

Documentation of Land Use Plan Conformance and NEPA Adequacy (DNA)

U.S. Department of the Interior
Bureau of Land Management (BLM)
Salem District, Oregon
Tillamook Field Office

Oil and Gas Competitive Leasing
Certain Parcels within the
Tillamook Resource Area
DOI-BLM-OR-S060-2010-02DNA

- A. **Location of Proposed Action:** T.3N, R.3W, sections 1, 3, 5, 9, 11, 13, 19, 21, 23, 25, 27, 29, 31, 33, and 35; T.4N, R.3W, sections 1, 3, 5, 7, 9, 11, 15, 17, 19, 21, 23, 25, 27, 29, 31, 33, and 35; and T.5N, R.3W, sections 31, 33 and 35; Willamette Meridian, Columbia and Washington Counties, Oregon.

Description of the Proposed Action:

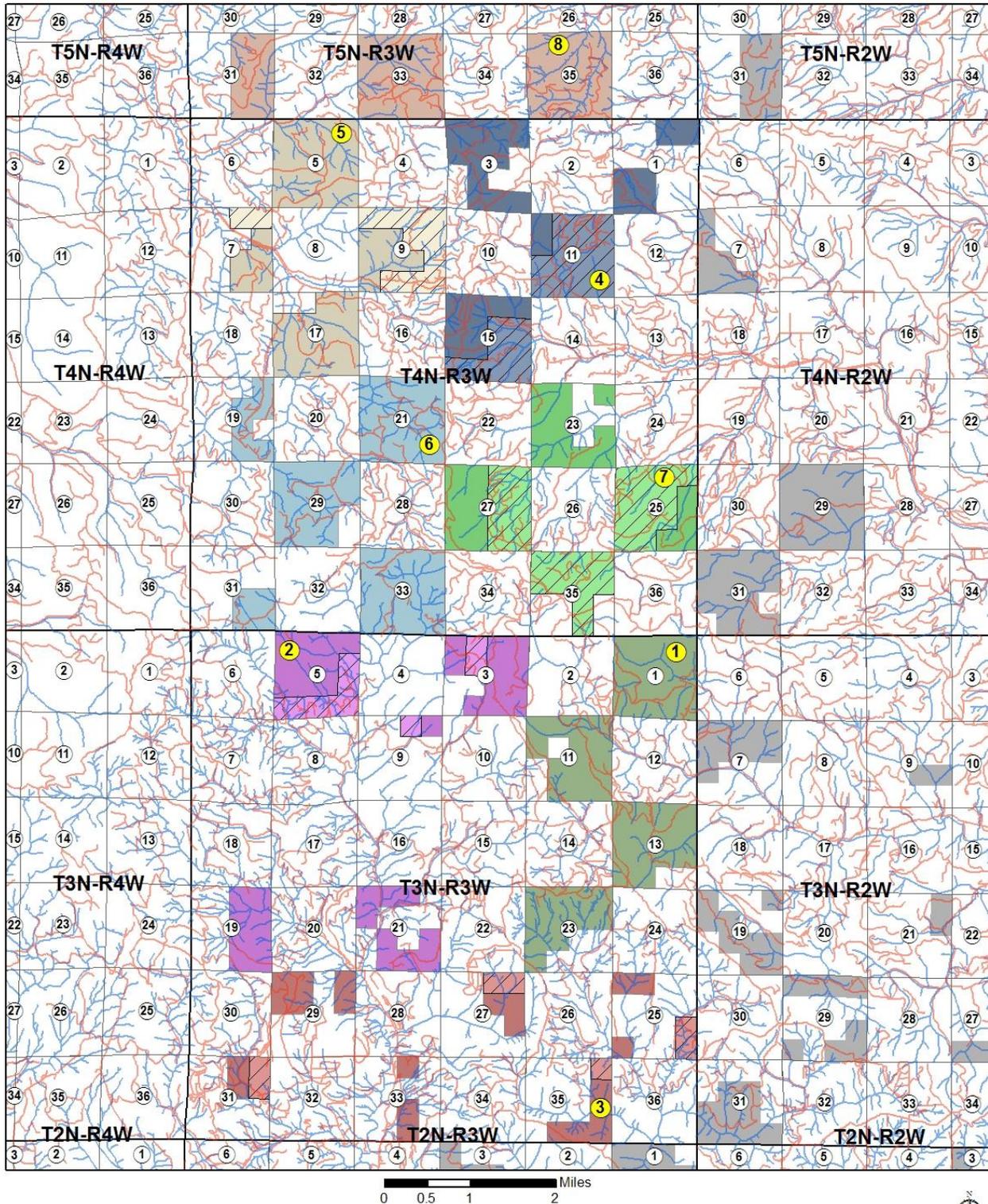
The proposed action is to offer the unleased federal minerals estate identified by the parcel numbers referenced on Figure 1 and Appendix A for oil and gas competitive auction to develop the Federal mineral estate. All of the Federal interests (surface and mineral) are within the jurisdiction of the Bureau of Land Management, Tillamook, Oregon. The counties involved in this proposal are Columbia and Washington.

