

**DECISION RECORD  
FOR  
June 2015 COMPETITIVE OIL AND GAS LEASE SALE**

BLM Environmental Assessment (EA) Number: DOI-BLM-NV-B000-2015-0001-EA

**INTRODUCTION**

The purpose of the action is to offer 124 of the 197 nominated parcels for competitive oil and gas leasing on public lands administered by the Battle Mountain District (BMD), Nevada, for the June 2015 Competitive Oil and Gas Lease Sale.

The Bureau of Land Management (BLM) accepted nominated lands through Expressions of Interest (EOI) for the June 2015 Sale up to September 12, 2014. Prior to sending the parcel list to the BMD, the Nevada State Office (NVSO) held back or deferred all lands nominated within Greater Sage Grouse Habitat, per IM NV-2014-032 until the release of the Nevada and Northeastern California Sub-Regional Greater Sage-Grouse Planning Strategy Final Environmental Impact Statement. The remaining parcels or portions of parcels were then forwarded for review by the appropriate field offices and District Office, including interdisciplinary review, field visits to nominated parcels (where appropriate), review of conformance with the Resource Management Plan (RMP) decisions for each planning area, and preparation of an EA documenting National Environmental Policy Act of 1969 (NEPA) compliance.

The sale of oil and gas leases is needed to allow continued exploration for additional petroleum reserves which would help the United States meet its growing energy needs and to enable the United States to become less dependent on foreign oil sources. This action by the BMD implements the requirements of Executive Order 13212 and the Energy Policy Act of 2005 (Pub.L. 109-58).

**DECISION**

The proposed action is to include 124 parcels in the June 2015 Competitive Oil and Gas Lease Sale as described and analyzed in the EA (DOI-BLM-NV-B000-2015-EA). A no action alternative was considered; however, since it would not meet the BLM's purpose and need and would not be consistent with the objectives of the Tonopah RMP and Record of Decision (1997) or the Shoshone Eureka RMP and associated Record of Decision (1986), it was not selected.

The BMD staff considered leasing all 197 parcels that were originally nominated for leasing. However, during scoping, it was determined that there were specific resource and land use conflicts that would require deferring specific parcels or portions of parcels. On this basis, this alternative was eliminated from further analysis.

As a result of the analysis presented in the EA, it is my decision to select the proposed action, which is to offer (and subsequently issue, should a successful bid be received by the BLM) 124

nominated parcels for competitive oil and gas leasing. This decision is issued under the Federal Land Policy and Management Act of 1976 (FLPMA), the Onshore Orders for Oil and Gas, as amended, and Part 3100 of Title 43 of the Code of Federal Regulations, and is effective immediately upon signing of this Decision Record.

A Finding of No Significant Impact (FONSI) supports this decision. The FONSI was prepared separately and accompanies this Decision Record. The proposed action coupled with lease stipulations and lease notices detailed in the EA and FONSI have led to my decision that all practicable means to avoid or minimize environmental harm have been adopted and that unnecessary or undue degradation of the public lands will not result. This decision is consistent with the Tonopah (RMP) and Record of Decision (1997) and the Shoshone Eureka RMP and associated Record of Decision (1986).

All resource values impacted by the proposed action have been evaluated for cumulative impacts. It has been determined that cumulative impacts would be insignificant for all resources.

## **CONFORMANCE**

I have determined that the proposed action is in conformance with the approved land use plans and is consistent with the applicable plans and policies of county, state, tribal and federal agencies. The proposed project is in compliance with FLPMA, the Tonopah Resource RMP and Record of Decision (1997) and the Shoshone Eureka RMP and associated Record of Decision (1986), the Endangered Species Act and the National Historic Preservation Act.

## **PUBLIC INVOLVEMENT**

Interested public letters were sent to the BMD mailing list outlining that the preliminary nominated parcel list, along with a map of nominated parcels, was available for review at the BLM National ePlanning website, for a 15-day scoping period which ended December 24, 2014. The BLM issued a press release the same day providing a link to the documents and instructions on how to comment. A total of five scoping comments were received.

A copy of the EA was posted on the BLM National ePlanning website on January 20, 2015 and remained accessible to the public for a 21-day comment period. As of the signing of this Decision Record, approximately 13 individual comment letters were received. A list of 7,248 individuals who supported the American Wild Horse Preservation Campaign (AWHPC) comments was also submitted (10 letters were nearly identical to the AWHPC letter with similar comments and were not individually addressed). The majority of the commenters expressed concerns with regard to site-specific impacts to wild horse and burros, water usage, hydraulic fracturing, potential ground and surface water contamination associated with exploration and development activities and a host of other concerns regarding impacts to natural resources.

