

**U.S. Department of the Interior
Bureau of Land Management**

**Finding of No Significant Impact
Environmental Assessment
DOI-BLM-NM-2011-040-EA
July 15, 2011**

October 2011 Competitive Oil and Gas Lease Sale

Dewey, Ellis, Roger Mills, and Harper Counties, Oklahoma

U.S. Department of the Interior
Bureau of Land Management
Oklahoma Field Office
7906 E. 33rd Street
Tulsa, Oklahoma 74145
Phone: 918.621.4100
Fax: 918.621.4130



**DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
OKLAHOMA FIELD OFFICE**

**Project: October 2011 Competitive Oil and Gas Lease Sale
EA Log Number: DOI-BLM-NM-040-2011-040-EA
Location: Various Locations in Dewey, Ellis, Roger Mills, and Harper
County, Oklahoma.**

Decision Record

The decision is to accept the Preferred Alternative (Alternative C) and lease eight (8) of the eleven (11) nominated lease parcels, totaling 532.63 acres offered for sale in October 2011 Competitive Oil and Gas Lease Sale with the addition of further stipulations and lease notices to certain parcels administered by the Oklahoma Field Office (OFO). The Preferred Alternative (Alternative C) is in compliance with the Oklahoma Resource Management Plan (OKRMP) 1994, as amended.

The following 8 parcels would be offered in the lease sale:

Parcel	Comments	Acres
<p style="text-align: center;"><u>NM-201110-026</u></p> <p>T.0160N, R.0140W, IM PM, OK Sec. 031 LOTS 6,8; Sec. 031 See EXH A For M&B w/Map; Sec. 031 ACC & RIP; AC to Lot 8; Dewey County, OK</p>	<p>Private Surface:</p> <p><u>Lease with the following Stipulations:</u></p> <p>ORA-1, Floodplain Protection ORA-2, Wetland/Riparian Protection WO-ESA-7, Threatened and Endangered Species</p>	62.920
<p style="text-align: center;"><u>NM-201110-029</u></p> <p>T.00180N., R.0210W., IM PM, OK Sec. 23 Lots 4; Ellis County, OK</p>	<p>Private Surface:</p> <p><u>Lease with the following Stipulations:</u></p> <p>ORA-1, Floodplain Protection ORA-2, Wetland/Riparian Protection WO-ESA-7, Threatened and Endangered Species</p>	21.750
<p style="text-align: center;"><u>NM-201110-030</u></p> <p>T.0018N., R.0210W., IM PM, OK Sec. 27 Lots 3,4,5; Roger Mills County, OK</p>	<p>Private Surface:</p> <p><u>Lease with the following Stipulations:</u></p> <p>ORA-1, Floodplain Protection ORA-2, Wetland/Riparian Protection WO-ESA-7, Threatened and Endangered Species</p>	95.050

<p><u>NM-201110-031</u></p> <p>T.0018N., R.0210W., IM PM, OK Sec. 28 Lots 2, 3, 6, 7; Ellis/Roger Mills County, OK</p>	<p>Private Surface:</p> <p>91.240</p> <p><u>Lease with the following Stipulations:</u></p> <p>ORA-1, Floodplain Protection ORA-2, Wetland/Riparian Protection WO-ESA-7, Threatened and Endangered Species</p>
<p><u>NM-201110-032</u></p> <p>T.0018N., R.0210W., IM PM, OK Sec. 31 Lots 8, 9, 10; Ellis County, OK</p>	<p>Private Surface:</p> <p>87.500</p> <p><u>Lease with the following Stipulations:</u></p> <p>ORA-1, Floodplain Protection ORA-2, Wetland/Riparian Protection WO-ESA-7, Threatened and Endangered Species</p>
<p><u>NM-201110-033</u></p> <p>T.00160N., R.0240W., IM PM, OK Sec. 24 Lots 1, 4; Sec. 24 ACCR & RIPR to Lot 1; Sec. 24 ACCR & RIPR to Lot 4; Sec. 24 See EXH. C for M&B W/Map; Ellis County, OK</p>	<p>Private Surface:</p> <p>128.870</p> <p><u>Lease with the following Stipulations:</u></p> <p>ORA-1, Floodplain Protection ORA-2, Wetland/Riparian Protection WO-ESA-7, Threatened and Endangered Species</p>
<p><u>NM-201110-034</u></p> <p>T.00290N., R.0260W., IM PM, OK Sec. 23 Lots 3; Harper County, OK</p>	<p>Private Surface:</p> <p>5.300</p> <p><u>Lease with the following Stipulations:</u></p> <p>ORA-1, Floodplain Protection ORA-2, Wetland/Riparian Protection WO-ESA-7, Threatened and Endangered Species</p>
<p><u>NM-201110-036</u></p> <p>T.00150N., R.0260W., IM PM, OK Sec. 22 NWSW; Roger Mills County, OK</p>	<p>Other Surface Management Agency (SMA):</p> <p>40.000</p> <p>United States Forest Service (USFS)</p> <p><u>Lease with the following Stipulations:</u></p> <p>FS1, Cibola FS3 (OK), CSU1 FS3 (OK), CSU2</p>

The following three (3) nominated parcels will be deferred or involve lands not available to leasing:

Parcel	Comments	Acres
<p><u>NM-201110-027</u></p> <p>T.0160N., R.0150W., IM PM, OK Sec. 24 Lots 1,3; Sec. 24 ACCR & RIPR AC to Lot 1; Sec. 24 SEE EXH B For M&B W/ Map; Sec. 24 ACCR & RIPR AC to Lot 3; Dewey County, OK</p>	<p>Private Surface:</p> <p>Deferred due to unresolved issues with the legal description.</p>	171.420
<p><u>NM-201110-028</u></p> <p>T.0016N., R.0190W., IM PM, OK Sec. 005 Lots 1, 2; Dewey County, OK</p>	<p>Private Surface:</p> <p>Deferred due to unresolved issues with the legal description.</p>	19.180
<p><u>NM-201110-035</u></p> <p>T.0280N., R.0300E., IM PM, OK Sec. 14 Lots 2,4; Sec. 14 PT of NE (TR 1533); Sec. 14 SWNW, NWSW (TR 1536); Sec. 15 Lots 1, 2, 5, 6, 7; Sec. 15 W2NE (TR 1531); Sec. 15 E2NW (TR 1541); Kay County, OK</p>	<p>Other Surface Management Agency (SMA): United States Army Corps of Engineers (USACOE)</p> <p>Deferred due to unresolved survey issues.</p>	502.000

Alternatives Considered:

The EA considered three alternatives: Alternative A (no action), Alternative B (proposed action) and Alternative C (preferred alternative). The No Action Alternative was not selected because it does not meet the purpose and need. The proposed action was not selected because not all of the nominated lease parcels were in conformance with the OKRMP (1994), as amended.

Rationale:

The eight (8) parcels described in the Environmental Assessment (EA) were reviewed by Oklahoma Lease Staff, an interdisciplinary group of internal and external resource specialists, at the Oklahoma Field Office (OFO). The purpose of the review was to determine if all of the nominated parcels were in areas open to oil and gas leasing; if leasing was in conformance with the existing land use plans; if new information had been developed which might affect leasing suitability; to ensure that appropriate lease stipulations were attached to each lease parcel; and to verify that appropriate consultations had been conducted.

The preferred alternative (Alternative C) was selected because it addressed the concerns associated with the adjacent accretion and riparian acreage that can't be resolved until a cadastral survey is completed.

The professional opinion of BLM biologist, using BLM inventory and monitoring data, is that no species listed as threatened, endangered (T/E), or proposed for listing under the Federal Endangered Species Act (ESA) would be adversely affected by sale of the lease parcels. Effects of oil and gas leasing and development on (T/E) species were analyzed on ESA Section 7 consultation (Cons. # 2-14-93-I-736). No new information has been uncovered which would change that analysis. Additional review and analysis would occur when site-specific proposals for development are received.

New information regarding greenhouse gas emissions and climate change has been developed since the OKRMP (1994), as amended. This information has been incorporated into the analysis of the alternatives. Analysis determined that leasing the subject tracts could lead to eventual development which would result in small incremental increases in Greenhouse Gas (GHG) emissions. These emissions will be minimized by best management practices and special conditions of approval developed for specific development proposals.

Mitigating measures and/or stipulations were considered and analyzed in the environmental assessment. Appropriate lease stipulations and lease notices will be attached to individual parcels as listed in the EA. Additionally, reclamation would be required for any development on the lease following the standards in the Gold Book.

Public Involvement:

The parcels nominated for this sale, along with the appropriate stipulations from the RMP, were posted online for a two week review period starting on April 25, 2011. No comments were received. This EA was also made available for public review and comment for 30 days beginning May 26th, 2011. No comments were received.

Administrative Review and Appeal:

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 4.400 and Form 1842-1, Information on Taking Appeals to the Interior Board of Land Appeals. If an appeal is taken, a Notice of Appeal must be filed in this office at the aforementioned address within 30 days from receipt of this Decision. A copy of the Notice of Appeal and of any statement of reasons, written arguments, or briefs must also be served on the Office of the Solicitor at the address shown on Form 1842-1. It is also requested that a copy of any statement of reasons,

written arguments, or briefs be sent to this office. 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 this Decision, pursuant to 43 CFR 4.21, the Petition 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** also be submitted to each party named in the Decision and to the Interior Board of Land Appeals 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.

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 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.

Prepared by:

/s/ Jackie Badley Date: 10/20/2011
for Waylon J. Denny
Environmental Protection Specialist

Reviewed by:

/s/ Robert L. Leturgez for Date: 10/20/2011
Stephen G. Tryon
Field Manager

Approved by:

/s/ William Merhege 10/28/2011
Date: _____
for Jesse Juen
Acting State Director

DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
OKLAHOMA FIELD OFFICE

Project: October 2011 Competitive Oil and Gas Lease Sale
EA Log Number: DOI-BLM-NM-040-2011-040-EA
Location: Various Locations in Dewey, Ellis, Roger Mills, and Harper
County, Oklahoma.

Finding of No Significant Impact

Based on the analysis of potential environmental impacts contained in the attached Environmental Assessment (EA), I have determined the Preferred Alternative is not expected to have significant impacts on the environment. The impacts of leasing the fluid mineral estate in the areas described with this EA have been previously analyzed in the Oklahoma Resource Management Plan (OKRMP), 1994, as amended and the lease stipulations that accompany the tracts proposed for leasing would mitigate the impacts of future development on these tracts. Therefore, preparation of an Environmental Impact Statement (EIS) is not warranted.

