EASTERN STATES
Bureau of Land Management

Decision Record
Environmental Assessment
Expression of Interest 761 and 1832
DOI-BLM-ES-020-2015-4-EA

Decision:
It is my decision to authorize the offer to lease for Oil and Gas the proposed tracts located in Caddo Parish, Louisiana as identified in the Southeastern States District Office Environmental Assessment (EA), DOI-BLM-ES-020-2015-4-EA. The proposed tracts consist of two parcels covering approximately 80 acres of privately owned surface estate involving federally owned mineral estate. The parcels will be offered at the competitive lease sale on July 28, 2015. Competitive leases will be issued for the parcels sold at the sale, and non-competitive leases may be issued for applications filed for two years after the sale for unsold parcels.

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

Compliance and Monitoring:
Should the parcels be developed for oil and gas, monitoring may be required and would be addressed and analyzed under future National Environmental Policy Act (NEPA) documentation.

Terms, Conditions and Stipulations
For all parcels, standard terms and conditions, as well as the lease notices identified in the EA, would apply and be attached to the lease parcels.

Plan Conformance and Consistency:
The proposed action does not conflict with any known local planning, ordinance or zoning. This area is not covered by a BLM Resource Management Plan. According to the regulations at 43 CFR 1610.8 (b) (1); however, this EA will be used as a basis for the decision.

Compliance with Major Laws:
The proposed decision is in compliance with all applicable laws, regulations, executive orders, and policies including but not limited to the following:

- National Environmental Policy Act
- Federal Land Policy Management Act
- Mineral Leasing Act
- Clean Water Act
- Clean Air Act
- National Historic Preservation Act (NHPA)
- Endangered Species Act (ESA)
- Migratory Bird Treaty Act

Alternatives Considered:

- Proposed Action (Preferred Alternative): Lease the parcels per the proposed action as described in the EA. This alternative meets the purpose of and need for the action.
- No Action Alternative: The leases would not be sold or issued. This alternative does not meet the purpose of and need for the action.

Public Comments:

The EA was made available for a 30-day public comment period which ended on January 22, 2015. No comments were received. A 30-day protest period was also held when the sale notice was released, and no protests were received.

Rationale for the Decision:

The decision to approve the preferred alternative, leasing the parcels, is based on the following:

- National policy – it is the policy of the BLM as derived from the Mineral Leasing Act of 1920, as amended and the Federal Land Policy 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. As such, leasing the parcels under the preferred alternative meets the purpose of and need for the action.
- Agency statutory requirements – the decision is consistent with all required federal, state, and county authorizing actions required for implementation of the proposed action.
- Relevant resource issues and finding of no significant impact – as described in the EA, there will be no direct impacts associated with leasing. There is the potential for minor adverse indirect impacts to resources as a result of potential future oil and gas development; however, none of the impacts were identified as significant and a finding of no significant impact (FONSI) was prepared. Additional site-specific NEPA documentation will occur at the application for permit to drill (APD) stage, should future development occur. Therefore, an environmental impact statement is not required. All required consultations including under the ESA and NHPA, have been completed.
- Application of measures to minimize environmental impacts – standard terms and conditions as well as tailored stipulations, as identified in the EA, would apply.

Appeal Procedures:

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. If an appeal is taken, your notice of appeal must be filed in the BLM Eastern States Office located at 20 M Street SE, Washington DC, 20003 within 30 days of publication of the decision on BLM-Eastern States' internet page. 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 a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must be submitted to each party named in this decision, to the Interior Board of Land Appeals, and to the appropriate Office of the Solicitor (see 43 CFR Section 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.

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 protestor's success on 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.

