

Worksheet
Determination of NEPA Adequacy

U.S. Department of the Interior
Utah Bureau of Land Management (BLM)

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: Moab Field Office (UTY-010)

Tracking Number: DOI-BLM-Y010-2009-0153-DNA

Case File/Project Number: Not Applicable

Proposed Action Title/Type: November 2009 Competitive Oil and Gas Lease Sale

Location of Proposed Action: Parcels within Grand County, Utah. *Attachment 1* contains legal descriptions for each parcel.

Applicant (if any): Not Applicable

A. Description of the Proposed Action and Any Applicable Mitigation Measures:
The Utah State Office proposes to offer two parcels of land in Grand County, Utah administered by the Moab Field Office for oil and gas leasing in a competitive lease sale to be held on November 17, 2009. Both parcels were assessed for land use plan compliance and NEPA adequacy by an interdisciplinary team (*Attachment 2*). *Attachment 3* identifies the stipulations and lease notices to be added to the parcels.

Two (2) parcels are located in Grand County, Utah. These parcels are on public lands where the mineral estate is administered by the BLM. If a parcel of land is not purchased at the lease sale by competitive bidding, it may still be leased within two years after the initial offering under the current review of NEPA adequacy. A lease may be held for ten years, after which the lease expires unless oil or gas is produced in paying quantities. A producing lease can be held indefinitely by economic production.

Planning decisions place certain lands in a no leasing category. Most lands are leased with stipulations attached to the lease from the appropriate land use plan for the area. Some lands are leased with limited areas of no surface occupancy within the lease boundaries. Some lands are leased with no stipulations other than those found on the standard lease contract form. A lease grants the lessee the right to drill for oil and gas at some location on the lease.

A lessee must submit an Application for Permit to Drill (APD) (Form 3160-3) to the BLM for approval and must possess an approved APD prior to any surface disturbance in preparation for drilling. Any stipulations attached to the standard lease form must be complied with before an APD may be approved. Following BLM approval of an APD, a

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

B. Land Use Plan (LUP) Conformance

- Moab Field Office Record of Decision (ROD) and Approved Resource Management Plan (RMP), October 31, 2008 (as maintained)

Within the ROD, Appendices A (Stipulations and Environmental Best Practices Applicable to Oil and Gas Leasing and Other Disturbing Activities), Q (Conservation Measures for Threatened and Endangered Species of Utah from the Land Use Plan Programmatic BAs and Section 7 Consultation), and R (Best Management Practices for Raptors and their Associated Habitats in Utah) contain pertinent stipulations, lease notices and committed measures.

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decision (ROD at page 76):

“MIN-19 - Leasable Minerals: Oil and Gas Leasing Categories (Map 12):

- Approximately 427,273 acres will be open to oil and gas leasing, subject to standard terms and conditions.
- Approximately 806,994 acres will be open to oil and gas leasing subject to conditional surface use (CSU) and timing limitations (TL) stipulations.
- Approximately 217,480 acres will be open to oil and gas leasing subject a no surface occupancy (NSO) stipulation.
- Approximately 370,250 acres will be closed to oil and gas leasing, of which 25,306 acres were outside Wilderness or Wilderness Study Areas. About 25,306 acres are closed to leasing because it is not reasonable to apply a no surface occupancy (NSO) stipulation. This includes areas where the oil and gas resources are physically inaccessible by current directional drilling technology from outside the boundaries of the NSO areas. (These lands closed to oil and gas leasing will be managed to preclude all other surface disturbing activities.) Should technology change, a Plan Amendment will be initiated to place these 25, 306 acres under an NSO stipulation for oil and gas leasing.”
- In addition, 8,078 acres of Federal minerals (split estate lands) will be managed as open to oil and gas leasing with an NSO stipulation, and 1,539 acres of Federal minerals (split estate lands) will be closed to oil and gas leasing (see Appendix A).
- The proposed action is also consistent with RMP decisions and their corresponding goals and objectives related to management of air quality, cultural resources, recreation, riparian, soils, water, vegetation, fish & wildlife and ACEC.