Prepared by:

/s/ Waylon Denny Date: 10/11/2011
Waylon J Denny
Environmental Protection Specialist

Reviewed by:

/s/ Steve Tryon Date: 10/11/2011
Stephen G. Tryon
Field Manager, Oklahoma Field Office

Approved by:

/s/ William Merhege 10/28/2011
Date: _____
for Jesse Juen
Acting State Director, New Mexico

**BUREAU OF LAND MANAGEMENT
OKLAHOMA FIELD OFFICE**

**ENVIRONMENTAL ASSESSMENT FOR
October 2011 OIL AND GAS LEASE SALE
DOI-BLM-NM-040-2011-040-EA**

1.0 INTRODUCTION

It is the policy of the Bureau of Land Management (BLM) as derived from various laws, including the Mineral Leasing Act of 1920 (MLA), as amended [30 U.S.C. 181 *et seq.*], and the Federal Land Policy and Management Act of 1976 (FLPMA), as amended, to make mineral resources available for disposal and to manage for multiple resources which include the development of fluid mineral resources to meet national, regional, and local needs.

The BLM New Mexico State Office (NMSO) conducts a quarterly competitive lease sale to sell available oil and gas lease parcels in New Mexico, Oklahoma, Texas, and Kansas. A Notice of Competitive Lease Sale (NCLS), which lists lease parcels to be offered at the auction, is published by the BLM NMSO at least 90 days before the auction is held. Lease stipulations applicable to each parcel are specified in the Sale Notice. The decision as to which public lands and minerals are open for leasing and what leasing stipulations may be necessary, based on information available at the time, is made during the land use planning process. Surface management of non-BLM administered land overlaying federal minerals is determined by the BLM in consultation with the appropriate surface management agency or the private surface owner.

In the process of preparing a lease sale, the BLM-NMSO sends a draft parcel list to each field office where the parcels are located. Field Office (FO) staff then review the legal descriptions of the parcels to determine if they are in areas open to leasing; if appropriate stipulations have been included; if new information has become available which might change any analysis conducted during the planning process; if appropriate consultations have been conducted, and if there are special resource conditions of which potential bidders should be made aware. The parcels nominated for this sale, along with the appropriate stipulations from the Oklahoma Resource Management Plan (OKRMP) 1994, as amended, were posted online for a two week public scoping period. No comments were received.

Once the draft parcel review is completed and returned to the NMSO, a list of available lease parcels and stipulations is made available to the public through a NCLS. On rare occasions, additional information obtained after the publication of the NCLS may result in deferral of certain parcels prior to the lease sale.

The following EA documents the OFO review of (11) parcels nominated for the October 2011 Competitive Oil and Gas Lease Sale that are under the administration of the OFO. It serves to verify conformance with the approved land use plan, provides the rationale for deferring or dropping parcels from a lease sale, as well as providing rationale for attaching additional lease stipulations to specific parcels.

This EA was made available for public review and comment for 30 days beginning on May 26, 2011. No comments were received.

1.1 Purpose and Need

The purpose is to consider opportunities for private individuals or companies to explore for and develop oil and gas resources on public lands through a competitive leasing process.

The need of the action is established by the BLM's responsibility under the MLA, as amended, to promote the exploration and development of oil and gas on the public domain. The MLA also establishes that deposits of oil and gas owned by the United States are subject to disposition in the form and manner provided by the MLA under the rules and regulations prescribed by the Secretary of the Interior, where consistent with the FLPMA, the National Environmental Policy Act (NEPA) of 1969, as amended (Public Law 91-90, 42 USC 4321 *et seq.*), and other applicable laws, regulations, and policies.

The BLM will decide whether or not to lease the nominated parcels and, if so, under what terms and conditions.

1.2 Conformance with Applicable Land Use Plan and Other Environmental Assessments

The applicable land use plan for this action is in the OKRMP (1994), as amended and Final Environmental Impact Statement (FEIS), 1994, as amended. The OKRMP (1994), as amended, designated approximately 1.5 million acres of federal minerals open for continued oil and gas development and leasing under Standard Terms and Conditions. The OKRMP (1994), as amended, also describes specific stipulations that would be attached to new leases offered in certain areas. Therefore, it is determined that the action alternatives conform to fluid mineral leasing decisions in the OKRMP (1994), as amended, and are consistent with the goals and objectives for natural and cultural resources.

Pursuant to 40 Code of Federal Regulations (CFR) 1508.28 and 1502.21, this EA is tiered to and incorporates by reference the information and analysis contained in the OKRMP (1994), as amended. While it is unknown precisely when, where, or to what extent well sites or roads would be proposed, the analysis of projected

surface disturbance impacts, should a lease be developed, is based on potential well densities listed in the Reasonable Foreseeable Development (RFD) Scenario included in the OKRMP (1994), as amended. While an appropriate level of site-specific analysis of individual wells or roads would occur when a lease holder submits an Application for Permit to Drill (APD), assumptions based on the RFD scenario may be used in the analysis of impacts in this EA.

The FLPMA established guidelines to provide for the management, protection, development, and enhancement of public lands (Public Law 94-579). Section 103(e) of FLPMA defines public lands as any lands and interest in lands owned by the United States (U.S.). The mineral estate is an interest owned by the U.S., while the BLM has no authority over use of the surface by the surface owner, the BLM is required to declare how the federal mineral estate will be managed in the OKRMP, including identification of all appropriate lease stipulations (43 CFR 3101.1 and 43 CFR 1601.0-7(b); BLM Manual Handbook 1601.09 and 1624-1).

1.3 Federal, State or Local Permits, Licenses or Other Consultation Requirements

Purchasers of oil and gas leases are required to obey all applicable federal, state, and local laws and regulations including obtaining all necessary permits required should lease development occur.

OFO biologists reviewed the Proposed Action and determined it would be in compliance with threatened and endangered species management and consultation guidelines outlined in the Oklahoma Biological Assessment dated March 4, 1993. No further consultation with the U.S. Fish and Wildlife Service (USFWS) is required at this stage for any of the proposed parcels.

Compliance with Section 106 responsibilities of the National Historic Preservation Act (NHPA) are adhered to by following the BLM Manual 8100, 36 CFR Part 800, 43 CFR Part 7, and the Cultural Resources Handbook H-8100-1 (for New Mexico, Oklahoma, Kansas, and Texas). When draft parcel locations are received by the OFO, cultural resource staff reviews the location for any known cultural resources on BLM records.

Tribal Consultations would be completed when specific locations for proposed projects are received, reviewed by the State Historical Preservation Office (SHPO), the Bureau of Indian Affairs (BIA), and specific Tribes. When particular Tribes respond during consultation, that tribe would be directly involved in negotiations with the BLM to determine if the project should be moved, or other mitigation be required.

In Section 1835 of the Energy Policy Act of 2005 (43 U.S.C. 15801), Congress directed the Secretary of the Interior to review current policies and practices with respect to management of federal subsurface oil and gas development activities

and their effects on the privately owned surface. The Split Estate Report, submitted in December 2006, documents the findings from consultation on the split estate issue with affected private surface owners, the oil and gas industry, and other interested parties.

The NMSO contacts the surface owners and notifies them of the expression of interest and the date the oil and gas rights would be offered for competitive bidding. The BLM would provide the surface owners with its website address so they may obtain additional information related to the oil and gas leasing process, the imposition of any stipulations on that lease parcel, federal and state regulations, and best management practices (BMPs). The surface owners may elect to protest the leasing of the minerals underlying their surface.

If the BLM receives a protest, the parcel would remain on the lease sale; however, the BLM would resolve any protest prior to issuing an oil and gas lease for that parcel. If the protest is upheld, BLM would return the payments received from the successful bidder for that parcel. After the lease sale has occurred, the BLM would post the results on its website and the surface owner may access the website to learn the results of the lease sale.

1.4 Identification of Issues

An internal review of the Proposed Action was conducted by an interdisciplinary team of OFO resource specialists on April 04th, 2011 to identify and consider potentially affected resources and associated issues. Also during the meeting, the interdisciplinary team developed the Preferred Alternative, presented in section 2.3 below, to address the unresolved conflicts related to the Proposed Action.

The parcels included in the Proposed Action, along with the appropriate stipulations from the RMP, are posted online at http://www.blm.gov/nm/st/en/prog/energy/oil_and_gas/oil_and_gas_lease.html for a two week public scoping period beginning April 25th, 2011 through May 9th, 2011. No comments were received.

Based on these efforts, the following issues have been determined relevant to the analysis of this action:

Air Quality

- *What effect will the proposed action have on atmospheric pollutants and contaminants?*

Climate

- *What effect will the proposed action have on climate change?*

Cultural Resources

- *What effect will the proposed action have on known and newly discovered artifacts of cultural and archeological significance?*

Floodplains

- *What effect will the proposed action have on floodplains and the integrity of the floodplains?*

Invasive Species

- *What effect will the proposed action have on the spread of non-native species?*

Threatened and Endangered Species

- *What effect will the proposed action have on federally listed and state-listed species that have the potential to be located on the proposed lease tracts?*

Hazard Waste

- *What effect will the proposed action have on the management of fluid mineral drilling and the hazardous wastes produced?*

Water Quality

- *What effect will the proposed action have on water quality in stream systems?*

Wetland and Riparian Areas

- *What effect will the proposed action have on wetland and riparian areas?*

Mineral Resources

- *What effect will the proposed action have on locatable minerals management?*

Watersheds

- *What effect will the proposed action have on watershed?*

Vegetation

- *What effect will the proposed action have on vegetation?*

Special Status Species

- *What effect will the proposed action have on special status species?*

Wildlife

- *What effect will the proposed action have on wildlife and their habitat in general?*

Several issues were considered during project scoping but dismissed from detailed analysis because there would be no potentially significant effects related to the issues resulting from any of the alternatives presented below. The following elements are determined by an interdisciplinary team of resource specialists, following their onsite visit and review of the OKRMP (1994), as amended and other data sources, to not be present:

- Areas of Critical Environmental Concern-None identified.
- Caves and Karsts- None identified.