All of the lands were nominated by industry, and therefore represent areas of high interest. Of the approximately 15,632 acres of Federal mineral estate land that are considered for leasing, approximately 12,672 acres are public surface with Federal mineral estate and the remaining 2,960 are split-estate (private surface with Federal subsurface minerals).

The proposed action does not include any ground-disturbing activities that may occur after the lease sale. Those activities will be analyzed for environmental effects if and when they are proposed, most likely in the form of a site-specific Environmental Assessment (EA). Leasing stipulations, which are restrictions on the use of Federal lands, are identified in Appendix F of the ROD/RMP. These stipulations will be attached to the lease to protect resource values described in the ROD/RMP. The stipulations are listed by parcel in Appendix A of this DNA. Leasing stipulations may include waivers, exceptions and modifications as described in the ROD/RMP on page F-3.

A number of parcels are private surface estate overlying Federal minerals, known as “split estate”. The BLM has split estate guidance (Washington Instruction Memorandum No. 2003-131) effective April 2003. The guidance addresses the purpose and the action that must be completed prior to any approval for new drilling. It also explains the rights, responsibilities, and opportunities of the BLM, lessee/operator, and the private surface owner. In addition, the recently revised Onshore Order No. 1 also contains details about permits issued on split estate lands.

Figure 1. Oil and Gas Lease Parcels



No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual use or aggregate use with other data. Original data was compiled from multiple source data and may not meet U.S. National Mapping Accuracy Standards of the Office of Management and Budget.

Lands Proposed for Oil and Gas Leasing in Salem District

- | | | |
|----------------------|---|--------------------|
| Lease Parcels | 5 | Split Estate Lands |
| 1 | 6 | Other BLM Lands |
| 2 | 7 | Roads |
| 3 | 8 | Streams |
| 4 | | |



B. Conformance with the Land Use Plan (LUP) and Consistency with Related Subordinate Implementation Plans:

LUP Name: *Salem District Record of Decision and Resource Management Plan*, dated May, 1995 (ROD/RMP) and *Salem District Proposed Resource Management Plan/Final Environmental Impact Statement*, dated September 1994 (PRMP/FEIS).

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

- Maintain exploration and development opportunities for leasable and locatable energy and mineral resources (ROD/RMP, p. 50).
- Provide opportunities for extraction of salable minerals by other government entities, private industry, individuals, and nonprofit organizations (ROD/RMP, p. 50).
- Continue to make available mineral resources on the reserved Federal mineral estate (ROD/RMP, p. 50).

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

Applicable NEPA Documents:

Salem District Proposed Resource Management Plan/Final Environmental Impact Statement, dated September 1994 (PRMP/FEIS).

Salem District Record of Decision and Resource Management Plan, dated May, 1995 (ROD/RMP).

Other Related Documents:

43 CFR 3162.3-1, Oil and Gas Onshore Order No. 1, Onshore Oil and Gas Operations; Federal and Indian Oil and Gas Leases; Approval of Operations, dated March 7, 2007.

D. NEPA Adequacy Criteria

1. **Is the current proposed action substantially the same action (or is a part of that action) as previously analyzed?**

Yes. The PRMP/FEIS identified geophysical exploration, and oil and gas drilling activity and production as likely to occur in this project area (PRMP/FEIS, Appendix DD, Reasonably Foreseeable Scenario for Mineral Exploration and Development Potential in the Salem District Planning Area). This project is substantially the same

action as that identified in the PRMP/FEIS.

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

Yes. The PRMP/FEIS analyzed a no action and six action alternatives. The PRMP was the selected action.

No new environmental concerns, interests, resource values or circumstances have been revealed since the PRMP/FEIS was published in 1994 that would indicate a need for additional alternatives.

3. **Is the existing analysis adequate and are the conclusions adequate in light of any new information or circumstances (including, for example, riparian proper functioning condition [PFC] reports; rangeland health standards assessments; Unified Watershed Assessment categorizations; inventory and monitoring data; most recent Fish and Wildlife Service lists of threatened, endangered, proposed, and candidate species; most recent BLM lists of sensitive species)? Can you reasonably conclude that all new information and all new circumstances are insignificant with regard to analysis of the proposed action?**

Yes. No new information or circumstances have arisen since the PRMP/FEIS and ROD/RMP were published in 1994 and 1995 that could affect the adequacy of the analysis.