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

- Moab Proposed Resource Management Plan Final Environmental Impact Statement, (PRMP/FEIS) August 2008.

List by name and date other documentation relevant to the proposed action (e.g. biological assessment, biological opinion, watershed assessment, allotment evaluation, and monitoring report).

- State of Utah Sensitive Species List (2007)
- RMP USFWS Biological Opinion Memorandum (2008) [ROD Appendix B]
- RMP BLM Biological Assessment (2008)
- RMP SHPO Concurrence Letter (2008) [ROD Appendix C]
- Cultural Resources Review Record (2009)

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 Moab PRMP/FEIS analyzed leasing in detail through comparison of four alternatives. During the analysis, the BLM identified land-use plan leasing categories for all lands within the Moab Field Office.

Lease stipulations were developed in the RMP to mitigate the impacts of oil and gas activity once the rights of the lessee to the lease are exercised.

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:

Four different alternatives, including a “No Action” alternative were analyzed in the PRMP/FEIS. The range was broad enough to analyze oil and gas leasing through the application of stipulations to varying degrees of acreage where they would apply. Each alternative identified land-use plan leasing allocations and the stipulations that would be applied to those lands throughout the Moab Field Office.

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 the new information and new circumstances would not substantially change the analysis of the proposed action?

Yes

No

Documentation of answer and explanation:

The PRMP/FEIS used and analyzed new information taken from a variety of sources as documented in the FEIS administrative record.

Air Quality: The leasing of lands for energy development, including parcels proposed in this sale, was analyzed in the FEIS of Moab's RMP. Air quality was analyzed using a qualitative comparative emissions analysis in the RMP and BLM determined there would be no significant effect to air quality or air quality related values based on the reasonable foreseeable development scenario provided in the analysis. Resource conditions with respect to air quality and air quality related values have not changed significantly and there is no significant new information germane to the proposed lease sale action. Future potential oil and gas activities in the Moab Field Office may require additional quantification of air quality impacts through appropriate NEPA analysis and/or modeling once adequate development assumptions are identified through project specific proposals for well development.

Areas of Critical Environmental Concern (ACEC): None of the recommended parcels are located within ACECs designated within the RMP (The management decisions for potential ACECs not designated are referenced in the PRMP/FEIS Table 2 pages 30 - 33). The following parcel is either partially or entirely located within the potential Cisco White-tailed Prairie Dog Complex ACEC: UT1109-029. Though the Potential Cisco White-tailed Prairie Dog Complex was not designated as an ACEC, the Moab Field Office RMP provides management decisions that continue to protect the relevant and important values of that potential ACEC (BLM Manual 1613.33 E). Stipulations and lease notices have been applied to the parcels located within this potential ACEC.

Threatened, Endangered or Candidate Plant Species: Based on existing inventories, no listed T&E, candidate or sensitive plant species are known to occur within, or in proximity of, the parcels. Site conditions within the proposed parcels are not likely to support the occurrence of species like the *Jones cycladenia* known to occur elsewhere in the field office area.

Threatened, Endangered and Sensitive Animal Species: In accordance with Washington Office Instruction Memorandum No. 2002-174, all parcels 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.”

The proposed lease parcels contain habitat for the following threatened, endangered or candidate animal species: Mexican Spotted Owl, Southwest Willow Flycatcher, and California condor. The RMP/EIS analyzed impacts to these species under all alternatives. Lease categories with special stipulations were developed in the RMP/EIS process. Refer to Attachment 3 of this DNA to see how stipulations and lease notices were applied.

The Moab Field Office has concurrence from the U.S. Fish and Wildlife Service that leasing may move forward without consultation. The Biological Opinion issued on October 16, 2008 by the USFWS concluded with a determination “not likely to adversely affect” (ROD, Appendix B). Consultation may be required at the time surface disturbing activities are proposed either through an APD, pipeline right-of-way or other oil and gas related surface disturbing proposal.