- Environmental Justice- Not relevant at leasing stage.
- Livestock grazing- No public grazing.
- Native American Religious Concerns- Not relevant at leasing stage.
- Prime or Unique Farmlands- None identified.
- Rights of Way- No oversight by BLM, fee surface.
- Recreation- No oversight by BLM, fee surface.
- Public Health- Not relevant at leasing stage.
- Visual Resources- Not applicable on fee surface.
- Wild and Scenic Rivers- None identified.
- Wilderness or Wilderness Study Areas- None identified.
- Wild Horses and Burros- None present.

2.0 Alternative A - No Action

The BLM NEPA Handbook (H-1790-1) states that for EAs on externally initiated proposed actions, the no action alternative generally means that the proposed action would not take place. In the case of a lease sale, this would mean that an expression of interest to lease (parcel nomination) would be denied or rejected, and the eleven (11) parcels would not be offered for lease during the October 2011 Competitive Oil and Gas Lease Sale. Surface management and any ongoing oil and gas development on surrounding federal, private, and state leases would continue under current guidelines and practices. The no action alternative would not preclude these parcels from being nominated and considered in a future lease sale.

2.1 Alternative B - Proposed Action

The Proposed Action would be to lease eleven (11) nominated parcels of federal minerals covering 1225.23 acres administered by OFO. The eleven (11) proposed lease parcels are located in Dewey, Ellis, Roger Mills, Kay and Harper County, Oklahoma. Standard terms and conditions as well as stipulations listed in the OKRMP (1994), as amended, would apply. A complete description of these parcels, including any stipulations, is provided in Appendix 1.

A lease notice, WO-ESA-7, would also be attached to each parcel. This notice would notify the lease holder that the BLM reserves discretion to modify, if necessary, any action proposed on the lease to ensure threatened, endangered, or other special status plants or animals, or their habitats would not be adversely affected. Under the Endangered Species Act (ESA) of 1973, as amended, Section 7 Consultation with the USFWS would occur if development is proposed on a lease containing habitat suitable for these special status species.

Once sold, the lease purchaser has the exclusive right to use as much of the leased lands as is necessary to explore and drill for oil and gas within the lease boundaries, subject to the stipulations attached to the lease (43 CFR 3101).

Oil and gas leases are issued for a 10-year period and continue for as long thereafter as oil or gas is produced in paying quantities. If a lease holder fails to produce oil and gas, does not make annual rental payments, does not comply with the terms and conditions of the lease, or relinquishes the lease, ownership of the minerals leased reverts back to the federal government and the lease can be resold.

Drilling of wells on a lease is not permitted until the lease owner or operator meets the site specific requirements specified in 43 CFR 3162.

2.3 Alternative C - Preferred Alternative

The Preferred Alternative is to lease eight (8) of eleven (11) nominated parcels of federal minerals, covering 532.63 acres administered by the OFO. The BLM would not offer for oil and gas lease three (3) nominated parcels of federal minerals, covering 692.6 acres administered by the OFO.

The Preferred Alternative would defer the following parcels: NM-201110-027, NM-201110-28 and NM-201110-035, from the October 2011 Lease Sale. The three (3) parcels would be deferred until a cadastral survey to determine adjacent accretion and riparian acreage can be completed. This is necessary in order to ensure proper management of the federal minerals for future exploration of oil and gas development.

Parcel numbers, locations, stipulations, and acreages for the eight (8) are listed in Table 2-1 below. Lease stipulations (as required by Title 43 CFR 3101.3) would be added to the three parcels to address site specific concerns.

Once sold, the lease purchaser has the right to use so much of the leased lands as is necessary to explore and drill for all of the oil and gas within the lease boundaries, subject to the stipulations attached to the lease (Title 43 Code of Federal Registration 3101.1-2).

Oil and gas leases are issued for a 10-year period and continue for as long thereafter as oil or gas is produced in paying quantities. If a lessee fails to produce oil and gas, does not make annual rental payments, does not comply with the terms and conditions of the lease, or relinquishes the lease; ownership of the minerals leased revert back to the federal government and the lease can be resold. Drilling of wells on a lease is not permitted until the lease owner or operator secures approval of a drilling permit and a surface use plan specified under Onshore Oil and Gas Orders listed in Title 43 CFR 3162. A permit to drill would not be authorized until site-specific NEPA analysis is conducted.

Standard terms and conditions, stipulations listed in the OKRMP, and any new stipulations would apply as appropriate to each lease. In addition, site specific mitigation measures and BMPs would be attached as Conditions of Approval

(COAs) for each proposed exploration and development activity authorized on a lease.

Parcels recommended for leasing under the Preferred Alternative with stipulations are presented below in Table 2-1:

Table 2-1 Alternative C: Preferred Alternative Parcels

Parcel	Comments	Acres
<p><u>NM-201110-026</u></p> <p>T.0160N, R.0140W, IM PM, OK Sec. 031 LOTS 6,8; Sec. 031 See EXH A For M&B w/Map; Sec. 031 ACC & RIP; AC to Lot 8; Dewey County, OK</p>	<p>Private Surface:</p> <p><u>Lease with the following Stipulations:</u></p> <p>ORA-1, Floodplain Protection ORA-2, Wetland/Riparian Protection WO-ESA-7, Threatened and Endangered Species</p>	62.920
<p><u>NM-201110-029</u></p> <p>T.00180N., R.0210W., IM PM, OK Sec. 23 Lots 4; Ellis County, OK</p>	<p>Private Surface:</p> <p><u>Lease with the following Stipulations:</u></p> <p>ORA-1, Floodplain Protection ORA-2, Wetland/Riparian Protection WO-ESA-7, Threatened and Endangered Species</p>	21.750
<p><u>NM-201110-030</u></p> <p>T.0018N., R.0210W., IM PM, OK Sec. 27 Lots 3,4,5; Roger Mills County, OK</p>	<p>Private Surface:</p> <p><u>Lease with the following Stipulations:</u></p> <p>ORA-1, Floodplain Protection ORA-2, Wetland/Riparian Protection WO-ESA-7, Threatened and Endangered Species</p>	95.050
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<p><u>NM-201110-032</u></p> <p>T.0018N., R.0210W., IM PM, OK Sec. 31 Lots 8, 9, 10; Ellis County, OK</p>	<p>Private Surface:</p> <p><u>Lease with the following Stipulations:</u></p> <p>ORA-1, Floodplain Protection ORA-2, Wetland/Riparian Protection</p>	87.500

WO-ESA-7, Threatened and Endangered Species		
<p><u>NM-201110-033</u></p> <p>T.00160N., R.0240W., IM PM, OK Sec. 24 Lots 1, 4; Sec. 24 ACCR & RIPR to Lot 1; Sec. 24 ACCR & RIPR to Lot 4; Sec. 24 See EXH. C for M&B W/Map; Ellis County, OK</p>	<p>Private Surface:</p> <p>Lease with the following Stipulations:</p> <p>ORA-1, Floodplain Protection ORA-2, Wetland/Riparian Protection WO-ESA-7, Threatened and Endangered Species</p>	<p>128.870</p>
<p><u>NM-201110-034</u></p> <p>T.00290N., R.0260W., IM PM, OK Sec. 23 Lots 3; Harper County, OK</p>	<p>Private Surface:</p> <p>Lease with the following Stipulations:</p> <p>ORA-1, Floodplain Protection ORA-2, Wetland/Riparian Protection WO-ESA-7, Threatened and Endangered Species</p>	<p>5.300</p>
<p><u>NM-201110-036</u></p> <p>T.00150N., R.0260W., IM PM, OK Sec. 22 NWSW; Roger Mills County, OK</p>	<p>Other Surface Management Agency (SMA):</p> <p>United States Forest Service (USFS)</p> <p>Lease with the following Stipulations:</p> <p>FS1, Cibola FS3 (OK), CSU1 FS3 (OK), CSU2</p>	<p>40.000</p>

Standard terms and conditions as well as stipulations developed through the parcel review and analysis process would apply as additional lease stipulations (as required by Title 43 Code of Federal Registration 3131.3) to address site specific concerns or new information not identified in the land use planning process.

3.0 DESCRIPTION OF AFFECTED ENVIRONMENT

This section describes the environment that would be affected by implementation of the alternatives described in Section 2. Aspects of the affected environment described in this section focus on the relevant resources and issues. Only those elements of the affected environment that have potential to be significantly impacted are described in detail. Generalized descriptions of the Oklahoma environment are contained in Chapter 3 of the OKRMP (1994), as amended, beginning on page 3-1.

3.1 Air Quality

The Environmental Protection Agency (EPA) has the primary responsibility for regulating air quality, including seven nationally regulated ambient air pollutants.

Regulation of air quality is also delegated to some states. Air quality is determined by atmospheric pollutants and chemistry, dispersion meteorology and terrain, and also includes applications of noise, smoke management, and visibility. Climate is the composite of generally prevailing weather conditions of a particular region throughout the year, averaged over a series of years. Greenhouse Gasses (GHG) and the potential effects of GHG emissions on climate are not regulated by the EPA, however climate has the potential to influence renewable and non-renewable resource management.

The proposed lease tracts are all located in rural areas of Oklahoma. Air quality in these areas is generally good. None of the proposed lease tracts are located in any of the areas designated by the EPA as “non-attainment areas” for any listed pollutants regulated by the Clean Air Act.

Air quality and climate are the components of air resources, which include applications, activities, and management of the air resource. Therefore, the BLM must consider and analyze the potential effects of BLM and BLM-authorized activities on air resources as part of the planning and decision making process.

Greenhouse gases, including carbon dioxide (CO₂) and methane (CH₄), and the potential effects of GHG emissions on climate, are not regulated by the EPA under the Clean Air Act. However, climate has the potential to influence renewable and non-renewable resource management. The EPA’s Inventory of US Greenhouse Gas Emissions and Sinks found that in 2006, total US GHG emissions were over 6 billion metric tons and that total US GHG emissions have increased by 14.1% from 1990 to 2006. The report also noted that GHG emissions fell by 1.5% from 2005 to 2006. This decrease was, in part, attributed to the increased use of natural gas and other alternatives to burning coal in electric power generation.

The levels of these GHGs are expected to continue increasing. The rate of increase is expected to slow as greater awareness of the potential environmental and economic costs associated with increased levels of GHGs result in behavioral and industrial adaptations.

3.2 Climate

Oklahoma is located in a temperate region and experiences occasional extremes of temperature and precipitation typical in a continental climate (University of Oklahoma, 2008). Most of the state lies in an area known as Tornado Alley characterized by frequent interaction between cold and warm air masses producing severe weather. An average 54 tornadoes strike the state per year, one of the highest rates in the world. This is due to Oklahoma’s position between zones of differing prevailing temperature and winds, weather patterns within the state can vary widely between relatively short distances.

