

FONSI

DOI-BLM-CO-200-2012-0060 EA

Based on review of the EA and the supporting documentation, (i.e., the Royal Gorge Resource Management Plan (RMP) and Final Environmental Impact Statement (FEIS) and the Northeast RMP and FEIS, as amended 1991), I have determined that the project is not a major federal action and will not have a significant effect on the quality of the human environment, individually or cumulatively with other actions in the general area. No environmental effects from any alternative assessed or evaluated meet the definition of significance in context or intensity, as defined by 43 CFR 1508.27, and do not exceed those effects described in the Royal Gorge RMP/FEIS. Therefore, an environmental impact statement is not needed. This finding is based on the context and intensity of the project as described below.

RATIONALE:

Context:

Oil and gas leasing in the Royal Gorge Field Office includes all those federal fluid mineral resources in Colorado, east of the continental divide. The project is an administrative action involving parcels in Baca, Bent, Cheyenne, Crowley, Kiowa, Lincoln, Otero, Park, Prowers, and Weld Counties. Weld County contains a mixture of urban and rural areas. Cheyenne, Crowley, Kiowa, Lincoln, Otero, and Prowers, Counties are eastern Colorado counties that contain a patchwork of dry land farming and uncultivated short grass prairie. The settings of the lease parcels are rural in nature and most are distant from even small communities. Of those counties in the project area, historically, Weld County has witnessed the greatest oil and gas development followed by Cheyenne, Baca and Kiowa. Bent, Lincoln, and Prowers Counties have only had minor development. Crowley and Otero Counties have no current producing wells and Park County has only a single producing well. The proposed action would have local impacts on the resources similar to and within the scope of those described and considered with the RGFO RMP/FEIS and Northeast RMP/FEIS.

Intensity:

The following discussion is organized according to the Ten Significance Criteria described 40 CFR 1508.27 and incorporated into resources and issues considered (includes NEPA Handbook H-1790-1, Appendix 1 (Supplemental Authorities)) and supplemental Instruction Memoranda, statutes, regulations and Executive Orders.

The following have been considered in evaluating intensity for this proposal:

Impacts that may be beneficial and adverse: The project would affect resources as described in the EA. There are no direct impacts to resources from the act of leasing. The indirect impacts from leasing would be the potential for future direct impacts from development of those leases. Beneficial impacts would include the potential for development of energy resources that would aid in reducing the nations reliance on foreign oil. Regional or local benefits could include the infusion of jobs and economic benefits to local business and governments. If development occurs, drilling and production facilities and roads potentially could adversely impact wildlife, vegetation, riparian, cultural and visual resources. Potential impacts to these resources are addressed and mitigated through lease stipulations. Through the preparation of the EA and the public comment process, the BLM identified various interrelated resource conflicts for the Park County parcels (parcels #6484 – 6489). The RGFO recommended deferral of those parcels from the February 2013 lease sale for further analysis (see Attachment B of the EA). Accordingly, the proposed action does not include leasing the Park County parcels.

Public health and safety: Issues involving public health and safety that might arise at the development stage include the potential impacts on air quality. One parcel nominated for this sale was located in the Denver Metro/North Front Range 8-hour ozone non-attainment area in Weld County. The RGFO recommended deferral of the parcel pending additional air quality impacts analysis (see Attachment B of the EA). Other potential impacts to public health could be contamination at well and facility sites. While significant impacts are not expected, methods of preventing and containing such contamination would be imposed on the operators through Conditions of Approval at the Application for Permit to Drill (APD) stage.

Unique characteristics of the geographic area: The EA evaluated the area of the proposed action and determined that no unique geographic characteristics such as: Wild and Scenic Rivers, Areas of Critical Environmental Concern, designated Wilderness areas, or Wilderness Study Areas were present in the project area. Prime or Unique Farmlands are present on at least a portion of parcel #6493 in Bent County and parcel #6463 in Cheyenne County. Conditions of Approval will be applied at the APD stage to protect the irrigated portions of the parcels.

Degree to which effects are likely to be highly controversial: Controversy in this context is considered to be in terms of a demonstrated discrepancy in the level or nature of the effects – not political controversy or expressions of opposition to the action or preference among the alternatives analyzed with the EA. The potential for controversy associated with the effects of the preferred alternative is low. There is no disagreement or controversy among interdisciplinary team members or reviewers over the nature of the effects on the resource values on public land from the preferred alternative.

Degree to which effects are highly uncertain or involve unique or unknown risks: The act of leasing federal minerals for energy development is an established protocol for the BLM and one not normally involving unique or unknown risks. The BLM has experience implementing similar actions in similar areas. The leasing of federal minerals and more specifically fluid minerals has been occurring since the passage of the Mineral Leasing Act in 1920 and petroleum development in eastern Colorado dates back to the establishment of the Florence Field in 1862. The environmental effects to the human environment are fully analyzed in the EA and corresponding RMP. There are no predicted effects on the human environment that are considered to be highly uncertain or involve unique or unknown risks.

