacts are anticipated to minimal, construction practice are to be conducted in a manner that does not unnecessarily degrade habitat or harm migratory birds.	/s/ James Priest	12-07-09
NC	Native American Religious Concerns	Certified letters were mailed to interested tribes on November 24, 2009. Based on the information before the BLM, it has been determined that the February 2010 lease sale has no potential to affect tribes or Traditional Cultural Properties.	/s/Joelle McCarthy	12-29-09
NC	Paleontology	Substantial paleontological resources are not known to occur at the parcel locality. No impact to paleontological resources would likely occur.	/s/J Mansfield	12/01/2009
NC	Rangeland Health Standards	Leasing this parcel would not affect rangeland health. When ground disturbing activities are approved then mitigation may be required to avoid impacting rangeland health.	/s/ Bill Thompson	12/3/2009
NC	Recreation	There are no developed recreational sites or SRP activity that would be affected by this leasing activity.	/s/ Erin Rajala	12/17/09
NC	Socio-Economics	The previous analysis based on the RFD is adequate. Once the RFD threshold is reached socio-economics will be reanalyzed.	/s/ Matt Rajala	12/7/2009
NC	Soils	Leasing this parcel would not disturb soil. When ground disturbing activities are approved then mitigation may be required to avoid impacting soils	/s/ Bill Thompson	12/3/2009
NC	Threatened, Endangered, Candidate or Special Status Plant Species	There are still no known federally-listed plants within the area of the Feb. 2010 oil and gas lease sale.	/s/DWhitaker	12/7/09
NC	Threatened, Endangered, Candidate or Special Status Animal Species	The parcel is located within the range of the federally threatened Utah prairie dog. However, a "no effect" determination is concluded due to the absence of burrows and low habitat quality.	/s/ James Priest	12-7-09

Determination	Resource	Rationale for Determination	Signature	Date
NC	Wastes (hazardous or solid)	No impacts to hazardous waste during the oil and gas leasing, however if it goes to the development stage further comments will be required.	/s/ bcrosland	11/30/09
NC	Water Resources/Quality (drinking/surface/ground)	Leasing this parcel would not impact water resources/quality. However, if ground disturbing activities are approved, mitigation may be required.	/s/ Paul Caso	12/8/09
NC	Wetlands/Riparian Zones	There are no riparian areas in the project area.	/s/ Bill Thompson	12/3/2009
NC	Wild and Scenic Rivers	There are no Wild and Scenic Rivers within the proposed project area.	/s/ Erin Rajala	12/7/2009
NC	Wilderness/WSA	There are no designated wilderness areas within the field office area. WSAs are closed to leasing and are not affected by this lease sale.	/s/ Erin Rajala	12/7/2009
NC	Wildlife Excluding USFW Designated Species	Wildlife such as big game, jackrabbits, snakes and lizards use the parcel. However development should not overly impact these species to require any specific analysis. Application of the lease notices will minimize any impacts.	/s/ James Priest	12-15-09
NC	Woodland / Forestry	No impacts to the forestry program. Given the low degree of anticipated exploration and development (one well per year for the next 10 years with a total surface disturbance of 60 acres), low density of well placement, and application of standard operating procedures, along with the ability to require relocation of proposed operations by up to 200 meters, it is anticipated that any impacts to woodland/forestry resources would be negligible.	/s/ bcrosland	11/30/09
NC	Vegetation Excluding USFW Designated Species	The previous analysis of potential impacts to vegetation is still valid. In addition, there are no known special status plant species within the area of the proposed lease sale.	/s/DWhitaker	12/7/09
NC	Visual Resources	The area within and surrounding the proposed project area falls within VRM Class IV, and leasing activity would meet with VRM class IV management criteria.	/s/ Erin Rajala	12/17/09
NC	Wild Horses and Burros	No Wild Horse HMAs within proposed project area	/s/Eric Reid	11/23/09
NC	Areas with Wilderness Characteristics	There are no areas within or surrounding the proposed project area containing Wilderness Characteristics.	/s/ Erin Rajala	12/7/09

FINAL REVIEW:

Reviewer Title	Signature	Date	Comments
Environmental Coordinator	/s/ <i>Matt Rajala</i>	1/6/2010	
Authorized Officer	/s/ <i>Patricia M. Bailey</i>	1/7/10	