The humid subtropical climate (Koppen *Cfa*) of the eastern part of Oklahoma influenced heavily by southerly winds bringing moisture from the Gulf of Mexico, but transitions progressively to a semi-arid zone (Koppen *BSk*) in the high plains of the Panhandle and other western areas from frequently touched by southern moisture. Precipitation and temperatures fall from east to west accordingly, with areas in the southeast averaging an annual temperature of 62 °F (17 °C) and an annual rainfall of 56 inches (1,420 mm), while areas of the panhandle average 58 °F (14 °C), with an annual rainfall under 17 inches (430 mm). All of the state frequently experiences temperatures above 100 °F (38 °C) or below 0 °F (−18 °C), and snowfall ranges from an average of less than 4 inches (10 cm) in the south to just over 20 inches (51 cm) on the border of Colorado in the panhandle.

Table 3.3: Summarizes components of climate that could affect air quality in the region.

Climate Component	Temperature
Mean maximum summer temperatures	90.0°F
Mean minimum winter temperatures	32.0°F
Mean annual temperature	62.0°F
Mean annual precipitation	36.0 inches
Mean annual snowfall	12.0 inches
Mean annual wind speed	12.2 mile per hour (mph)

In addition to the air quality information in the current OKRMP, new information about GHGs and their effects on national and global climate conditions has emerged since the OKRMP (1994), as amended, was prepared.

Global mean surface temperatures have increased nearly 1.0°C (1.8°F) from 1890 to 2006 (Goddard Institute for Space Studies, 2007). However, observations and predictive models indicate that average temperature changes are likely to be greater in the Northern Hemisphere. Without additional meteorological monitoring and modeling systems, it is difficult to determine the spatial and temporal variability and change of climatic conditions; what is known is that increasing concentrations of GHGs are likely to accelerate the rate of climate change.

GHGs that are included in the U.S. GHG Inventory are: carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF₆). CO₂ and methane (CH₄) are typically emitted from combustion activities or are directly emitted into the atmosphere. On-going scientific research has identified the potential impacts of

GHG emissions (including CO₂; CH₄; nitrous oxide (N₂O), water vapor; and several trace gasses) on global climate. Through complex interactions on regional and global scales, these GHG emissions cause a net warming effect of the atmosphere (which makes surface temperatures suitable for life on Earth), primarily by decreasing the amount of heat energy radiated by the Earth back into space. Although GHG levels have varied for millennia (along with corresponding variations in climatic conditions), recent industrialization and burning of fossil carbon sources have caused CO₂ concentrations to increase dramatically, and are likely to contribute to overall climatic changes, typically referred to as global warming or most notably, the greenhouse effect. Increasing CO₂ concentrations also lead to preferential fertilization and growth of specific plant species.

In 2007, the Intergovernmental Panel on Climate Change (IPCC) predicted that by the year 2100, global average surface temperatures would increase 1.4°C to 5.8°C (2.5°F to 10.4°F) above 1990 levels. The National Academy of Sciences (2006) supports these predictions, but has acknowledged that there are uncertainties regarding how climate change may affect different regions. Computer model predictions indicate that increases in temperature will not be equally distributed, but are likely to be accentuated at higher latitudes. Warming during the winter months is expected to be greater than during the summer, and increases in daily minimum temperatures is more likely than increases in daily maximum temperatures. It is not, however, possible at this time to predict with any certainty the causal connection of site specific emissions from sources to impacts on the global/regional climate relative to the Preferred Alternative and subsequent actions of oil and gas development.

A 2007 U.S. Government Accountability Office (GAO) Report on Climate Change found that, "federal land and water resources are vulnerable to a wide range of effects from climate change, some of which are already occurring." These effects include, among others: 1) physical effects such as droughts, floods, glacial melting, and sea level rise; 2) biological effects, such as increases in insect and disease infestations, shifts in species distribution, and changes in the timing of natural events; and 3) economic and social effects, such as adverse impacts on tourism, infrastructure, fishing, and other resource uses.

A number of activities contribute to the phenomenon of climate change, including emissions of GHGs (especially carbon dioxide and methane) from fossil fuel development, large wildfires, activities using combustion engines, changes to the natural carbon cycle, and changes to radiative forces and reflectivity (albedo). It is important to note that GHGs will have a sustained climatic impact over different temporal scales due to their differences in global warming potential (described above) and life span in the atmosphere.

3.3 Soils

The State's varied climate and topography have combined to produce broad differences in state soils. In the eastern part of the state, soils have been developed where leaching is intense and conditions are humid. Western soils developed in an area of lesser rainfall. Further discussion of soil resources in Oklahoma may be found on pages 3-8 in the OKRMP (1994), as amended.

3.4 Watershed - Hydrology

The nominated Oklahoma lease parcels fall within the Canadian river basin in Dewey, Ellis, Roger Mills, and Harper, Counties.

Information on watershed-hydrology units can be found on pages 3-19 to 3-24 of the OKRMP (1994), as amended.

3.5 Floodplains

Some or portions of the all nominated lease parcels are located within floodplains.

3.6 Water Quality – Surface/Ground

Information on water quality conditions in Oklahoma can be found on pages 3-5 through 3-7 of the OKRMP (1994), as amended.

3.7 Cultural Resources

Approximately 18,000 archeological sites are recorded in Oklahoma and over 1,000 historic properties in the state are listed on the National Register of Historic Places.

Blanket cultural resource surveys have not been conducted on the proposed lease parcels. Site specific cultural resource surveys and appropriate mitigation measures are required as part of the APD process after the parcels are leased.

3.8 Paleontology

All cultural resource surveys for projects in the OFO area of responsibility are required to include statements on any new paleontological material discovered during inventory. These reports are reviewed and new fossil material is reported to paleontologists. Protection and preservation of significant fossil materials in specific locations would be required for any BLM permitted project.

3.9 Invasive, Non-native Species

Invasive species are well adapted plants that have been introduced into an area where they do not naturally occur. These new environments do not have the

natural constraints adapted to out-compete invasive species thus allowing invader species to out-compete the native plants and damage existing ecosystems. Invasive plants like sericea lespedeza (*Lespedeza cuneata*) and eastern red cedar (*Juniperus virginiana*) severely impact open rangelands and forests, while stream banks and sandy floodplains are being invaded by salt cedar (*Tamarix* spp.). These three plant species are damaging more wildlife habitat and productive landscapes than any other species.

3.10 Vegetation

The nominated lease parcels are located within the Rolling Red Hills, Canadian/Cimarron Breaks, Red Prairie and Flat Tablelands and Valleys ecoregions. Pages 3-8 thru-3-11 of the OKRMP (1994), as amended, provide further details on vegetation resources in the leasing area.

3.11 Threatened or Endangered Species

OFO biologists also reviewed the locations of the sale parcels and compared them to the latest T/E species information currently available and determined that all of the proposed lease parcels contain potential habitat for a listed species. These tracts have been identified in Appendix 1.

Under Section 7 of ESA, the BLM is required to consult with the USFWS on any proposed action which may affect federally listed T/E species or species proposed for listing. A detailed listing of threatened and endangered species within Oklahoma may be found on pages 3-11 to 3-13 of the OKRMP (1994), as amended.

3.12 Special Status Species

In accordance with BLM Manual 6840, BLM manages certain sensitive species not federally listed as T/E. Included in this category are state listed endangered species and federal candidate species which receive no special protections under the ESA. Special status species which occur in Oklahoma are listed on pages 3-11 through 3-13 of the OKRMP (1994), as amended.

3.13 Wildlife

Counties in Oklahoma where the nominated lease parcels occur contain diverse wildlife populations as well as habitats. Generally speaking the eastern one-third of Oklahoma receives ample rainfall and supports much of the oak, pine and hickory forests. The bulk of the central portion of Oklahoma is within the cross timbers area where the transition begins from eastern deciduous forests to the more arid portions of western Oklahoma. The faunal diversity follows this same

transition from cypress swamps and alligators in the southeast tip of the state to piñon-juniper and mule deer in the furthest western portion of the Oklahoma panhandle. Regional information on wildlife and their habitats in Oklahoma is contained on pages 3-8 to 3-10 of the OKRMP (1994), as amended.

3.14 Wetlands /Riparian Zones

All of the nominated lease parcels (refer to Appendix 1) contain, or potentially contain, wetlands and/or riparian zones. Additional information on, and discussion of, wetlands and riparian zones appears on pages 3-8 through 3-10 and 4-6 of the OKRMP (1994), as amended.

3.15 Wastes, Hazardous or Solid

The Resource Conservation and Recovery Act (RCRA) of 1976 established a comprehensive program for managing hazardous wastes from the time they are produced until their disposal. The EPA regulations define solid wastes as any “discarded materials” subject to a number of exclusions. On July 6, 1988, EPA determined that oil and gas exploration, development and production wastes would not be regulated as hazardous wastes under RCRA. The Comprehensive Environmental Response Compensation and Liability Act (CERCLA) of 1980, deals with the release (spillage, leaking, dumping, accumulation, etc.), or threat of a release of hazardous substances into the environment. Despite many oil and gas constituent wastes being exempt from hazardous waste regulations, certain RCRA exempt contaminants could be subject to regulations as hazardous substances under CERCLA.

No hazardous or solid waste materials are known to be present on the proposed lease parcels.

3.16 Mineral Resources

Oil and gas development began in Oklahoma more than 100 years ago and virtually all of the area with high potential for oil and gas production is under prior existing leases held by production.

Mineral resources under the jurisdiction of the OFO are described on pages 3-16-3-21 of the OKRMP (1994), as amended.

4.0 ENVIRONMENTAL CONSEQUENCES AND POTENTIAL MITIGATION MEASURES

4.1 Assumptions for Analysis

The act of leasing parcels would, by itself, have no impact on any resources in the OFO. All impacts would be linked to as yet undetermined future levels of

lease development. The environmental consequences of oil and gas leasing in Oklahoma are analyzed in the OKRMP (1994), as amended, (pages 4-1 to 4-29). That analysis, which assumes that the impacts from an average well, pipeline and access road would total 4.25 acres of surface disturbance in Oklahoma is incorporated by reference into this document. All impacts would be tied to as yet undetermined future levels of lease development.

