

Finding of No Significant Impact

Environmental Assessment
Expression of Interest #1774
ES-020-2015-18

INTRODUCTION

The Bureau of Land Management (BLM) has prepared an Environmental Assessment (EA), ES-02-2015-18, to address the offering of one lease parcel in Wilkinson County, Mississippi at the March 2016 BLM Eastern States Competitive Oil and Gas Lease Sale (March Lease Sale). The proposed lease parcel includes 39.83 acres of privately owned surface estate and Federal minerals administered by the BLM. Standard terms and conditions as well as parcel-specific stipulations have been attached to the parcel as proposed in the EA. In addition to the Proposed Action, a No Action Alternative was analyzed in the EA.

EXTERNAL SCOPING

Informal consultation with the United States Fish and Wildlife Service (USFWS) was conducted in compliance with the Endangered Species Act, Section 7 Consultation requirements. A letter of concurrence for the Proposed Action was received from the USFWS on October 15, 2015. The Mississippi State Historic Preservation Office (SHPO) was consulted on July 1, 2015 and a concurrence letter for the Proposed Action was received on July 24, 2015. Additionally, letters were sent to various tribes on July 6, 2015. A comment was received from one tribe stating that there are no known historical sites on the project site and therefore they do not anticipate any cultural affects from the proposed lease. A comment was received by a second tribe requesting that the area be surveyed and that a map and sites within the vicinity of the project area be sent to the tribe. A 30-day review period is provided for public review and comment on the EA prior to the proposed lease sale.

FINDING OF NO SIGNIFICANT IMPACT

Based upon a review of the EA and its supporting documents, I have determined that the Proposed Action is not a major Federal action, and will not significantly affect the quality of the human environment, individual or cumulatively, with other actions in the general area. No environmental effects meet the definition of significance in context or intensity as defined in 40 CFR 1508.27.

This finding is based on the context and intensity of the project as described:

Context:

The proposed action would occur in Wilkinson County, Mississippi in the East Gulf Coastal Plain Ecoregion. The project includes privately owned surface estate involving federally administered mineral estate that by itself does not have known or identified international, national, regional, or state-wide importance. The proposed lease would give the lessee exclusive rights to explore and develop oil and gas reserves on the lease, but does not in itself authorize surface disturbing activities. Although there is no surface disturbance at this stage, the EA analyzes a reasonably foreseeable development scenario (RFD) to assess potential future effects from drilling that may occur later at the application for permit to drill (APD) stage. Additional site-specific National Environmental Policy Act (NEPA) analysis will be conducted at that time.

The parcel being offered for sale is part of a larger 1,920 acre unit that has already been developed for oil and gas. The larger unit has two drilling pads with two to four wells already completed and in production. The Proposed Action would likely not result in any surface disturbance and would not cause an increase in the development of the larger parcel. The parcel being offered for sale is already committed to the larger unit through a communitization agreement.

Intensity:

The following discussion is organized around the Ten Significance Criteria described in 40 CFR 1508.27 and incorporated into resources and issues considered (includes supplemental authorities Appendix 1 H-1790-1) and supplemental Instruction Memorandum, Acts, regulations and Executive Orders. The following have been considered in evaluating intensity for this proposal:

1. Impacts that may be both beneficial and adverse.

The Proposed Action would affect resources as described in the EA. There are no direct impacts to resources from the act of leasing. The EA identifies potential impacts as a result of potential future impacts from reasonably foreseeable future development of those leases to air resources, fish and wildlife, geology/mineral resources/energy production, soils, vegetation, invasive species, water resources, wastes, recreation, and cultural resources, visual resources, socioeconomics and environmental justice. Potential future best management practices, standard operating procedures, and mitigating measures to reduce impacts to the various resources were identified in the EA. None of the direct, indirect, or cumulative environmental effects discussed in detail in the EA are considered significant. This area is not covered by a BLM Resource Management Plan, however, in accordance with 43 CFR 1610.8(b)(1), the EA serves as the basis for making a decision on this Proposed Action.

2. The degree to which the proposed action affects public health or safety.

The Proposed Action would offer a lease parcel for sale and would not directly affect public health or safety. Public health or safety would also not be adversely affected as a result of potential future development. The parcel is part of a larger production unit that has already been developed. Further development of the larger unit may or may not involve drilling into the federal minerals. If the parcel is subsequently sold and the lease enters into a development stage, public health or safety would be further addressed through site-specific NEPA analysis where specific mitigation measures to protect public health and safety, such as controlling the potential for spills or wastes would be identified as deemed necessary and appropriate.

3. Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.

The EA evaluated the area of the Proposed Action and determined that no unique geographic characteristics including Wild and Scenic Rivers, Prime or Unique Farmlands, Areas of Critical Environmental Concern, Designated Wilderness areas, Wilderness Study Areas, or Ecologically Critical Areas were present. Although aquatic habitats (streams) are present on a small area within the parcel, the Proposed Action would result in no direct impacts to this resource. Although the area has not been surveyed for cultural resources, a literature search did not reveal any historic resources present on or near the site. Impacts associated with potential future reasonably foreseeable development would be controlled through the use of best management practices and stipulations. If the leases enter into a development stage at a later date, aquatic habitats, cultural resources, and other resources would be further addressed through site-specific NEPA and consultations.

4. The degree to which the effects on the quality of the human environment are likely to be controversial.

Effects on the quality of the human environment are not expected to be significant or highly controversial. Site-specific NEPA will be conducted that addresses specific effects on resources at the time of development. Controversy in this context is considered to be in terms of disagreement about the nature of the effect- not political controversy or expression of opposition to the action or preference among the alternatives analyzed within the EA. The public will have 30 days to review the EA and provide comments.

5. The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.

The project is not unique or unusual. The BLM has experience implementing similar actions in similar areas. The environmental effects to the human environment are fully analyzed in the EA. There are no predicted effects on the human environment that are considered to be highly uncertain or involve unique or unknown risks.

6. The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.

This project neither establishes a precedent nor represents a decision in principle about future actions. This leasing of Federal minerals and more specifically fluid minerals has been occurring since the creation of the Mineral Leasing Act of 1920. A decision to lease would not limit later resource management decisions for areas open to development proposals, although lease stipulations do establish sideboards for future potential oil and gas development.

7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.

The interdisciplinary teams involved in preparing the EA evaluated the Proposed Action in the context of past, present and reasonably foreseeable actions. Significant cumulative effects are not expected.

8. The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the NRHP or may cause loss or destruction of significant scientific, cultural, or historical resources.

There are no known features within the project area listed or eligible for listing in the National Register of Historic Places (NRHP) that would be adversely affected by a decision to offer for sale the subject parcels. If leases enter into a development stage, NRHP resources would be further addressed through site-specific NEPA and consultations.

9. The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the ESA of 1973.

Five species were identified that were either listed as proposed as threatened or endangered. In coordination with USFWS, mitigating measures to reduce impacts to wildlife and fisheries have been discussed in the EA. Although listed species may occupy habitat within project boundaries, USFWS has concurred that one of the species may be affected but is not likely to be adversely affected, and four species would not be affected by the proposed action. Furthermore, post-lease actions/authorizations (e.g. Applications for Permit to Drill, road/pipeline right-of-way), may need additional no surface occupancy, controlled surface use or timing limitation restrictions on a case-by-case basis, as required through project-specific NEPA analysis or other environmental review.

10. Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.

The project 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.

Bruce Dawson

Southeastern States District Office

Date