Consideration of whether the action may establish a precedent for future actions with significant impacts or represents a decision in principle about a future consideration: This action neither sets a precedent nor represents a decision in principle about future actions. Again, oil and gas leasing and development have been occurring in the United States, including portions of eastern Colorado, for more than a century.

Consideration of whether the action is related to other actions with cumulatively significant impacts or represents a decision in principle about a future consideration: The action of oil and gas leasing itself does not generate impacts to resource values. The potential development from those leases does have the possibility of generating impacts. The interdisciplinary team evaluated the possible actions in the context of past, present and reasonably foreseeable actions. Significant cumulative effects are not expected.

Scientific, cultural or historical resources, including those listed in or eligible for listing in the National Register of Historic Places: Because the proposed lease sale does not involve ground disturbance, the proposed action will have no effect on historic properties. Any future development of parcels that are purchased as a result of the lease sale will be subject to additional Section 106 compliance, including identification, effects assessment, and, if necessary, resolution of adverse effects. This requirement is outlined in lease stipulation CO-39 that is attached to each lease parcel. Two parcels were found to be within (in whole or part) established historic sites. Parcel 6289 was dropped from further consideration because it is within Sand Creek National Historic Site, which has been withdrawn from mineral leasing. A portion of parcel 6355 is contained within the Granada Relocation Center (Amache) National Historic Landmark. The RGFO recommended deferral of this portion of the parcel pending further analysis of impacts and the effectiveness of available stipulations (see Attachment B of the EA).

Threatened and endangered species and their critical habitat: The act of leasing the parcels for oil and gas development would have no direct impact on wildlife resources; however, exploration and development of leased parcels would likely impact wildlife. The magnitude and location of direct and indirect effects cannot be predicted until the site-specific APD stage of development. However, the authorization to lease parcels for oil and gas development will likely result in future development at some locations. At this time, specific information about potential development is not available; therefore, impacts to terrestrial wildlife from developed parcels remain unknown. The current lease development could potentially affect the following species: Mountain Plover, Swift Fox, Northern Goshawk, American White Pelican, Ferruginous Hawk, Black-tailed Prairie Dog, Common King Snake, Milk Snake, Massasagua and Bald Eagle. All lease parcels are stipulated to potentially contain habitat for threatened, endangered, candidate, or other special status plant or animal (CO-34) providing the opportunity for future restrictions on development if said species and/or its habitat is found on the parcel. Parcels are also stipulated appropriately with provisions within respective RMPs to protect species that are currently listed or deemed sensitive.

The RGFO recommended that stipulations to protect the lesser prairie chicken (LPC) and its habitat be applied to certain parcels considered for the February 2013 lease sale, as LPC are known to occupy portions of Baca, Cheyenne, Prowers, and Kiowa counties, but are not known to persist in Bent and Kit Carson counties. With the application of those stipulations, significant impacts to LPC from the proposed action were not expected. On December 11, 2012, the US Fish & Wildlife Service proposed to list the LPC as a threatened species under the Endangered Species Act. The RGFO BLM has subsequently recommended the deferral of parcels 6287, 6288, 6330, 6349, 6351 - 6359, 6360, 6367, 6377, 6383, 6459 - 6462, and 6481 (see EA Attachment B) that occur within LPC habitat as mapped by Colorado Parks and Wildlife. Deferring the listed parcels will provide an opportunity to confer with state and federal agencies regarding the effectiveness of available stipulations and mitigation measures for protection of LPC and its habitat and adequacy of current stipulations.

Any effects that threaten a violation of Federal, State, local, or tribal law, regulation or policy imposed for the protection of the environment: The preferred alternative does not violate any known federal, state, local or tribal law, or requirement imposed for the protection of the environment. In addition, the project is consistent with applicable land management plans, policies, and programs.

NAME OF PREPARER: Vincent Hooper

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NAME OF ENVIRONMENTAL COORDINATOR: Martin Weimer

DATE: February 13, 2013

SIGNATURE OF AUTHORIZED OFFICIAL:  _____

DEPUTY STATE DIRECTOR

DATE SIGNED: 2/13/2013

ATTACHMENTS:

- Attachment A: Pre-EA Parcels Proposed for Lease
- Attachment B: Parcels Available for Lease with Deferred Portions
- Attachment C: Parcels Available for Lease with Applied Stipulations
- Attachment D: Stipulation Exhibits
- Attachment E: Parcel Maps