If lease parcels were developed, short-term impacts would be stabilized or mitigated within five years and long-term impacts are those that would substantially remain for more than five years. Potential impacts and mitigation measures are described below.

Cumulative impacts include the combined effect of past projects, specific planned projects and other reasonably foreseeable future actions such as other infield wells being located within these leases. Potential cumulative effects may occur should an oil and gas field be discovered if these parcels are drilled and other infield wells are drilled within these leases or if these leases become part of a new unit. All actions, not just oil and gas development may occur in the area, including foreseeable non-federal actions.

4.2 Effects from the No Action Alternative

Under the No Action Alternative, the proposed parcels would not be leased. There would be no subsequent impacts from oil and/or gas construction, drilling, and production activities. The No Action Alternative would result in the continuation of the current land and resource uses in the proposed lease areas. The No Action Alternative is also used as the baseline for comparison of alternatives.

It is an assumption that the No Action Alternative (no lease option) may result in a slight reduction in domestic production of oil and gas. This would likely result in reduced Federal and state royalty income, and the potential for Federal lands to be drained by wells on adjacent private or state lands. Consumption is driven by a variety of complex interacting factors including energy costs, energy efficiency, availability of other energy sources, economics, demography, and weather or climate. If the BLM were to forego leasing and potential development of those minerals, the assumption is the public's demand for the resource would not be expected to change. Instead, the undeveloped resource would be replaced in the short- and long-term by other sources that may include a combination of imports, using alternative energy sources (e.g. wind, solar), and other domestic production. This displacement of supply would offset any reductions in emissions achieved by not leasing the subject tracts in the short-term.

4.3 Analysis of the Action Alternatives

4.3.1 Air Quality Impacts from the Action Alternatives

Leasing the subject tracts would have no direct impacts to air quality. Any potential effects to air quality from the sale of lease parcels would occur at such time that the leases were developed. Potential impacts of development could include increased airborne soil particles blown from new well pads or roads, exhaust emissions from drilling equipment, compressors, vehicles, dehydration and separation facilities coupled with volatile organic compounds during drilling or potential activities.

The RFD scenario developed for the OKRMP (1994), as amended, assumed 20 wells would be drilled annually. However, it is unknown whether the petroleum resources specific to these leases in the Proposed Action are oil and gas or a combination thereof, as well as the actual potential for those resources. In addition, oil wells are on a tighter spacing than gas wells; therefore, the specific number of wells that would be drilled as a result of issuing the leases is unknown. Current APD permitting trends within OFO confirm that these assumptions are still accurate.

Therefore, in order to reasonably quantify emissions associated with well exploration and production activities, certain types of information are needed. Such information includes a combination of activity data such as the types of equipment needed if a well were to be completed successfully (e.g. compressor, separator, dehydrator, etc.). The technologies which may be employed by a given company for drilling any new wells, area of disturbance for each type of activity (e.g. roads, pads, electric lines, compressor station), number of days to complete each kind of construction, number of days for each phase of drilling process, type(s), size, number of heavy equipment used for each type of construction (backhoe, dozer, etc.), number of wells of all types (shallow, deep, exploratory, etc.), compression per well (sales, field booster), or average horsepower for each type of compressor. The degree of impact will also vary according to the characteristics of the geologic formations from which production occurs. Since this type of data is unavailable at this time, including scenarios for oil and gas development, it is unreasonable to quantify emissions. What can be said is that exploration and production would contribute to incremental increases in overall air quality emissions associated with oil and gas exploration and production into the atmosphere.

Mitigation

The BLM encourages industry to incorporate and implement (BMPs, which are designed to reduce impacts to air quality by reducing emissions, surface disturbances, and dust from field production and operations. Typical measures include: adherence to BLM's Notice to Lessees' (NLTs) 4(a) concerning the venting and flaring of gas on Federal leases; for natural gas emissions that cannot be economically recovered, flare hydrocarbon gases at high temperatures in order to reduce emissions of incomplete combustion; water dirt roads during

periods of high use in order to reduce fugitive dust emissions; collocate wells and production facilities to reduce new surface disturbance; implementation of directional drilling and horizontal completion technologies whereby one well provides access to petroleum resources that would normally require the drilling of several vertical wellbores; require that vapor recovery systems be maintained and functional in areas where petroleum liquids are stored; and perform interim reclamation to reclaim areas of the pad not required for production facilities and to reduce the amount of dust from the pads.

The EPA data shows that improved practices and technology, and changing economics have reduced emissions from oil and gas exploration and development. One of the factors in this improvement is industry's utilizing of Best Management Practice (BMPs) recommended by the EPA's Natural Gas Energy Star program. The OFO would work with industry to facilitate the use of the relevant BMP's for operations proposed on federal mineral leases where such mitigation is consistent with agency policy.

4.3.2 Climate

The assessment of GHG emissions, their relationship to global climatic patterns, and the resulting impacts is an ongoing scientific process. It is currently not feasible to know with certainty the net impacts from the proposed action on climate, that is, while BLM actions may contribute to the climate change phenomenon, the specific effects of those actions on global climate are speculative given the current state of the science. The BLM does not have the ability to associate a BLM action's contribution to climate change with impacts in any particular area. The technology to be able to do so is not yet available. The inconsistency in results of scientific models used to predict climate change at the global scale coupled with the lack of scientific models designed to predict climate change on regional or local scales, limits the ability to quantify potential future impacts of decisions made at this level and determining the significance of any discrete amount of GHG emissions is beyond the limits of existing science. When further information on the impacts to climate change is known, such information would be incorporated into the BLM's planning and NEPA documents as appropriate.

Leasing the subject tracts would have no direct impacts on climate as a result of GHG emissions. There is an assumption that leasing the parcels would lead to some type of development that would have indirect effects on global climate through GHG emissions; however, those effects on global climate change cannot be determined. (Refer to the cumulative effects section, Chapter 4 for additional information). It is unknown whether the petroleum resources specific to these leases in the Proposed Action are gas or oil or a combination thereof.

Potential impacts of development could include increased airborne soil particles blown from new well pads or roads, exhaust emissions from drilling equipment, compressors, vehicles, and dehydration and separation facilities, as well as potential releases of GHG and volatile organic compounds during drilling or potential activities. The amount of increased emissions cannot be quantified at this time since it is unknown how many wells might be drilled, the types of equipment needed in the case a well were to be completed successfully (compressor, separator, dehydrator, etc.), or what technologies may be employed by the companies drilling any new wells. The degree of impact will also vary according to the characteristics of the geologic formations from which production occurs.

The RFD scenario developed for the OKRMP (1994), as amended, assumed 20 wells would be drilled annually on federal lands in the state. Current APD permitting trends within the field office confirm that these assumptions are still accurate. This level of exploration and production would contribute a small incremental increase in overall hydrocarbon emissions, including GHG's, released into the planet's atmosphere. When compared to total national or global emissions the amount released as a result of potential production from the proposed lease tracts would not have a measurable effect on climate change due to uncertainty and incomplete and unavailable information.

Environmental impacts of GHG emissions from oil and gas consumption are not effects of the proposed action as defined by the Council on Environmental Quality (CEQ), thus are not required to be analyzed under NEPA. Greenhouse gas emissions from consumption of oil and gas are not direct effects under NEPA because they do not occur at the same time and place as the action. They are also not indirect effects because oil and gas leasing and production would not be a proximate cause of greenhouse gas emissions resulting from consumption.

The assessment of greenhouse gas emissions and climate change is in its formative phase; therefore, it is not yet possible to know with confidence the net impacts to climate of global emissions. The inconsistency in results of scientific models used to predict climate change at the global scale coupled with the lack of scientific models designed to predict climate change on regional or local scales limits the ability to quantify potential future impacts of decisions made at this level. The Department of the Interior is exploring whether global and regional climate modeling can be scaled to the point that it can be used to manage parks and refuges (GAO-07-863, 2015). When further information on the impacts to climate change is known, such information would be incorporated into the BLM's planning and NEPA documents as appropriate.

Mitigation

The EPA's inventory data describes "Natural Gas Systems" and "Petroleum Systems" as the two major categories of total U.S. sources of GHG gas

emissions. The inventory identifies the contributions of natural gas and petroleum systems to total CO₂ and CH₄ emissions (natural gas and petroleum systems do not produce noteworthy amounts of any of the other GHG). Within the larger category of “Natural Gas Systems”, the EPA identifies emissions occurring during distinct stages of operation, including field production, processing, transmission and storage, and distribution. “Petroleum Systems” sub-activities include production field operations, crude oil transportation and crude oil refining. Within the two categories, the BLM has authority to regulate only those field production operations that are related to oil and gas measurement, and prevention of waste (via leaks, spills and unauthorized flaring and venting).

The EPA data shows that improved practices and technology, and changing economics have reduced emissions from oil and gas exploration and development (Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2006). One of the factors in this improvement is the adoption, by industry of the BMPs proposed by the EPA's Natural Gas Energy Star program. The OFO will work with industry to facilitate the use of the relevant BMP's for operations proposed on federal mineral leases where such mitigation is consistent with agency policy.

4.3.3 Soils

While the act of leasing a tract would produce no impacts, subsequent development of the lease would physically disturb the topsoil and would expose the substratum soil on subsequent project areas. Direct impacts resulting from the oil and gas construction of well pads, access roads, and reserve pits include removal of vegetation, exposure of the soil, mixing of horizons, compaction, loss of top soil productivity and susceptibility to wind and water erosion. Wind erosion would be expected to be a minor contributor to soil erosion with the possible exception of dust from vehicle traffic. These impacts could result in increased indirect impacts such as runoff, erosion and off-site sedimentation. Activities that could cause these types of indirect impacts include construction and operation of well sites, access roads, gas pipelines and facilities.

Contamination of soil from drilling and production wastes mixed into soil or spilled on the soil surfaces could cause a long-term reduction in site productivity. Some of these direct impacts can be reduced or avoided through proper design, construction and maintenance and implementation of BMPs.

Additional soil impacts associated with lease development would occur when heavy precipitation causes water erosion damage. When water saturated segment(s) on the access road become impassable, vehicles may still be driven over the road. Consequently, deep tire ruts would develop. Where impassable segments are created from deep rutting, unauthorized driving may occur outside the designated route of access roads.

Mitigation

The operator would stockpile the topsoil from the surface of well pads which would be used for surface reclamation of the well pads. The impact to the soil would be remedied upon reclamation of well pads when the stockpiled soil that was specifically conserved to establish a seed bed is spread over well pads and vegetation re-establishes.