No new significant information that differs from the Moab RMP regarding special status species was identified during the analysis for this lease sale. All appropriate lease stipulations and notices were applied as stated by the Moab RMP where resources issues were identified. Refer to the details presented in *Attachment 3*.

Wildlife: Detailed information on the inclusion of the appropriate lease notices and stipulations are contained in Stipulations & Lease Notices Table (*Attachments 2 and 3*). No new significant information that differ from the Moab RMP regarding wildlife species were identified during the analysis for this lease sale. Wildlife habitat and criteria were identified for White-tailed prairie dog, crucial deer and elk winter range, raptors, Utah sensitive species, migratory birds, burrowing owl, Ferruginous hawk, kit fox, bald eagle and, golden eagle. Utah Division of Wildlife Resources/Utah Natural Heritage Program data were utilized to determine presence and absence of species in addition to field office records. The PRMP/FEIS analyzed impacts to these species under all alternatives. Lease categories with special stipulations were developed in the RMP/EIS process. All of these

habitats are addressed in the RMP and provided certain protections through stipulations or notices. Attachment 3 identifies stipulations and lease notices.

Native American Religious Concerns: Certified consultation letters were sent to the following tribes on August 20, 2009: Navajo, Paiute, Hopi, Zuni, White Mesa Ute, Uintah and Ouray Ute, Southern Ute and Ute Mountain. The letters requested comments to be provided to the Moab Field Office within 30 days of their receipt. As of this date, no concerns pertaining to leasing of the preliminary parcels have been received. If any concerns are raised by the tribes, those concerns will be addressed. Consultation will be considered complete if tribal response presents no objections or if response is not received 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.

Cultural Resources: The area of potential effect for this undertaking is the entire lease parcel as defined in *Attachment 1*.

These lease parcels 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, and Native American Graves Protection and Repatriation Act. Also, these leases may be found to contain historic properties and/or resources protected under the following acts Executive order - E.O. 13007, or other statues and executive orders. A literature review was prepared for this lease sale and is documented in the Cultural Resources Review Record (11/2009). 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 class III cultural resource inventories to be completed prior to granting approval for ground disturbing activities. 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.

The Moab Field Office consulted with the State Historic Preservation Office on oil and gas leasing as outlined in the Moab PRMP/FEIS. The SHPO concurred with BLM's determination that leasing will have no adverse affect on historic properties.

BLM Natural Areas: None of the parcels are located within areas designated by the RMP/EIS to be managed as BLM Natural Areas for their wilderness characteristics.

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(s)?

Yes
 No

Documentation of answer and explanation:

The Moab RMP Final EIS evaluated the direct and indirect impacts of oil and gas leasing per the leasing categories; whether open to leasing, open to leasing with special stipulations or otherwise. As identified under criterion 3, no significant new information or circumstances have been identified which would render the existing analyses inadequate for leasing the above parcels. Nor have the existing resource conditions and other elements of the human environment changed substantially from those evaluated in the existing documents.

As part of the RMP EIS analysis a reasonable foreseeable development (RFD) for oil and gas was developed. This RFD was used to analyze cumulative impacts. The potential cumulative impacts are unchanged from those analyzed in the RMP EIS and the RFD.

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 Moab RMP approved October 31, 2008 are adequate for the proposed lease sale. Public meetings were held for scoping for the RMP EIS, and after the draft RMP EIS comment period was over. A Federal Register Notice concerning the preparation and availability of the Proposed Plan and Final EIS was posted on August 1, 2008. A series of opportunities, through comment periods, public workshops, and similar meetings, ensured an appropriate level of public participation during the preparation of the RMP EIS between 2003 and 2008.

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 (dated 7/31/2009) regarding the November 2009 Competitive Oil and Gas Lease Sale and were provided a copy of the Preliminary List of Parcels (2 parcels and 1242.31 acres within the Moab Field Office). This correspondence is part of the administrative record.