There have been changes in the Survey and Manage program and Aquatic Conservation Strategy implementation since the PRMP/FEIS was released. These changes have not affected the adequacy of the analysis, and there has been no new information or circumstances that would require a new analysis. There are no anticipated environmental effects from implementing the proposed action.

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

Yes, the methodology and analytical approach used for the analysis contained in the PRMP/FEIS continue to be appropriate in respect to the current proposed action. (1) There are no new standards or goals for managing resources. (2) There are no changes in resource conditions since the PRMP/FEIS was published in 1994. (3) There are no changes in resource-related plans, policies or programs of other government agencies. (4) There are no new land designations in the affected watersheds or the project planning areas. (5) There are no changes in statute, case law or regulation that would affect the implementation of the oil and gas lease sale.

5. **Are the direct and indirect impacts of the current proposed action substantially**

unchanged from those identified in the existing NEPA document(s)? Does the existing NEPA document sufficiently analyze site-specific impacts related to the current proposed action?

Yes. The PRMP/FEIS identified no anticipated environmental effects from leasing lands for oil and gas exploration and production. Any potential environmental effects from activities occurring after lands are leased will be addressed in subsequent NEPA documents.

6. **Can you conclude without additional analysis or information that the cumulative impacts that would result from implementation of the current proposed action are substantially unchanged from those analyzed in the existing NEPA document(s)?**

Yes. The PRMP/FEIS identified no environmental impacts from leasing lands for oil and gas exploration and production. No additional analysis is required to describe the cumulative impacts that would result from implementation of the proposed action.

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

Yes. There was a lengthy public involvement and interagency review process associated with the PRMP/FEIS.

A description of this proposed action was included in the Salem Bureau of Land Management Project Updates for September and December 2008, and February and June 2009, which were mailed to more than 1000 individuals and organizations.

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

<u>Name</u>	<u>Resource Represented</u>
Bob McDonald	Team Leader
Dennis Worrel	Soil and Water
Matt Walker	Fisheries
Steve Bahe	Wildlife

- F. **Mitigation Measures: List any applicable mitigation measures that were identified, analyzed, and approved in relevant LUPs and existing NEPA document(s). List the specific mitigation measures or identify an attachment that includes those specific mitigation measures. Document that these applicable mitigation measures must be incorporated and implemented.**

The stipulations listed in Appendix A constitute the mitigation measures and project design features for the proposed action. The stipulations for each parcel will be incorporated into the lease notice, which will require that the stipulations are implemented. If conditions

warrant, a lease stipulation may be removed from the proposed lease sale (waived) or modified without additional NEPA analysis, provided the ROD/RMP waiver or modification criteria are met.

REVIEWED BY

/s/ Bob McDonald
Environmental Coordinator

10/27/09
Date

CONCLUSION

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

/s/ Brad Keller
Tillamook Resource Area Field Manager

10/30/09
Date

Appendix A – PARCEL DESCRIPTIONS AND STIPULATIONS

Stipulations that apply to all parcels

Stipulation: Surface occupancy and use are prohibited in riparian reserves.

Stipulation: Prior to disturbance of slopes over 60 percent, an engineering/reclamation plan must be approved by the authorized officer. Such plan must demonstrate how the following would be accomplished:

- Restoration of site productivity;
- Control of surface runoff;
- Protection of offsite areas from accelerated erosion, such as rilling, gullying, piping, and mass wasting; and
- Conformance with state and federal water quality laws.

PARCEL 1

T. 3 N., R. 3 W.,

Sec. 1, Lots 5-12, S2 (All);

Sec. 11, E2, N2NW, SWNW, E2SW;

Sec. 13, N2, SW, N2SE;

Sec. 23, N2, N2SW, SWSW.

Columbia County 1,137.17 acres

Washington County 1,000.00 acres

Stipulations that apply to Sections 1 and 13

Stipulation: Unless otherwise authorized, drill site construction and access through connectivity/diversity blocks will be limited to established roadways.

PARCEL 2

T. 3 N., R. 3 W.,

Sec. 3, Lots 3, 5-15, SENW;

Sec. 5, Lots 2-5, S2N2, S2 (All);

Sec. 9, N2NE;

Sec. 19, E2;

Sec. 21, Lots 1, 2, N2NW, SWNW, E2SW, E2SE, SWSE.