Reserve pits would be re-contoured and reseeded as described in Conditions of Approval attached to the APD. Upon abandonment of wells and/or when access roads are no longer in service the Authorized Officer (AO) would issue instructions and/or orders for surface reclamation/restoration of the disturbed areas as described in attached Conditions of Approval (COAs).

Road construction requirements and regular maintenance would alleviate potential impacts to access roads from water erosion damage.

4.3 4 Watershed Protection

As with soils, the amount and location of direct and indirect effects cannot be predicted until the site-specific APD stage of development. If wells are drilled as a result of the proposed leases, site construction (pad, pipeline and road) would remove vegetation and compact an estimated 4.25 acres in Oklahoma. This would increase the potential for sheet erosion and could decrease the permeability of compacted areas.

Mitigation

BMPs would be incorporated into Special COAs attached to a permit to drill. These typically include: Six inches of top soil from the proposed location shall be stock piled and be available for reshaping during the restoration process. No cut and/or fill shall take place outside of the staked surveyed area. Stockpiled soil shall be protected from wind and water erosion through prompt establishment and maintenance of an effective, quick growing vegetative cover.

4.3.5 Floodplains

The act of leasing federal minerals produces no impacts to floodplains; however, the subsequent development may produce impacts in the form of surface disturbance. Surface disturbance from the development of well pads, access roads, pipelines, and power lines can result in impairment of the floodplain values from removal of vegetation, removal of wildlife habitat, impairment of water quality, decreased flood water retention and decreased groundwater recharge.

Protective stipulation ORA-1 would be attached to any lease of a tract which falls within a floodplain. ORA-1 states that, "All or portions of the lands under this lease lie in and or adjacent to a major watercourse and are subject to periodic flooding. Surface occupancy of these areas will not be allowed without the specific approval, in writing, of the BLM." This stipulation would be attached to portions of parcels listed in Table 2-1 for the purpose of protecting streams, rivers and floodplains, and specify that surface disturbance would not be allowed within up to 200 meters of the outer edge of 100-year floodplains to protect the integrity of those floodplains.

Mitigation

Potential mitigation is deferred to site-specific development at APD stage.

4.3.6 Water Quality: Surface and Groundwater

While the act of leasing a parcel would produce no impacts, subsequent development of the lease would lead to surface disturbance from the construction of well pads, access roads, pipelines, and power lines which can result in degradation of surface water quality and groundwater quality from non-point source pollution, increased soil losses, and increased gully erosion.

Potential direct impacts that would occur due to construction of well pads, access roads, pipelines, and power lines include increased surface water runoff and off-site sedimentation brought about by soil disturbance; increased salt loading and water quality impairment of surface waters; channel morphology changes due to road and pipeline crossings; and possible contamination of surface waters by produced water. The magnitude of these impacts to water resources would depend on the proximity of the disturbance to the drainage channel, slope aspect and gradient, degree and area of soil disturbance, soil character, duration and time within which construction activity would occur, and the timely implementation and success or failure of mitigation measures.

Direct impacts would likely be greatest shortly after the start of construction activities and would likely decrease in time due to natural stabilization, and reclamation efforts. Construction activities would occur over a relatively short period; therefore, the majority of the disturbance would be intense but short lived. Direct impacts to surface water quality would be minor, short-term impacts which may occur during storm flow events. Indirect impacts to water-quality related resources, such as fisheries, would not occur.

Petroleum products and other chemicals, accidentally spilled, could result in surface and groundwater contamination. Similarly, possible leaks from reserve and evaporation pits could degrade surface and ground water quality.

Authorization of the proposed projects would require full compliance with BLM directives and stipulations that relate to surface and groundwater protection.

Mitigation

The use of a plastic-lined reserve pits would reduce or eliminate seepage of drilling fluid into the soil and eventually reaching groundwater. Spills or produced fluids (e.g., saltwater, oil, and/or condensate in the event of a breach, overflow, or spill from storage tanks) could result in contamination of the soils onsite, or offsite, and may potentially impact surface and groundwater resources in the long term. The casing and cementing requirements imposed on proposed wells would reduce or eliminate the potential for groundwater contamination from drilling mud and other surface sources.

4.3.7 Cultural Resources

While the act of leasing federal minerals would produce no direct impacts to cultural resources, subsequent development of a lease may produce impacts. Direct and indirect effects cannot be predicted without analysis of site-specific development proposals. These proposals would occur at the APD stage of development. Potential impacts at that stage could include increased human activity and possibility of removal of, or damage to, heritage artifacts. The increase in human activity in the area increases the possibility of irretrievable loss of information pertaining to the heritage of the project region. Conversely, the benefits to heritage resources derived from the future development are the heritage and historic survey that adds to literature, information, and knowledge of cultural resources.

Mitigation

Specific mitigation measures, including, but not limited to, possible site avoidance or excavation and data recording would have to be determined when site-specific development proposals are received.

4.3.8 Paleontology

Direct and indirect effects cannot be predicted without analysis of site-specific development proposals. These proposals would occur at the APD stage of development. Potential impacts at that stage could include increased human activity and possibility of removal of, or damage to, paleontology resources. The increase in human activity in the area increases the possibility of irretrievable loss of information pertaining to the paleontology of the project region. Conversely, a benefit to paleontology resources could occur if potential future development results in a paleontology survey that adds to literature, information, and knowledge of paleontology resources.

Mitigation

Specific mitigation measures, including, but not limited to, possible site avoidance or excavation and data recording would have to be determined when site-specific development proposals are received.

4.3.9 Invasive, Non-native Species

While the act of leasing Federal minerals would produce no direct impacts to invasive or non-native species, subsequent development of a lease may produce impacts. Any surface disturbance can increase the possibility of establishment of new populations of invasive non-native species. The likelihood of this happening cannot be predicted with existing information. At the APD stage, OFO requirements for use of weed control strategies would minimize the potential for spread of these species.

Mitigation

Mitigation is deferred to site-specific development at APD stage. BMPs require that all actions on public lands that involve surface disturbance or rehabilitation, reasonable steps are required to prevent the introduction or spread of noxious weeds, including requirements for using weed seed-free hay, mulch and straw.

4.3.10 Vegetation

Leasing would have no direct affect on vegetation or forestry. If oil and/or gas development occurs as a result of leasing, site clearing would remove an estimated 4.25 acres of vegetation for the use of a drill pad, access road and pipeline construction for each well drilled.

Mitigation

If potential wells are productive disturbed areas not needed for the production facility would be reclaimed resulting in approximately 2 acres impacted for the life of each well. In the case of non-productive wells, all disturbed areas should be reseeded and vegetative cover reestablished. Vegetation would be established on all areas of the location to be reclaimed. This phase of the reclamation process should be accomplished by using seed or sod. Current policy recommends that these areas be restored with native vegetation in regards to both species and structure. This recommended reclamation is contingent upon the wishes of the surface owner.

4.3.11 Threatened or Endangered Species

Leasing the tracts would have no direct impacts to T/E species. If the lease results in development, approximately 4.25 acres of existing vegetation would be

removed by drill pad, pipeline, and access road construction. There would be a long-term change in plant and animal species composition and altered utilization of the site and surrounding area by wildlife. Site-specific biological resource surveys would be required at the project stage and, depending on location and nature of the proposed development and the results of surveys, additional Section 7 consultation could be required.

Furthermore, the lease notice (WO-ESA-7) would be attached to any leases in counties containing suitable habitat for T/E species. If any surface disturbing actions are proposed as a result of this proposed lease, a biological evaluation shall be conducted and site-specific mitigating measures would be developed.

Mitigation

Mitigation is deferred to site-specific development at APD stage. BMPs would be required if any T/E species are found.

4.3.12 Special Status Species

No direct or indirect effects are expected based on existing information. Further site-specific inventories would be conducted, if necessary, at the project (APD) stage to determine if additional analysis would be required.

Mitigation

Potential mitigation is deferred to the site-specific APD stage of development.

4.3.13 Wildlife

Leasing the tracts would have no direct impacts to wildlife. If the lease results in development, an estimated 4.25 acres of existing vegetation would be removed by drill pad, pipeline, and access road construction. The proposed action would result in long-term change in plant and animal species composition and altered utilization of the site and surrounding area by wildlife.

Mitigation

Wildlife impacts are deferred to the site-specific APD stage of development.

4.3.14 Wetlands/Riparian Zones

All of the nominated lease parcels contain wetlands or potential wetlands. Leasing the proposed tracts would result in no direct impacts to wetlands. Potential indirect results may occur if wells incorporating these federal minerals are drilled as a result of this lease.

Protective stipulation ORA-2 would be attached to the leases since they contain wetlands and or riparian zones. ORA-2 states; "All or portions of the lands under this lease contain wetlands and or riparian zones. Surface occupancy of these areas will not be allowed without the specific approval, in writing, of the BLM. Impacts or disturbance to wetlands and riparian habitats which occur on this lease must be avoided or mitigated. The mitigation shall be developed during the application to drill process."

Mitigation

Potential mitigation is deferred to site-specific development at APD stage.

4.3.15 Wastes, Hazardous or Solid

Leasing the subject tracts would have no direct effect on hazardous or solid wastes. The proposed lease could result in a project that has the potential for either short or long-term impacts to all resources to some manner or degree, by pollution from un-managed hazardous and non-hazardous waste streams.

Mitigation

None required at the lease stage. If development results site specific measures are developed and attached to the permit to drill. Special conditions typically include:

- 1) All identified fresh water zones will be isolated by using casing and cementing procedures (USGS base of treatable fresh water isopach maps).
- 2) All wastes from all waste streams on site must be removed to an approved disposal site. No land disposal of any wastes on site will be permitted.

4.3.16 Mineral Resources

If the proposed leases result in wells those wells have the potential to affect production horizons and reservoir pressures. If the wells are producers the resources allotted to these wells will eventually be depleted. The amount and location of direct and indirect effects cannot be predicted until the site-specific APD stage of development. None of the lease parcels appear to present any conflict with the development of other mineral resources such as coal or sand and gravel.

Mitigation

Potential mitigation is deferred to the site-specific APD stage of development. Spacing orders and allowable production orders are designed to conserve the oil and/or gas resource and provide maximum recovery.