Acting for Barbara L. Eggers, Associate State Director 7-24-15

Marci L. Todd
Acting State Director

Date

Finding of No Significant Impact

Environmental Assessment
Expression of Interest 761 and 1832
ES-020-2015-4

INTRODUCTION

The Bureau of Land Management (BLM) has prepared an Environmental Assessment (EA), ES-02-2015-4, to address the offering of certain lease parcels in Caddo Parish, Louisiana at the July 28, 2015 BLM Eastern States Competitive Oil and Gas Lease Sale. Under the proposed action the BLM would offer for sale two (2) lease parcels. Collectively, the parcels recommended to be offered at the July 2015 lease sale contain approximately 80.22 acres of Federal minerals administered by BLM. Standard terms and conditions as well as parcel specific timing limitation, no surface occupancy, and controlled surface use stipulations have been attached to the parcels as specified through the EA to be issued. 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 (FWS) was initiated for these two parcels in compliance with the Endangered Species Act, Section 7 Consultation requirements. Letters of concurrence for the proposed action were received from FWS on December 8, 2014. A request was submitted to the Louisiana Natural heritage Program (LNHP) on November 12, 2014 to review their files for records indicating the occurrence of rare plants and animals, outstanding natural communities, natural or scenic rivers, or other elements of special concern within or near the proposed parcels. A response was received on November 20, 2014. Consultation with the Louisiana State Historic Preservation Office (SHPO) occurred on November 17, 2014. A concurrence letter was received on December 20, 2014. Letters were sent to various tribes on November 17, 2014 notifying them of the proposed action and requesting comments or concerns. No comments were received. 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 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 on privately owned lands in Caddo Parish, northwest Louisiana. The parcels are entirely within the West Gulf Coastal Plain Ecoregion within the Coastal Plain Province. This region is characterized by a southward facing plain of low slightly hilly terrain that becomes a flat plain to the south and a broad marshy zone near the coast. The project is located on privately owned surface estate involving federally owned mineral estate that by itself does not have known or identified international, national, regional, or state-wide importance. The proposed leases 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 indirect 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.

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 indirect impacts from leasing as a result of potential future impacts from development of those leases to air resources, fish and wildlife, geology/mineral resources/energy production, soils, vegetation, invasive species, water resources, wastes, recreation, cultural resources, visual resources, socioeconomics and environmental justice. Mitigating measures to reduce impacts to the various resources were incorporated in the design of the proposed action. None of the direct, indirect, or cumulative environmental effects discussed in detail in the EA are considered significant. The project 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 is designed to offer lease parcels for sale and would not directly affect public health or safety. There would also be no indirect effects to public health or safety as a result of potential future development due to standard operating procedures and best management practices. If the parcels are subsequently sold and the leases enter into a development stage, public health or safety would be further addressed through site-specific

NEPA analysis where specific mitigation measures to control 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 such as Wild and Scenic River, Prime or Unique Farmlands, Areas of Critical Environmental Concern, Designated Wilderness areas, Wilderness Study Areas, or wetlands were present. With regard to cultural resources, a review of the Louisiana Division of Archaeology site files shows historic sites within one mile of the proposed lease areas. Given the proximity to these sites, the lease areas may also have historic resources. There would be no direct impacts to cultural resources. Should future development occur within the lease areas, additional site-specific surveys would be conducted along with consultation under the National Historic Preservation Act prior to any ground-disturbing activities. The BLM received a letter of concurrence from the Louisiana SHPO on December 20, 2014.

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.

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

The interdisciplinary teams evaluated the proposed action in 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; however, review of the Louisiana Division of Archaeology site files shows historic sites within one mile of the proposed lease areas. Given the proximity to these sites, the lease areas may contain historic resources. There would be no direct impacts to cultural resources. Should future development occur within the lease areas, additional site-specific surveys would be conducted along with consultation under the National Historic Preservation Act prior to any ground-disturbing activities.

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 (5) species that were Federally listed, candidate, or proposed as threatened or endangered have been documented to occur in Caddo Parish, Louisiana. The BLM determined there is no suitable habitat for any of these species within the proposed lease area and therefore there would be no effect to threatened or endangered species. The FWS provided their concurrence with the no effect determination on December 8, 2014. The LNHP also provided their concurrence that the proposed action would not affect any rare, threatened, or endangered species or critical habitats. Due to potential changes in species distribution and habitat, lease stipulations as identified in the EA would be applied to reduce the likelihood of impacts should future development occur. Furthermore, post-lease actions/authorizations (e.g. Applications for Permit to Drill, road/pipeline right-of-way), could be encumbered by further 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 know 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

7/24/15

Bruce Dawson
District Manager
Southeastern States District Office

Date

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