Washington County 1878.53 acres

Stipulations that apply to Section 21

Stipulation: Surface occupancy and use are prohibited within Little Bend recreation site.

Stipulation: Surface occupancy and use are prohibited within Snooseville progeny test site.

PARCEL 3

T. 3 N., R. 3 W.,

Sec. 25, N2NW, SWSW, E2SE;

Sec. 27, NE, NESE;

Sec. 29, E2NE, NW;

Sec. 31, NE;

Sec. 33, NWNE, W2SE;

Sec. 35, E2E2, SESW, SWSE.

Washington County 1160 acres

PARCEL 4

T. 4 N., R. 3 W.,

Sec. 1, Lots 1, 2, SW;

Sec. 3, Lots 3-8, SENW, E2SW, S2SE;

Sec. 11, All;

Sec. 15, All.

Columbia County 2003.69 acres

Stipulations that apply to Sections 1, 3 and 11

Stipulation: Unless otherwise authorized, drill site construction and access through late-successional reserves within the leasehold will be limited to established roadways.

PARCEL 5

T. 4 N., R. 3 W.,

Sec. 5, Lots 1-4, S2N2, S2 (All);

Sec. 7, N2NE, SENE, SE;

Sec. 9, All;

Sec. 17, E2, S2NW, SW.

Columbia County 2147.00 acres

Stipulations that apply to Section 7

Stipulation: Surface occupancy and use are prohibited within Scaponia Recreation Site.

Stipulation: Surface occupancy and use are prohibited on the Scaponia Recreation and Public Purposes Lease.

Stipulation: All surface-disturbing activities, semi-permanent and permanent facilities in visual resource management class II areas may require special design including location, painting and camouflage to blend with the natural surroundings and meet the visual quality objectives for the area.

PARCEL 6

T. 4 N., R. 3 W.,

Sec. 19, E2NE, SWNE, W2SE, SESE;

Sec. 21, All;

Sec. 29, N2, SW, W2SE;

Sec. 31, SE;

Sec. 33, All.

Columbia County 2240.00acres

Stipulations that apply to Sections 19, 21 and 29

Stipulation: Unless otherwise authorized, drill site construction and access through connectivity/diversity blocks will be limited to established roadways.

Stipulation: Surface occupancy and use are prohibited within Gunners Lakes progeny test site.

PARCEL 7

T. 4 N., R. 3 W.,

Sec. 23, NENE, W2, E2SE, SWSE;

Sec. 25, All;

Sec. 27, All;

Sec. 35, N2, W2SE.

Columbia County 2160.00 acres

PARCEL 8

T. 5 N., R. 3 W.,

Sec. 31, E2;

Sec. 33, All;

Sec. 35, Lots 1, 2, 3, NWNE, W2, SE (All).

Columbia County 1607.06acres

Stipulations that apply to Section 35

Stipulation: Unless otherwise authorized, drill site construction and access through late-successional reserves within the leasehold will be limited to established roadways.

GENERAL STIPULATIONS (apply to all the parcels)

1. Lessee shall conduct operations in a manner that minimizes adverse impacts to the land, air and water, to cultural, biological, visual and other resources, and to other land uses or users. Lessee shall take reasonable measures deemed necessary by lessor to accomplish the intent of this section. To the extent consistent with lease rights granted, such measures may include, but are not limited to, modification to siting or design of facilities, timing of operations, and specification of interim and final reclamation measures. Lessor reserves

the right to continue existing uses and to authorize future uses upon or in the leased lands, including the approval of easements or rights-of-way. Such uses shall be conditioned to prevent unnecessary or unreasonable interference with rights of the lessee.

2. Prior to disturbing the surface of the leased lands, lessee shall contact the BLM to be apprised of procedures to be followed and modifications or reclamation measures that may be necessary. Areas to be disturbed may require inventories or special studies to determine the extent of impacts to other resources. Lessee may be required to complete minor inventories or short-term special studies under guidelines provided by lessor. If in the conduct of operations, threatened or endangered species, objects of historic or scientific interest, or substantial unanticipated environmental effects are observed, lessee shall immediately contact lessor. Lessee shall cease any operations that would result in the destruction of such species or objects until appropriate steps have been taken to protect the site or recover the resources as determined by the BLM in consultation with other appropriate agencies.
3. 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 statutes and executive orders. The BLM will not approve any ground disturbing activities that may affect any such properties or resources until it completes its obligations under applicable requirements of the NHPA and other authorities. The BLM may require modification to exploration or development proposal to protect such properties, or disapprove any activity that is likely to result in adverse effects that cannot be successfully avoided, minimized or mitigated.
4. 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 et seq., including completion of any required procedure for conference or consultation.