4.4 Cumulative Effects

Analysis of cumulative impacts for reasonably foreseeable development of oil and gas wells on lands Oklahoma was presented in the OKRMP (1994), as amended, (pages 4-1 to 4-5). Potential development of all available federal minerals in Oklahoma including those in the proposed lease parcels was included as part of the analysis. Total surface disturbance projected by the plans was based on an estimated 20 federal wells being drilled annually in Oklahoma. The estimated 20 federal wells in Oklahoma were projected to disturb approximately 85 acres. Over the last 10 years there have been no changes to the basic assumptions or projections described in the OKRMP analysis.

More than 100 years of oil and gas development in Oklahoma have resulted in an extensive infrastructure of existing roads and pipelines. The extent of this development is illustrated by the following statistics. Oklahoma Corporation Commission records show that 432,868 wells have been drilled in Oklahoma from 1904 to 2006. Impacts from this development will remain on the landscape until final abandonment and reclamation of facilities occurs as wells are plugged when they are no longer economically viable.

4.4.1 Climate Change

This section incorporates an analysis of the contributions of the proposed action to GHG emissions and a general discussion of potential impacts to climate. The EPA's Inventory of U.S. GHG Emissions and Sinks found that in 2007, total U.S. GHG emissions were over 7 billion metric tons and that total U.S. GHG emissions have increased by 17% from 1990 to 2015. Emissions increased from 2006 to 2007 by 1.4 percent (99.0 Tg. CO₂e). The following factors were primary contributors to this increase: (1) cooler winter and warmer summer conditions in 2007 than in 2006 increased the demand for heating fuels and contributed to the increase in the demand for electricity, (2) increased consumption of fossil fuels to generate electricity and (3) a significant decrease (14.2 percent) in hydropower generation used to meet this demand (EPA 2009).

On-going scientific research has identified the potential effects of anthropogenic GHG emissions such as carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O) and several trace gasses; changes in biological carbon sequestration; and other changes due to land management activities on global climate. Through complex interactions on a global scale, GHG emissions cause a net warming effect of the atmosphere, primarily by decreasing the amount of heat energy radiated by the earth back into space. Although natural GHG atmospheric concentration levels have varied for millennia (along with corresponding variations in climatic conditions), industrialization and burning of fossil carbon sources have caused GHG concentrations to increase.

Analysis of cumulative impacts for RFD of oil and gas wells on lands in the OFO was presented in the OKRMP (1994), as amended. Potential development of all available federal minerals in the field office, including those in the proposed lease parcels, was included as part of the analysis.

This incremental contribution to global GHG gases cannot be translated into effects on climate change globally or in the area of this site-specific action. As oil and gas production technology continues to improve, and because of the potential development of future regulation or legislation, one assumption is that reductions in the rate or total quantity of GHG emissions associated with oil and gas production are likely. As stated in the direct/indirect effects section under climate change, the assessment of GHG emissions and the resulting impacts on climate is an ongoing scientific process. It is currently not feasible to know with certainty the net impacts from the proposed action on global or regional climate, that is, while BLM actions may contribute to the climate change phenomenon, the specific effects of those actions on global climate are speculative given the current state of the science. Therefore, the BLM does not have the ability to associate an action's contribution in a localized area to impacts on global climate change. Further, an IPCC assessment states that difficulties remain in attributing observed temperature changes at smaller than continental scales. It is currently beyond the scope of existing science to predict climate change on regional or local scales resulting from specific sources of GHG emissions.

Currently, global climate models are inadequate to forecast local or regional effects on resources (IPCC, 2007; CCP, 2008). However, there are general projections regarding potential impacts to natural resources and plant and animal species that may be attributed to climate change from GHG emissions over time; however these effects are likely to be varied, including those in the southwestern United States (Karl et al., 2009). For example, if global climate change results in a warmer and drier climate, increased particulate matter impacts could occur due to increased windblown dust from drier and less stable soils. Cool season plant species' spatial ranges are predicted to move north and to higher elevations, and extinction of endemic threatened/endangered plants may be accelerated. Due to loss of habitat or competition from other species whose ranges may shift northward, the population of some animal species may be reduced or increased. Less snow at lower elevations would likely impact the timing and quantity of snowmelt, which, in turn, could impact water resources and species dependant on historic water conditions (Karl et al., 2009).

The absence of a regulatory requirement to measure GHG emissions and the variability of oil and gas activities on federal minerals in Oklahoma prevent accurate quantification of GHG emissions that might occur as a result of making the proposed tracts available for leasing. We can however make some generalizations: leasing the proposed tracts may contribute to ongoing drilling of an average of 20 wells a year on federal leases in the states of Oklahoma. A total of 2,427 wells were drilled in Oklahoma in 2006. This total, when compared to

the estimates used for the cumulative analysis previously referenced, shows that wells drilled on federal leases wells may be expected to produce approximately 0.002 % of the GHG emissions produced from wells drilled in Oklahoma. The amount of GHG emissions are small, incremental contributions to the total emissions from the three state area, and are also insignificant when compared to global GHG emission levels. These small incremental contributions to global GHG gases cannot be translated into incremental effects on climate change globally or in the area of this site-specific action (see 1508.27a). The total amount of GHG emissions from oil and gas activities is expected to continue decreasing as improved technology and changing economics result in more complete control of GHG emissions at all stages of oil and natural gas systems.

5.0 CONSULTATION/COORDINATION

This section includes individual comments received from the public and the resource specialists located within the OFO that participated in the development of this document.

Table 5.1 Summary of Contacts Made During Preparation of Document and Interdisciplinary Team

ID Team Member	Title	Organization
Richard Fields	Archaeologist	BLM
Larry Levesque	Wildlife Biologist	BLM
Lisa Fretz	Realty Specialist	BLM
Waylon J Denny	Environmental Specialist	BLM
Kurt Preston	Geologist	BLM

5.1 Public Involvement

The parcels nominated for this sale, along with the appropriate stipulations from the OKRMP (1994), as amended, were posted online for a two week review period. No comments were received. This EA was made available for public review and comment for 30 days beginning May 26th, 2011. No comments were received.

6.0 REFERENCES

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7. AUTHORITIES

Code of Federal Regulations (CFR)

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43 CFR, All Parts and Sections inclusive - Public Lands: Interior. Revised as of July 1, 2000.

U.S. Department of the Interior, Bureau of Land Management and Office of the Solicitor (editors). 2001. The Federal Land Policy and Management Act, as amended. Public Law 94-579.

8. ENVIRONMENTAL ASSESSMENT CHECKLIST

**Bureau of Land Management, Oklahoma Field Office
DOI-BLM-NM-040-2011-040-EA,
October 2011 Competitive Oil and Gas Lease Sale**

Resources	Not Present on Site	No Impacts	May Be Impacts	Mitigation Included	BLM Reviewer	Date
Air Quality			X	X	/s/ Waylon Denny, EPS	5/06/2011
Soil			X	X		
Watershed Hydrology			X	X		
Floodplains			X	X		
Water Quality - Surface			X	X		
Water Quality - Ground			X	X	/s/ Kurt Preston, Geologist	
Cultural Resources			X	X	/s/ Richard Fields, Archaeologist	
Native American Religious Concerns			X	X		
Paleontology			X	X		
Areas of Critical Environmental Concern	X				/s/ Waylon Denny, EPS	5/06/2011
Farmlands, Prime or Unique	X				/s/ Waylon Denny, EPS	5/06/2011
Invasive, Non-native Species		X			/s/ Waylon Denny, EPS	5/06/2011
Vegetation		X				
Livestock Grazing		X				
Threatened or Endangered Species			X	X	/s/ Larry Levesque Biologist	5/06/2011
Special Status Species			X	X		
Wildlife			X	X		
Wetlands/Riparian Zones			X	X		
Wild and Scenic Rivers	X				/s/ Waylon Denny, EPS	5/06/2011
Wilderness	X					
Recreation	X					
Visual Resources			X	X		
Cave/Karst	X					
Wastes, Hazardous or Solid		X			/s/ Waylon Denny, EPS	5/06/2011
Environmental Justice		X				
Public Health and Safety		x				
Fluid Mineral Resources		X			/s/ Kurt Preston and Rick Wymer Geologist	
Rights-of-Way	X				/s/ Lisa Fretz	

Appendix 1 – Nominated Lease Parcels

OKLAHOMA PUBLIC DOMAIN

NM-201110026 62.920 Acres
T.0160N, R.0140W, IM PM, OK
Sec. 031 LOTS 6,8;
 031 SEE EXH A FOR M&B W/MAP;
 031 ACC & RIP; AC TO LOT 8

Dewey County
Tulsa FO
Formerly Lease No.
Stipulations: **ORA-1, ORA-2, WO-ESA-7**

NM-201110027 171.420 Acres (
T.0160N, R.0150W, IM PM, OK
Sec. 024 LOTS 1,3;
 024 ACCR & RIPR AC TO LOT 1;
 024 SEE EXH B FOR M&B W/MAP;
 024 ACCR & RIPR AC TO LOT 3;

Dewey County
Tulsa FO
OKNM 0161302
Formerly Lease No.
Stipulations:
Deferred until a cadastral survey to determine adjacent accretion and riparian acreage can be completed. This is necessary in in order to ensure proper management of the federal minerals for future exploration of oil and gas development.

NM-201110028 19.180 Acres
T.0160N, R.0190W, IM PM, OK
Sec. 005 LOTS 1,2;

Dewey County
Tulsa FO
OKNM 28188
Formerly Lease No.
Stipulations:
Deferred until a cadastral survey to determine adjacent accretion and riparian acreage can be completed. This is necessary in in order to ensure proper management of the federal minerals for future exploration of oil and gas development.

