

**DECISION RECORD FOR
THE HORSE TRAP NATURAL GAS PROJECT
EA NUMBER WY-090-EA01-099**

SUMMARY OF THE DEVELOPMENT PROPOSAL

Condor Exploration, LLC (Condor) of Denver, Colorado has notified the Bureau of Land Management (BLM) Kemmerer Field Office that the company intends to drill and develop 24 natural gas wells in the Horse Trap Natural Gas Project Area (HTPA) of southwestern Wyoming over a period of approximately two years. The proposed project is in addition to the two active producing wells, with accompanying production related facilities, roads, and pipelines.

The 13,680 acre HTPA is located approximately 13 miles northeast of Kemmerer, Wyoming, in Lincoln County. The project area is located in Townships 22 and 23 North and Range 115 West. (See Figure 1-1 in the EA). Approximately 12,400 acres (90.7%) of the HTPA are on lands administered by the BLM, 920 acres (6.7%) are on privately owned lands, and 360 acres (2.6%) are on State of Wyoming lands.

DECISION

It is the decision of the Kemmerer Field Manager to approve the Operator's proposal as defined below. Approval allows the authorization of necessary permits and rights-of-way on public lands administered by the BLM to implement this project:

Approval is conditioned upon and subject to the following requirements:

- Condor will implement the operator-committed resource protection measures described in Section 2.0 of the EA, as well as the mitigation from Sections 4.1.6.3, 4.2.6, 4.3.5, 4.5.5, 4.7.5, 4.8.6, 4.11.6, and the Wildlife Mitigation Plan, contained in Appendix A of this Decision Record.
- The BLM Kemmerer Field Manager or designee is the Authorized Officer (AO) for this project. Mitigation and monitoring measures may be modified by the AO as necessary to further minimize impacts. Final mitigation and monitoring requirements will be determined by the AO after receiving the results of on-site inspections conducted by BLM and operator personnel and recommendations from BLM resource specialists. BLM may require additional field studies or documentation to ensure that reclamation and other resource protection goals are met.

ALTERNATIVES CONSIDERED INCLUDING THE PROPOSED ACTION

Two development alternatives (Proposed Action and No Action) were considered and analyzed in detail.

Proposed Action: The development of up to 24 additional wells, for a total of 26 wells, within the

HTPA, with the associated production facilities, pipelines and access roads necessary for the productivity of the wells.

No Action: The No Action Alternative was analyzed in detail. For this project the No Action Alternative is denial of the drilling and development proposal as submitted by Condor, and that existing land uses would continue in the HTPA. There are no other developments proposed for the area at this time, nor any anticipated in the reasonably foreseeable future, although it is acknowledged that, given the natural gas reserves apparently available within the HTPA, proposals to recover those resources are likely to be developed sometime in the future. If and when proposals are formalized, they would be subjected to analysis under NEPA.

ALTERNATIVES CONSIDERED BUT NOT ANALYZED IN DETAIL

No additional alternatives beyond those described in Section 2.1 of the EA were considered. Drilling estimations were based on present WOGCC-approved spacing within the HTPA and reasonably foreseeable drilling projections into the HTPA. Estimations also took into account reservoir characteristics and geology, flow potential from existing producers, expected recovery factors, and economics of drilling and production operations. These estimations concluded that the proposed development level of 24 additional wells in the two-year planning period is deemed appropriate for the HTPA. As stated in Section 2.1, increasing drilling activity beyond 26 wells would depend not only on reservoir and recovery considerations, but also on gas prices, well costs, and economics.

MANAGEMENT CONSIDERATIONS/RATIONALE FOR DECISION

The decision to approve Condor's proposed development is based on the following factors: 1) consistency with land use plans and RMPs; 2) relevant resource and economic considerations; 3) agency statutory requirements; 4) national policy; 5) measures to avoid or minimize environmental harm; 6) finding of no significant impact; and 7) public comments.

- 1) **Consistency with Land Use and Resource Management Plans.** The decision to approve Condor's proposal is in conformance with the overall planning direction for the area. The Kemmerer ROD states that public land in the area of the proposal is "open to consideration for exploration, leasing, and development for all leasable minerals." Standard and special protective measures were identified and incorporated into the Proposed Action to reduce or eliminate adverse impacts.
- 2) **Relevant Resource and Economic Considerations.** Environmental impacts identified in the EA are not considered significant when the identified mitigation measures are applied. The economic benefit of allowing the project is important, especially to the lease holders, Condor, and local, state, and federal governments.
- 3) **Agency Statutory Requirements.** All pertinent statutory requirements applicable to this proposal were considered. These include consultation with the U.S. Fish and Wildlife Service regarding threatened and endangered species; and coordination

with the State of Wyoming regarding wildlife, cultural resources, environmental quality, and oil and gas conservation.