Public outreach and notification for this lease sale was initiated on 8/4/2009 by posting on BLM's Environmental Notification Bulletin Board (ENBB) (<https://www.blm.gov/ut/enbb/index.php>). Public information regarding the Oil and Gas Leasing program and the current lease sale is also maintained on http://www.blm.gov/ut/st/en/prog/energy/oil_and_gas/oil_and_gas_lease.html (Utah State Office Oil and Gas web page). Notices (electronic and/or hard copy) are also available in the Field Office and Utah State Office public rooms. ENBB updates and other notices are made part of the administrative record.

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

Name	Title	Resource Represented
Bill Stevens	Outdoor Recreation Planner	Wilderness
Joseph Tuomey	Archaeologist	Paleontology
Katie Stevens	Outdoor Recreation Planner	ACECs, Recreation, Visual Resources, Wild and Scenic Rivers
Ann Marie Aubrey	Natural Resource Specialist	Soils
Joseph Tuomey and Leigh Grench	Archaeologists	Cultural Resources and Native American Consultation
Pamela Riddle	Wildlife Biologist	T&E Wildlife
Daryl Trotter	NEPA Coordinator	T&E Plants

Also refer to the List of Preparers identified in the ROD and Approved RMP at page 167.

CONCLUSIONS

Based on the review documented above, I conclude that:

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

- The existing NEPA documentation fully covers the proposed action and constitutes BLM’s compliance with the requirements of 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.

/s/ Doug W. Wight

9/30/09

Signature of Project Lead

Date

/s/ Daryl Trotter

9/30/09

Signature of NEPA Coordinator

Date

/s/ A. Lynn Jackson

9/30/09

Signature of the Authorized Officer

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:

Parcel List

Interdisciplinary Team Checklist

Stipulations & Lease Notices Table

**Attachment 1
Parcel List**

UT1109-028

T. 17 S., R. 23 E., Salt Lake
Sec. 25: E2, E2NW, NESW.
440.00 Acres
Grand County, Utah
Moab Field Office

STIPULATIONS

- UTSO-S-01:** Air Quality – Entire lease
- UTSO-S-88:** 30% Slopes or Greater – Bookcliffs – Entire Lease
- UTSO-S-101:** Critical Deer and Elk Winter Range – All of E2, SENW, NESW, Portions of NENW of Sec. 25.
- UTSO-S-135:** Kit Fox – Entire lease.

NOTICES

- UT-LN-07:** Raptors – Entire lease.
- UT-LN-13:** Burrowing Owl – Entire lease.
- UT-LN-14:** Ferruginous Hawk – Entire lease.
- UT-LN-37:** Utah Sensitive Species - Entire lease.
- UT-LN-90:** Migratory Bird – Entire lease.
- UT-LN-95:** Paleontological Resources – Entire lease.
- T&E-06:** Mexican Spotted Owl
- T&E-07:** Southwestern Willow Flycatcher
- T&E-10:** California Condor – Entire lease.

UT1109-029

T. 19 S., R. 25 E., Salt Lake
Sec. 3: Lots 1-3, S2NE, SENW, NESW, SE;
Sec. 4: Lots 1, 2, S2NE, SE;
Sec. 10: NENW.

802.31 Acres
Grand County, Utah
Moab Field Office

STIPULATIONS

- UTSO-S-01:** Air Quality – Entire lease
- UTSO-S-71:** White-tailed Prairie Dog – Portions of Lot 1, SWSE of Sec. 4.
- UTSO-S-89:** Fragile Soils – Portions of Lot 1, SWSE of Sec. 4.
- UTSO-S-134:** Burrowing Owl and Ferruginous Hawk – Portions of Lot 1, SWSE of Sec. 4.
- UTSO-S-135:** Kit Fox – Entire lease.