NM-201110029 21.750 Acres
T.0180N, R.0210W, IM PM, OK
Sec. 023 LOTS 4;

Ellis County
Tulsa FO
OKNM 39171
Formerly Lease No.
Stipulations: **ORA-1, ORA-2, WO-ESA-7**

NM-201110030 95.050 Acres
 T.0180N, R.0210W, IM PM, OK
 Sec. 027 LOTS 3,4,5;
Roger Mills County
Tulsa FO
OKNM 97261
Formerly Lease No.
Stipulations: **ORA-1, ORA-2, WO-ESA-7**

NM-201110031 91.240 Acres
 T.0180N, R.0210W, IM PM, OK
 Sec. 028 LOTS 2,3,6,7;
Ellis/Roger Mills Counties
Tulsa FO
Ellis County (53.50 ac)
Roger Mills County (37.74 ac)
Formerly Lease No.
Stipulations: **ORA-1, ORA-2, WO-ESA-7**

NM-201110032 87.500 Acres
 T.0180N, R.0210W, IM PM, OK
 Sec. 031 LOTS 8,9,10;
Ellis County
Tulsa FO
OKNM 97261
Formerly Lease No.
Stipulations: **ORA-1, ORA-2, WO-ESA-7**

NM-201110033 128.870 Acres
 T.0160N, R.0240W, IM PM, OK
 Sec. 024 LOTS 1,4;
 024 ACCR & RIPR TO LOT 1;
 024 ACCR & RIPR TO LOT 4;
 024 SEE EXH C FOR M&B W/MAP;
Roger Mills County
Tulsa FO
OKNM 38348
Formerly Lease No.
Stipulations: **ORA-1, ORA-2, WO-ESA-7**

NM-201110034 5.300 Acres
 T.0290N, R.0260W, IM PM, OK
 Sec. 023 LOTS 3;
Harper County
Tulsa FO
THE SUCCESSFUL BIDDER IS REQUIRED TO JOIN
CA OKNM 100121 PRIOR TO LEASE ISSUANCE
Operator:
Per OK RMP -ORA-1,ORA-2
ORA-3,ORA LN-1
Formerly Lease No.
Stipulations: **ORA-1, ORA-2, WO-ESA-7**

OKLAHOMA ACQUIRED

NM-201110035 502.000 Acres
T.0280N, R.0030E, IM PM, OK
Sec. 014 LOTS 2,4;
 014 PT OF NE (TR 1533);
 014 SWNW,NWSW (TR 1536);
 015 LOTS 1,2,5,6,7;
 015 W2NE (TR 1531);
 015 E2NW (TR 1541);

Kay County

Tulsa FO

CORPS OF ENGINEERS

KAW LAKE

OKNM 42624, OKNM 66025,

OKNM 69616, OKNM 86189

COE SS 1-A KAW LAKE (NSO)

Formerly Lease No.

Stipulations:

Deferred until a cadastral survey to determine adjacent accretion and riparian acreage can be completed. This is necessary in in order to ensure proper management of the federal minerals for future exploration of oil and gas development.

NM-201110036 40.000 Acres

T.0150N, R.0260W, IM PM, OK

Sec. 022 NWSW;

Roger Mills County

Tulsa FO

OKNM 100888

BLACK KETTLE NG

FS1 (Cibola), FS3 (OK) CSU1

FS3 (OK) CSU2

Formerly Lease No.

Stipulations:



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

OKLAHOMA FIELD OFFICE

7906 E. 33rd St., Suite 101

TULSA, OK 74145-1352

<http://www.blm.gov>



RE: Biological Evaluation for October 2011 Federal Oil & Gas Lease Sale (BLM EA#NM-040-2011-040). Dewey, Ellis, Harper, Kay, and Roger Mills Counties, OK.

The Bureau of Land Management's (BLM) environmental assessment (EA) for this project contains all pertinent information regarding the specific characteristics of the proposed leasing of federal oil & gas minerals. The purpose of this report is to document BLMs "No Effect" for threatened & endangered species and "No Adverse Modification" for critical habitat determinations based on making the proposed parcels available for leasing.

The Fish and Wildlife Service's federally-listed endangered, threatened, proposed, and candidate species for Dewey, Ellis, Harper, and Roger Mills Counties are: interior least tern *Sterna antillarum*, lesser prairie chicken *Tympanuchus pallidicinctus*, piping plover *Charadrius melodus*, whooping crane *Grus americana*, and Arkansas River shiner *Notropis girardi*. Arkansas River shiner critical habitat has been designated. Additionally, the Arkansas darter *Etheostoma cragini* is listed for Harper County. The Oklahoma Natural Heritage Inventory 1 records of occurrence within 1-mile of the parcel in Harper County for the Arkansas River shiner. Arkansas River shiner critical habitat is designated along the stretch of the Cimarron River where the Harper County parcel is located. However, no drilling is anticipated in association with this parcel, as the lease would be required to join in an existing Communitization Agreement, thereby negating the need to drill a new extraction well. Implementation of the proposed action (leasing) for all nominated parcels would have no effect on any of the above mentioned species. All public domain parcels will have stipulation WO-ESA-7: Threatened and Endangered Species protection attached. Additionally, site-specific analysis and mitigation if necessary would occur once the parcels are leased and an Application for Permit to Drill is submitted.

The public domain parcels in Dewey, Ellis and Roger Mills counties are located along the Canadian River. The parcel in Harper County is along the Cimarron River. The parcel in Kay County is along the Arkansas River. Therefore, ORA-1: Floodplain Protection, and ORA-2: Wetland/Riparian Protection stipulations are to be attached to all of these parcels.

Parcel NM-201110-027 in Dewey County is located within the Cross Timbers Transition ecoregion. This ecoregion is characterized by plains of alternating topography interspersed with rocky or muddy bottomed streams. Annual rainfall ranges from 29 to 38", temperatures have a low and high of 23° and 46° in January and 70° and 94° in July, respectively. Vegetative groups of the ecoregion include mixed grass prairie (little bluestem *Schizachyrium scoparium*, indiangrass *Sorghastrum nutans*, Sideoats grama *Bouteloua curtipendula*, blue grama *B. gracilis*), cross timbers (blackjack oak *Quercus marilandica*, shin oak *Q. havardii*, post oak *Q. stellata*, hickory *Carya* spp., little bluestem) and tallgrass prairie (bluestem *Andropogon gerardii*, little bluestem, switchgrass *Panicum virgatum*, indiangrass). Eastern red cedar *Juniperus virginiana* has increased due to fire suppression in the region. Current land uses include rangeland, cropland, and oil & gas development.

The remaining public domain parcels in Dewey, Ellis, and Roger Mills Counties and one acquired mineral parcel NM-201110-036 (Roger Mills County) are within the Red Rolling Hills ecoregion. This ecoregion is characterized by rolling to steep slopes dissected by riparian and erodible areas. Gypsum caves frequently occur in this region. Annual rainfall ranges from 26 to 30", temperatures have a low and high of 17° and 45° in January and 70° and 96° in July, respectively. Vegetative groups of the ecoregion include mixed grass prairie, shinnery (little bluestem, shin oak *Q. havardii*), and shortgrass prairie (blue grama, buffalograss *Buchloe dactyloides*, sideoats grama). Riparian areas also contain hackberry *Celtis laevigata*,

Eastern cottonwood *Populus deltoids*, soapberry *Sapindus drummondii*, American elm *Ulmus Americana*, black walnut *Juglans nigra*, and Bur oak *Q. macrocarpa*. Eastern red cedar has increased due to fire suppression in the region. Currently land uses include primarily rangeland, some cropland, and oil & gas development.

Parcel NM-201110-034 in Harper County is located alongside the Cimarron River in the Flat Tablelands and Valleys ecoregion. This ecoregion is characterized by flat to gently sloping plains, terraces, and valleys. Annual rainfall ranges from 22 to 24", temperatures have a low and high of 21° and 48° in January and 68° and 96° in July, respectively. Vegetative groups common to this ecoregions include sand-sagebrush-bluestem prairie and shortgrass prairie. Floodplain areas are dominated by sand dropseed *Sporobolus cryptandrus*, bunchgrasses, sand sagebrush *Artemisia filifolia*, cottonwood, and willow *Salix* spp. Current land uses include grassland, rangeland, and cropland.

Acquired mineral parcel NM-201110-035 is located in Kay County is along the Arkansas River in the Flint Hills ecoregion. This ecoregion is characterized by low, open, rolling hills and plains. Annual rainfall ranges from 38 to 42", temperatures have a low and high of 22° and 45° in January and 71° and 93° in July, respectively. Historically, this ecoregion was tall grass prairie, consisting of big bluestem, little bluestem, Indiangrass, and switchgrass *Panicum virgatum*. Current vegetative species include the four above tall grasses along with blue grama, side-oats grama, hairy grama *B. hirsuta*, and prickly pear cactus *Opuntia* spp. in upland areas. Riparian areas include cottonwood, hackberry, elm, and oak species. Primary land use is rangeland interspersed with numerous oil fields.

Many species of animals utilize the habitat associated with this proposed project site. The proposed action would remove food, cover, and space for wildlife in this area. The more mobile species would move away from the area during the construction, drilling, and well completion phases of this petroleum exploration project to avoid direct mortality, the increase in human presence, and levels of noise. The less mobile species could suffer some mortality during the active construction phase of the project. The drilling pad may be reduced in size as the well goes into production. However, the immediate area of the drilling/production pad would be unavailable as wildlife habitat while the well is in the drilling/production phases (as long as 20 year or more).

The Migratory Bird Treaty Act (MBTA) implements various treaties and conventions between and among the U.S., Canada, Japan, Mexico, and the former Soviet Union for the protection of migratory birds. Under the MBTA, incidental, unintentional, and accidental take, killing, or possession of a migratory bird or its parts, nests, eggs or products, manufactured or not, without a permit is unlawful. The MBTA has no provisions for a permitting process which allows for regulated "take" of migratory birds. WRGCOA #4 (Burying Transmission Lines) and Notice to Lessees (NTL) 96-01-TDO (Modification of Oil and Gas Facilities to Minimize Bird and Bat Mortality) address measures designed to protect migratory birds from accidental deaths associated with power line collisions/electrocutions, open-vent exhaust stacks and open pits and tanks. The Oklahoma parcels included in this lease sale are within Bird Conservation Region (BCR) #19, Central Mixed-grass Prairie and the Eastern Tallgrass Prairie. Twenty-seven birds of conservation concern have been identified in the Central Mixed-grass Prairie BCR and 39 have been identified in the Tallgrass Prairie BCR. Measures in addition to WRGCOA #4 and NTL-96-01 may be required at the APD stage to protection identified birds of conservation concern in accordance with E.O. 13186, Responsibilities of Federal Agencies to Protect Migratory Birds.

Based on all the information discussed above, and implementation of the WO-ESA-7, ORA-1, and ORA-2 lease stipulations, the biological determination of effect for federally listed species regarding leasing of parcels is "NO EFFECT" and the determination for designated critical habitat is "NO ADVERSE MODIFICATION".

/s/ Laurence Levesque ; 03/25/2011
Laurence Levesque, Wildlife Biologist Date