ATTACHMENT 3
Staff Reports

Wildlife Report

Wildlife Lease Notices and Stipulations - Oil and Gas Leasing						
Resource	Status	No	Yes	Where Lease Sale ID	Lease Notice or Stipulation to be added to the parcel	Comments
Mexican Spotted Owl	Threatened and Critical Habitat	X				
Utah Prairie Dog	Threatened	X				
Yellow-billed Cuckoo	Candidate	X				
Bald Eagle	Sensitive		X		UT-LN-33 Bald Eagle Habitat	Winter / Foraging
Greater Sage Grouse – leks	Sensitive	X				
Greater Sage Grouse – nesting	Sensitive	X				
Greater Sage Grouse – wintering	Sensitive	X				
Swainson's Hawk	Sensitive		X		UT-LN-41 Raptors	Foraging
Ferruginous Hawk	Sensitive		X		UT-LN-41 Raptors	Foraging
Burrowing Owl	Sensitive	X				
Mule deer – winter		X				
Mule deer – fawning		X				
Raptor			X		UT-LN-41 Raptors	Foraging
Migratory birds			X		UT-LN-42 Migratory Birds	Nesting / Foraging
Natural springs		X				
Perennial streams		X				

Noxious Weed Clearance

Date: 12/7/09

Examiner: R.B. Probert

Project Name: February 2010 Oil and Gas Lease

Project Location: See Proposal

County: Millard

General Comments and Background: Noxious weeds are those exotic plant species having noxious characteristics and are of economic and/or environmental significance. Noxious weeds are designated and regulated by various State and Federal laws.

Invasive weeds are exotic species that have become naturalized in a location to levels that total control is infeasible due to extensive weed establishment and/or treatment costs.

In Millard County the following species have been identified and documented: White top also known as Hoary Cress (*Cardaria draba*), Squarrose knapweed (*Centaurea virgata*), Russian knapweed (*Centaurea repens*), Scotch thistle (*Onopordum acanthium*), Musk thistle (*Carduus nutans*), Perennial pepperweed (*Lepidium latifolium*), Spotted knapweed (*Centaurea maculosa*), and Purple loosestrife (*Lythrum salicaria*).

In Juab County the following species have been identified and documented: White top also known as Hoary Cress (*Cardaria draba*), Squarrose knapweed (*Centaurea virgata*), Russian knapweed (*Centaurea repens*), Scotch thistle (*Onopordum acanthium*), Musk thistle (*Carduus nutans*), Leafy spurge (*Euphorbia esula*), Perennial pepperweed (*Lepidium latifolium*), Spotted knapweed (*Centaurea maculosa*), Purple loosestrife (*Lythrum salicaria*), and Dalmation toadflax (*Linaria genistifolia*).

Presently these species have not been documented within Juab or Millard counties. They are a concern due to locations in surrounding areas. Species of concern are Black henbane (*Hyoscyamus niger*), Camelthorn (*Alhagi pseudalhagi*), Yellow starthistle (*Centaurea solstitialis*), Diffuse knapweed (*centaurea diffusa*), and Poison hemlock (*Conium maculatum*).

Noxious Weeds Located Within Project Area: There are no known noxious weeds located within the project area.

Mitigation: To eliminate the spread of noxious/ invasive weeds throughout the field office area one or both mitigation measures will be implemented:

- 1- (x) Equipment will be cleaned prior to entering the proposed project area to minimize the introduction of noxious/invasive weeds in other areas.
- 2- (x) Equipment will be cleaned prior to exiting the project area.

Threatened, Endangered & Sensitive Plant Clearance

DATE: December 7, 2009

EXAMINER: David Whitaker

PROJECT NAME: February 2010 Oil & Gas Lease Sale Offering

PROJECT LOCATION: SLB&M T. 17 S., R. 5 W., Sections 19 and 30.

RESOURCE AREA: Fillmore Field Office

VEGETATION TYPE:

Description of Field Work: Literature search of the Fillmore BLM library and Richfield Field Office information.

Reference Sources: Utah's Rare Plants Revisited (Great Basin Naturalist Vol.45, No.2)
Plants From Millard County (BYU 1980)
MX Final Report 1980
1991 Habitat Survey, House Range R.A.
1991 Habitat Survey, Warm Springs R.A.
others

General Comments:

BLM land within the Fillmore Field Office contains no plant species that are federally listed as Threatened, Endangered, or Proposed as such. Therefore, there is no effect on any threatened or endangered plant population.

There are several plants designated as BLM sensitive species in the Fillmore Field Office area. However, none of these plant species are known to occur within the proposed project area. As such, no impacts to those species are anticipated.

If any sensitive species are discovered during construction activities or the project life which may be affected or disturbed, all activities that may affect this resource will cease and notification will be made to the TES plants specialist in the Fillmore Field Office.

Threatened, Endangered, or Sensitive Plants Yes No X

(List if Yes): NA