NOTICES

- UT-LN-07:** Raptors – Entire lease.
- UT-LN-13:** Burrowing Owl – Entire lease.
- UT-LN-14:** Ferruginous Hawk – Entire lease.
- UT-LN-37:** Utah Sensitive Species - Entire lease.
- UT-LN-73:** CRITICAL DEER AND ELK WINTER RANGE – Entire lease.
- UT-LN-81:** CRUCIAL PRONGHORN HABITAT – Entire lease.
- UT-LN-90:** Migratory Bird – Entire lease.
- UT-LN-95:** Paleontological Resources – Entire lease.
- UT-LN-117:** White-tailed and Gunnison Prairie Dog – Entire lease.
- T&E-07:** Southwestern Willow Flycatcher
- T&E-10:** California Condor – Entire lease.

Attachment 2
Interdisciplinary Team Checklist

INTERDISCIPLINARY TEAM CHECKLIST

Project Title: November 2009 Competitive Oil and Gas Lease Sale

NEPA Log Number: DOI-BLM-Y010-2009-0153-DNA

File/Serial Number: Not Applicable

Project Leader: Doug Wight

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	Leasing of lands for energy development, including parcels proposed in this sale, was analyzed in the FEIS. Air quality was analyzed using a qualitative comparative emissions analysis in the RMP and BLM determined there would be no significant effect to air quality or air quality related values based on the reasonable foreseeable development scenario provided in the analysis. Resource conditions with respect to air quality and air quality related values have not changed significantly and there is no significant new information germane to the proposed lease sale action. Future potential oil and gas activities in the Moab Field Office may require additional quantification of air quality impacts through appropriate NEPA analysis and/or modeling once adequate development assumptions are identified through project specific proposals for well development.	A. Aubry	9/30/09
NC	Areas of Critical Environmental Concern	None of the recommended parcels are located within ACECs designated within the RMP. However the following parcel is located within the 117,481 acre Proposed Cisco White-tailed Prairie Dog Complex ACEC: UT1109-029. The Proposed ACEC was not designated as an ACEC under the Moab RMP, Management decisions within the RMP identified	K. Stevens	9/30/09

Determination	Resource	Rationale for Determination*	Signature	Date
		prescriptions such as a controlled surface use stipulation for oil and gas leasing within 660 feet of active prairie dog colonies to provide some management for the relevant and important values located in the Complex area. No permanent above ground facilities would be allowed within the 660 foot buffer.		
NC	BLM Natural Areas	None of the parcels are located within areas designated by the RMP/EIS to be managed as BLM Natural Areas for their wilderness characteristics.	B. Stevens	9/30/09
NC	Cultural Resources	All parcels within this lease sale were reviewed for the presence of cultural resources. Previous cultural resource surveys and recorded cultural properties were identified from the records search. The existing inventories and others surrounding these parcels are sufficient to determine that historic properties are likely to be present on each proposed lease parcel. Site specific analysis would be conducted at the Application for Permit to Drill stage where the presence of cultural resources would be determined and measures to protect these potential resources would be defined in the Conditions of Approval. Refer to Section D.3 and the Cultural Resources Record Review November 2009 Lease Sale for further discussion.	J. Toumey	9/29/09
NC	Environmental Justice	The analysis assumptions, as documented in the RMP/EIS and RFD, were made on a resource area-wide basis. Leasing decisions did not target minority segments of the population. This analysis did not identify any disproportionate impacts to low income or minority segments of the population.	B. Kinola	9/30/09
NC	Farmlands (Prime or Unique)	None of the parcels contain lands that meet the criteria for prime, state important or unique farmlands.	K. Stevens	9/30/09
NC	Greenhouse Gas Emissions	The act of leasing the proposed parcels will not result in any impacts from greenhouse gases. No standards have been set by EPA or other regulatory agencies for greenhouse gases. In addition, the assessment of greenhouse gas emissions and climate change is still in its earliest stages of formulation. Global scientific	A. Aubry	9/30/09

