DECISION RECORD
Environmental Assessment
DOI-BLM-CO-N010-2014-0031-EA
Lease Parcel Review February 2015

PROPOSED DECISION:
It is my decision to implement the **Preferred Alternative** as identified in the Little Snake February 2015 Competitive Oil & Gas Lease Sale Environmental Assessment (EA), **DOI-BLM-CO-N010-2014-0031-EA,** in which **39** parcels of land will be offered for lease in the February 2015 oil and gas competitive lease sale.

Terms/Conditions/Stipulations:
For all parcels, standard terms and conditions, as well as the lease notices and stipulations identified by parcel in ATTACHMENT C in the EA, will apply to the lease parcels.

AUTHORITIES:
The authority for this decision is contained in 43 Code of Federal Regulations (CFR) § 3100.

PLAN CONFORMANCE:
The proposed action and alternatives have been reviewed and found to be in conformance with the approved Little Snake Record of Decision and Resource Management Plan (RMP) (October 2011). The oil and gas leasing decisions and associated lease stipulations can be found in Section 2.13 Energy and Minerals/ page RMP-36.

COMPLIANCE WITH MAJOR LAWS:
The proposed decision and proposed oil and gas leases with stipulations are in compliance with all applicable law, regulations, and policies, including the following:

- Endangered Species Act
- Migratory Bird Treaty Act
- Clean Water Act
- National Historic Preservation Act
- Clean Air Act

MONITORING:
No monitoring will be required in the sale and issuance of the lease parcels. Should the parcels be developed, monitoring may be required.

ALTERNATIVES CONSIDERED:

Proposed Action: Lease All Nominated Parcels in Conformance with the RMP - Under the proposed action alternative, all **112** nominated parcels would be offered for sale and subsequent oil and gas leasing with the standard stipulations recommended at the time of nomination. The current lease sale

includes parcels in Moffat and Routt Counties. Those lands proposed for lease under this alternative total **86,423.66 acres** of federal mineral estate and include a combination of federal and private surface.

Preferred Alternative - The Preferred Alternative analyzes the sale and issuance of **39** parcels, **28,078.93 acres**, nominated parcels are identified in Attachment C with standard stipulations recommended at the time of nomination as well as additional stipulations identified through analysis. Lease stipulations (as required by 43 CFR§ 3131.3) were added to each parcel as identified by the LSFO to address site specific concerns. This alternative also analyzes the deferral of 73 parcels; 72 parcels were deferred due to the concern that Preliminary Priority Habitat for Greater Sage Grouse (an ESA candidate species) as identified by CPW is within the parcels, all of parcel 7121 was deferred pending further review and a portion of parcel 6983was deferred pending Native American consultation.

No Action Alternative - Under the No Action alternative, the BLM would not sell nor issue any of the leases that have been nominated. Surface management would remain the same and ongoing oil and gas development would continue on surrounding federal, private, and state leases.

RATIONALE FOR DECISION:
The decision to approve the Preferred Alternative is based upon the following: 1) consistency with the approved resource management plan; 2) national policy; 3) agency statutory requirements; 4) relevant resource and economic issues; and 5) application of measures to avoid or minimize environmental impacts.

1. This decision is in conformance with the LSFO RMP (October 2011).
2. It is the policy of the Bureau of Land Management (BLM) as derived from various laws, including the Mineral Leasing Act of 1920, as amended [30 U.S.C. 181 *et seq*.] and the Federal Land Policy and Management Act of 1976, to make mineral resources available for disposal and to encourage development of mineral resources to meet national, regional, and local needs.
3. The decision is consistent with all federal, state, and county authorizing actions required for implementation of the Preferred Alternative.
4. Economic benefits derived from implementation of the proposed action are considered important and have been analyzed in the EA. The decision avoids unnecessary impacts to Preliminary Priority Habitat for Greater Sage Grouse. The BLM is currently amending the Little Snake RMP to address the management of Greater Sage Grouse habitat, including areas identified as Preliminary Priority Habitat. The leasing of the deferred parcels could be analyzed in a future leasing EA when these resource concerns have been addressed.
5. Standard terms and conditions as well as special stipulations would apply. Lease stipulations (as required by 43 CFR § 3131.3) were added to each parcel as identified by the LSFO to address site specific concerns or new information not identified in the land use planning process.

FINDING OF NO SIGNIFICANT IMPACT:
Based on the analysis of potential environmental impacts contained in the referenced environmental assessment (EA), and considering the significance criteria in 40 CFR § 1508.27, a Finding of No Significant Impact (FONSI) was prepared. The preferred alternative will not have a significant effect on the human environment. Therefore, preparation of an environmental impact statement is not necessary. This finding is based on the context and intensity of the alternatives as detailed in the FONSI.

PUBLIC COMMENTS:

On August 5, 2014, this EA was made available for a 30-day public comment period. The BLM received 5 letters of comment as a result of this comment period:

- *One letter from Colorado Parks and Wildlife (CPW) advising that additional stipulations be applied to protect wildlife and habitat.*
- *One letter from a private land owner concerned about the impacts to private property.*
- *One letter from Rocky Mountain Wild and WildEarth Guardians concerning impacts to greater sage-grouse, and the cumulative impacts of hydraulic fracturing.*
- *One letter from Trout Unlimted concerning impacts to important Colorado River cutthroat trout and wild trout fisheries and habitat.*
- *One letter from Western Energy Alliance supporting the Proposed Action.*

No significant issues requiring further analysis or alternative development in the EA were identified in the review of the comments. The review of these comments is included as Attachment F in the EA.

On November 14, 2014, the Bureau of Land Management provided notice parcels of land would be offered in a competitive oil and gas lease sale on February 12, 2015; this lease sale notice initiated a 30-day protest period for the lease sale. LSFO received two letters of protest:

- *One letter from Wild Earth Guardians/Rocky Mtn. Wild protested leasing in Preliminary General Habitat for Greater sage-grouse, leasing in Columbian sharp-tailed grouse production habitat, and the need for more analysis of hydraulic fracturing and the social cost of carbon. This protest was dismissed.*

- *One letter from Trapper (Coal) Mining Company protested that parcel 6983 would encroach on their exploration license, undermine their ability to develop coal resources, create unsafe working conditions, violate MSHA obligations, and interfere with mine reclamation. Additional stipulations to protect coal mining operations were added and the protest was resolved.*

APPEALS:
This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4 and Form 1842-1 (copy attached). If an appeal is taken, your notice of appeal must be filed in this office (at the above address) within 30 days from your receipt of this decision. The appellant has the burden of showing that the Decision appealed from is in error.

If you wish to file a petition for a stay of the effectiveness of this Decision during the time that your appeal is being reviewed by the Board, the petition for stay must accompany your notice of appeal. A copy of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals (IBLA) and to the appropriate Office of the Solicitor (see 43 CFR §4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted. A petition for a stay is required to show sufficient justification based on the standards listed below.

Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

1. The relative harm to the parties if the stay is granted or denied;
2. The likelihood of the appellant's success of the merits;
3. The likelihood of immediate and irreparable harm if the stay is not granted, and;
4. Whether the public interest favors granting the stay.

Approved by: Date:

Beth Ransel

2-11-15

Beth Ransel, /acting/ Deputy State Director
Division of Energy, Lands, and Minerals