- 4) **National Policy.** Private exploration and development of federal oil and gas leases is an integral part of the BLM oil and gas leasing program under authority of the *Mineral Leasing Act of 1920* and the *Federal Land Policy and Management Act of 1976*. The United States continues to rely heavily on foreign energy sources. Oil and gas leasing is needed to encourage development of domestic oil and gas reserves to reduce the United States's dependence on foreign energy supplies. Therefore, the decision is consistent with national policy.
- 5) **Measures to Avoid or Minimize Environmental Harm.** The adoption of the mitigation measures identified in the EA and contained in this Decision Record represent practicable means to avoid or minimize environmental harm.
- 6) **Finding of No Significant Impact.** As discussed in the EA, the direct and indirect incremental change to the environment introduced by implementation of the project on affected resources would be minimal. The adverse impacts have been mitigated such that the net change in cumulative impacts introduced by the project—in combination with past, present, and reasonably foreseeable actions—are expected to be insignificant. The EA concludes that the Proposed Action will not result in impacts that exceed the significance criteria defined for each resource and that with the mitigation measures described in the EA and contained in this decision, the Proposed Action will not have any significant impacts on the human environment. Therefore, an environmental impact statement is not required.
- 7) **Public Comments.** Six comment letters were received on the Environmental Analysis during the 30-day comment period that ended July 30, 2001. Comments were received from two individuals, Wildlife Management Institute, Petroleum Association of Wyoming, State of Wyoming Office of Federal Land Policy, and the Wyoming Game and Fish Department. Their summarized comments and BLM's responses are in Appendix B.

The decision to approve Condor's proposal takes into account important management considerations, Federal Agency missions, and the public's need for oil and gas. The decision balances these considerations with the degree of adverse impact to the natural and physical environment. The development effort will help meet public needs for oil and gas while at the same time allowing humans to coexist with nature in a way that allows the least degree of irreversible, irretrievable commitment of resources. The long-term productivity of the area would neither be lost nor substantially reduced as a result of approving this proposal.

COMPLIANCE AND MONITORING

Condor and BLM will provide qualified representatives on the ground during and following construction to validate construction, reclamation, other approved design, and compliance

commensurate with the provisions of this Decision Record. Condor will be required to conduct monitoring of the project in cooperation with BLM. Condor will monitor reclamation to ensure that revegetation meets accepted standards. Appropriate remedial action will be taken by Condor in the event unacceptable impacts are identified.

ERRATA

Page 3-46, Table 3-12

Improperly identified Canada lynx as a proposed species. The proper designation for the Canada lynx is a **Threatened** species.

Page 4-35, 4.7.5 Wildlife Mitigation Summary

Condor **has prepared** an acceptable wildlife mitigation plan that describes how anticipated impacts to wildlife will be mitigated within the HTPA.

Page 4-38, 4.8.6 Fisheries Mitigation Summary

This Proposed Action would deplete **approximately 40 acre feet per year for the entire project** and thus the mitigation fee may not be required for this project.

Page D-4, Appendix D: Wildlife Mitigation Plan, 2.2.2.3, Mountain Plovers

Suitable mountain plover habitat (i.e., areas with vegetation less than 4 inches high) within $\frac{1}{4}$ **mile** of proposed disturbance areas will be surveyed by the BLM or a BLM-approved Condor-financed biologist to detect the presence of plovers (see Table D-3).

Page D-5, Appendix D: Wildlife Mitigation Plan, 2.3.1 Raptors

Surface disturbing activities will be restricted from February 1 through July 31, within a $\frac{1}{2}$ **mile** radius (depending upon species and site-specific conditions) for all active raptor nests/nesting territories, except ferruginous hawk which will have a **1 mile** restricted radius.

The restriction to well locations, roads, ancillary facilities, and other surface structures requiring a repeated human presence will be **1,970** feet for active eagle nests.

APPEAL

This decision is subject to appeal. Under BLM regulation, this decision is subject to administrative review in accordance with 43 *Code of Federal Regulations* (C.F.R.) 3165. Any request for administrative review of this decision must include the information required under 43 C.F.R. 3165.3(b) (State Director Review), including all supporting documentation. Such request must be filed in writing with the State Director, Bureau of Land Management, P.O. Box 1828, Cheyenne,

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WY 82003, within 20 business days of the date such notice of decision was received or considered to have been received.

SIGNATURE

Jeff Rawson, Kemmerer Field Manager

Date

**FINDING OF NO SIGNIFICANT IMPACT
HORSE TRAP NATURAL GAS DEVELOPMENT PROJECT**

Based on our review of the analysis in the Horse Trap Natural Gas Development Project Environmental Assessment (June, 2001), I have determined that the proposed action is in conformance with the approved land use plan and will not have any significant impacts on the human environment. Therefore, an environmental impact statement is not required. Further explanation of the finding is provided below.

The EA shows that adverse impacts to geology/minerals/paleontology; air quality; soils; water resources; vegetation and wetlands; range resources/other land use/invasive/noxious weeds; wildlife; fisheries; recreation resources; visual resources; cultural resources; socioeconomics; transportation; health and safety; and noise would all be minor, short term, necessary and due impacts. Potentially substantial positive economic impacts could result for the companies and local, state and federal governments.

The Kemmerer Resource Area, Resource Management Plan provides for the use of these public lands for oil and natural gas development. The Proposed Action would be in conformance with this land use plan, and an amendment to the RMP would not be necessary to implement the Proposed Action.

Approval:

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Kemmerer Field Manager

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Date