Determination	Resource	Rationale for Determination*	Signature	Date
		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 greenhouse gas emissions. It is anticipated that greenhouse gas emissions associated with this action and its alternative(s) would be negligible. Should the leases be issued and development be proposed, the impact of development on air quality would be revisited on a site specific basis.		
NC	Fish and Wildlife Excluding USFW Designated Species	The proposed lease parcels contain habitat for the following sensitive animal species: White-tailed prairie dog and raptors, including bald and golden eagle. The RMP/EIS analyzed impacts to these species for all alternatives. Lease categories with special stipulations were developed in the RMP/EIS process. These leasing stipulations or notices will be attached to the proposed lease parcels as described in Attachment 3 of this DNA. Refer to Attachment 1 to see which parcels these stipulations or notices apply to for this sale.	P. Riddle D. Trotter	9/30/09 9/30/09
NC	Floodplains	Application of standard lease terms and the “200 meter” rule of 43 CFR 3101.1-2 prior to any surface disturbing activities would be followed.	A. Aubry	9/30/09
NC	Fuels/Fire Management	Impacts to fuels and fire management analyzed in the Moab RMP are consistent with the proposed action. Application of standard operating procedures (SOPs), and site specific mitigation and safety measures applied at the APD stage would minimize the risk of inadvertent ignition. Impacts to fire or fuels management are not expected.	K. Juenger	9/30/09
NC	Geology / Mineral Resources/Energy Production	The RMP/EIS analysis assumptions include standard operating procedures (SOPs) that were common to all alternatives. These SOPs and site specific mitigation applied as conditions of approval (COA) would mitigate any potential impacts to Mineral or Energy Resources.	B. Northrup	9/30/09
NC	Hydrologic Conditions	The RMP/EIS analysis assumptions include standard operating procedures (SOPs) that were common to all alternatives. These SOPs and site specific mitigation applied as conditions of approval (COA), including reclamation standards, would be sufficient to protect	A. Aubry	9/30/09

Determination	Resource	Rationale for Determination*	Signature	Date
		hydrologic conditions.		
NC	Invasive Species/Noxious Weeds	Invasive, non-native weed species are addressed in the analysis for the RMP/EIS. The BLM coordinates with County and local governments to conduct an active program for control of invasive species. Standard operating procedures (SOPs) and best management practices (BMPs) such as washing of vehicles and annual monitoring and spraying along with site specific mitigation are applied as approval conditions for authorizations of surface disturbing activities to prevent the spread or introduction of invasive, non-native species.	D. Trotter	9/30/09
NC	Lands/Access	Public lands administered by the BLM are available for leasing under the various lease categories prescribed in the RMP. Lessees are granted the right to access leases for exploration and development of oil and gas resources. Those same rights extend to split-state lands and lands administered by other agencies when these lands are underlain by federal minerals.	J. Denney	9/30/09
NC	Livestock Grazing	The RMP/EIS analysis assumptions include standard operating procedures (SOPs) that were common to all alternatives. These SOPs and site specific mitigation applied as conditions of approval (COA) would mitigate any potential impacts to livestock grazing (i.e., fenced pits, cattleguards and site reclamation).	K. Allison	9/30/09
NC	Migratory Birds	The RMP/EIS analysis assumptions include standard operating procedures (SOPs) that were common to all alternatives. These SOPs and site specific mitigation applied as conditions of approval (COA) would mitigate any potential impacts to Migratory birds. The lease notice for migratory birds has been applied to each parcel.	P. Riddle	9/30/09