Substantive comments were evaluated and considered by the BLM during the decision making process. However, the BLM reviewed and considered these comments and determined that they did not identify or present any significant new information or changed circumstances that would

warrant additional NEPA analysis. Minor corrections or updates to the EA were made as a result of these substantive comments. Responses to substantive comments are provided in Appendix F of the EA. Included in some of the responses to comments, the commenters were reminded that the BLM is mandated by FLPMA to prevent unnecessary and undue degradation of the public lands and the Department of the Interior's regulations at 43 CFR§ 3160 defines a wide array of rules which govern the conduct of Onshore Oil and Gas operations. Adherence to these laws and regulations would prevent or minimize the impacts of concern.

In addition, a site-specific environmental evaluation would be conducted for each oil and gas exploration and development proposal submitted by industry. If the evaluation indicates that environmental impacts would be unacceptable, either mitigation measures would be implemented as conditions of approval (COAs) to reduce the impact or the proposal could be denied to prevent unnecessary and undue degradation.

## **CONSULTATION AND COORDINATION**

Native American consultation letters for the June 2015 Lease Sale were sent on November 13, 2014. They were sent to the South Fork Band of the Western Shoshone, Duckwater Shoshone Tribe, Yomba Shoshone Tribe, Timbisha Shoshone Tribe, Fallon Paiute-Shoshone Tribe, and Walker River Paiute Tribe . On November 25, 2014, Juan Martinez, Battle Mountain District Native American Coordinator (NAC), met with a representative of the Duckwater Shoshone Tribe. At that meeting, they did not identify or request to defer any parcels but asked to be contacted if APDs are submitted for any of the parcels.

On December 29, 2014 BLM also received a letter from the Yomba Shoshone Tribe. Tim Coward, Tonopah Field Manager and Juan Martinez (NAC) attended the Regular Council meeting on Jan. 09, 2015. The council shared concerns with the proposed oil and gas lease sale and a grazing permit held by members of the Yomba tribe. The BLM explained the lease process and informed the tribe that if APDs were received within the grazing permittee's allotment, the permittee would be notified. The BLM informed the tribe that several of the parcels that they had concerns with have been proposed for deferral.

Nevada Department of Wildlife (NDOW) responded to the scoping letter with a formal comment letter that was received by the BMD on December 19, 2014.

## **RATIONALE**

The decision to approve the proposed action is based upon the following: 1) consistency with RMPs and land use plans; 2) national policy; 3) agency statutory requirements; 4) relevant resource and economic issues; 5) application measures to avoid or minimize environmental impacts; 6) meeting the purpose and need for the project. The proposed action was selected as being the most environmentally sound alternative that meets the purpose and need.

1. The BLM has the responsibility to conduct competitive oil and gas lease sales to allow individuals or companies to explore for and develop oil and gas resources under the Mineral Leasing Act of 1920, as amended, the Mining and Minerals Policy Act of 1980, the Federal

Onshore Oil and Gas Leasing Reform Act of 1987, FLPMA, and NEPA.

2. The recommendation to offer 124 nominated parcels for competitive oil and gas leasing meets the stated objective for Fluid Minerals in the Tonopah RMP:

“To provide opportunity for exploration and development of fluid minerals such as oil, gas, and geothermal resources, using appropriate stipulations to allow for the preservation and enhancement of fragile and unique resources.”

The Proposed Action also in conformance with the Tonopah RMP because it has been determined that the lease parcels are a subset of:

“[The] total of 5,360,477 acres (88% of the Tonopah Planning Area)[that] is open to fluid minerals leasing subject to standard terms and conditions (p.22).”

The Proposed Action is also in conformance with the Shoshone-Eureka RMP Part II, Section E, Management Actions Not Expressly Addressed by the Resource Management Plan, which includes Minerals Objectives and Management Decisions brought forward unaltered from the Management Framework Plan (Record of Decision p. 29). Minerals Objectives 1, 2, and 3 led to Management Decisions 1 through 5 for leasable minerals (oil and gas). The objectives are as follows:

Objective 1: Make available and encourage development of mineral resources to meet national, regional, and local needs consistent with national objectives for an adequate supply of minerals.

Objective 2: Assure that mineral exploration, development, and extraction are carried out in such a way as to minimize environmental and other resource damage and to provide, where legally possible, for the rehabilitation of lands.

Objective 3: Develop detailed mineral resource data in areas where different resources conflict so that informed decisions may be made that result in optimum use of the lands.

Management Decision #4, specifically addresses oil and gas leasing and states, “All areas designated by the BLM as prospectively valuable for oil and gas will be open to leasing except as modified by other resources.”



Charlie Beecham  
Acting Deputy State Director, Minerals Management

6/29/13

Date