Determination	Resource	Rationale for Determination*	Signature	Date
NC	Native American Religious Concerns	On August 20, 2009 certified consultation letters were sent to the following tribes: Navajo, Paiute, Hopi, Zuni, White Mesa Ute, Uintah and Ouray Ute, Southern Ute and Ute Mountain. The letter requested comments to be provided to the Moab Field Office within 30 days. As of this date, no concerns pertaining to leasing of the preliminary parcels have been received. If any concerns are raised by the tribes, those concerns will be addressed. Consultation will be considered complete if tribal response presents no objections or if response is not received 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.	J. Toumey	9/29/09
NC	Paleontology	Surveys would be done, as needed, prior to surface disturbing activities. SOPs and COAs would ensure that paleontological resources are protected. These measures would include monitoring during initial construction when necessary.	J. Toumey	9/29/09
NC	Rangeland Health Standards	The RMP/EIS analysis assumptions include standard operating procedures (SOPs) that were common to all alternatives. These SOPs and site specific mitigation applied as conditions of approval (COA), including reclamation standards, would be sufficient to meet Rangeland Health Standards.	K. Allison	9/30/09
NC	Recreation	The potential impacts of oil and gas development on recreation were adequately analyzed and documented in the RMP/EIS. The proposed action would not exceed the level of activity projected in the RMP and the RFD. The parcels and surrounding areas have seen no substantial change in recreational use subsequent to the RMP.	K. Stevens	9/30/09
NC	Socio-Economics	Socio-economics were considered under all alternatives considered in the RMP/EIS. The proposed action would not exceed the activity levels projected in the RFD.	B. Stevens	9/30/09
NC	Soils	The RMP and RFD predict a total of 390 wells would be drilled in the Moab Field Office on BLM lands over the next 15 years. The impact	A. Aubry	9/30/09

Determination	Resource	Rationale for Determination*	Signature	Date
		of this associated surface disturbance was analyzed and documented in the RMP/EIS. The proposed action would not exceed the activity levels predicted in the RFD.		
NC	Threatened, Endangered or Candidate Plant Species	Based on existing inventories, no listed T&E, candidate or sensitive plant species are known to occur within, or in proximity of, the parcels. Site conditions within the proposed parcels are not likely to support the occurrence of the species known to occur elsewhere in the field office area.	D. Trotter	9/30/09
NC	Threatened, Endangered or Candidate Animal Species	The proposed lease parcels contain habitat for the following threatened, endangered or candidate animal species: Mexican Spotted Owl, Southwest Willow Flycatcher, and California Condor. The RMP/EIS analyzed impacts to these species for all alternatives. Lease categories with special stipulations were developed in the RMP/EIS process. These lease notices will be attached to the proposed lease parcels as described in Attachment 3 of this DNA. Refer to Attachment 1 to see which parcels these stipulations or notices apply to for this sale.	P. Riddle	9/30/09
NC	Wastes (hazardous or solid)	Drilling fluids, produced waters, and other wastes associated with the exploration, development or production of crude oil or natural gas are excluded as a hazardous waste under 40 CFR 261.4(b)(4). These types of wastes are however managed for containment and proper disposal under provisions of Onshore Order No. 1, during review and approval of any potential APD's. The RMP/EIS analysis assumptions include standard operating procedures (SOPs) that were common to all alternatives. These SOPs and site specific mitigation applied as conditions of approval (COA) would be sufficient to ensure proper containment and disposal of solid waste.	B. Kinola	9/30/09
NC	Water Resources/Quality (drinking/surface/ground)	The RMP/EIS analysis assumptions include standard operating procedures (SOPs) that are common to all alternatives. The SOPs include the requirements for disposal of produced water contained in Onshore Oil and Gas Order (OOGO) No. 7 and the requirements for drilling operations contained in OOGO No. 2.	A. Aubry	9/30/09

Determination	Resource	Rationale for Determination*	Signature	Date
		These SOPs and site specific mitigation applied as conditions of approval (COA) would be sufficient to isolate and protect all usable water zones.		
NC	Wetlands/Riparian Zones	Application of standard lease terms and the "200 meter" rule of 43 CFR 3101.1-2 prior to any surface disturbing activities would be followed.	A. Aubry	9/30/09
NC	Wild and Scenic Rivers	No parcels are within suitable Wild and Scenic areas	K. Stevens	9/30/09
NC	Wilderness/WSA	No parcels are within BLM Wilderness Study Areas (WSAs) or designated wilderness areas.	B. Stevens	9/30/09
NC	Woodland / Forestry	The RMP and RFD predict a total of 390 wells would be drilled in the Moab Field Office on BLM lands over the next 15 years. The impact of this associated surface disturbance was analyzed and documented in the RMP/EIS. The proposed action would not exceed the activity levels predicted in the RFD.	D. Trotter	9/30/09
NC	Vegetation Excluding USFWS Designated Species	The RMP and RFD predict a total of 390 wells would be drilled in the Moab Field Office on BLM lands over the next 15 years. The impact of this associated surface disturbance was analyzed and documented in the RMP/EIS. The proposed action would not exceed the activity levels predicted in the RFD.	D. Trotter	9/30/09
NC	Visual Resources	Visual resources were inventoried as part of the land use planning process. The potential impacts of oil and gas development on visual resources were adequately analyzed and documented in the RMP/EIS. All of the parcels are within VRM class III and IV. The proposed action would not exceed the level of activity projected in the RMP/RFD. SOPs and COAs would mitigate impacts to visual resources.	R. Sweeten	9/30/09
NC	Areas with Wilderness Characteristics	Not applicable.	B. Stevens	9/30/09

FINAL REVIEW:

Reviewer Title	Signature	Date	Comments
Environmental Coordinator	<i>/s/ Daryl Trotter</i>	<i>9/30/09</i>	
Authorized Officer	<i>/s/ A. Lynn Jackson</i>	<i>9/30/09</i>	

**Attachment 3
Stipulations & Lease Notices Table**

LEASE STIPULATIONS: WO-IM
<p>1. Lease Stipulation-Cultural Resources (WO-IM-2005-003); This Stipulation Shall be Applied to All Parcels: “This lease may be found to 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 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 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.” WO-IM 2005-03.”</p>
<p>2. Lease Stipulation-Endangered Species Act Section 7 Consultation (WO-IM-2002-174): This stipulation shall be applied to all parcels. 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 will contribute to a need to list such a 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 that may affect any such species or critical habitat until it completes its obligations under applicable requirements of the Endangered Species Act as amended, 16 U.S.C. §1531 <i>et seq.</i>, including completion of any required procedure for conference or consultation.</p>
LEASE STIPULATIONS
<p>UTSO-S-1: Air Quality – Should be added to the following parcels:</p>
<p>UT1109-028 UT1109-029</p>
<p>UTSO-S-71: White-tailed Prairie Dog – Should be added to the following parcels: UT1109-029</p>
<p>UTSO-S-88: 30% Slopes or Greater Bookcliffs – Should be added to the following parcels: UT1109-028</p>
<p>UTSO-S-89: Fragile Soils – Should be added to the following parcels: UTU-1109-029</p>
<p>UTSO-S-101: Deer and Elk Winter Range – Should be added to the following parcels: UT1109-028</p>
<p>UTSO-S-134: Burrowing Owl and Ferruginous Hawk – Should be added to the</p>

following parcels: UT1109-029
UTSO-135: Kit Fox – Should be added to the following parcels: UT1109-028 and UT1109-029
LEASE NOTICES
UT-LN-07: Raptors – Should be added to the following parcels: UT1109-028 and UT1109-029
UT-LN-13: Burrowing Owl and Ferruginous Hawk – Should be added to the following parcels: UT1109-028 and UT1109-029
UT-LN-14: Ferruginous Hawk – Should be added to the following parcels: UT1109-028 and UT1109-029
UT-LN-37: Utah Sensitive Species – Should be added to the following parcels: UT1109-028 and UT1109-029
UT-LN-73: Critical Deer and Elk Winter Range – Should be added to the following Parcels: UT1109-029
UT-LN-81: Crucial Pronghorn Habitat – Should be added to the following Parcels: UT1109-029
UT-LN-90: Migratory Birds – Should be added to the following parcels: UT1109-028 and UT1109-029
UT-LN-95: Paleontological Resources – Should be added to the following parcels: UT1109-028 and UT1109-029
UT-LN-117: White-tailed and Gunnison Prairie Dogs – Should be added to the following parcels: UT1109-029
T&E-06: Mexican Spotted Owl – Should be added to the following parcels: UT1109-028
T&E-07: Southwest Willow Flycatcher – Should be added to the following parcels: UT1109-028 and UT1109-029
T&E-10: Condor – Should be added to the following Parcels: UT1109-028 and UT1109-029