

## **DECISION RECORD**

### **September 2014 Competitive Oil and Gas Lease Sale Environmental Assessment DOI-BLM-NV-W010-2014-0013-EA**

#### **Introduction**

The Bureau of Land Management (BLM), Winnemucca District (WD), Humboldt River Field Office has completed the September 2014 Competitive Oil and Gas Lease Sale Environmental Assessment (EA) DOI-BLM-NV-W010-2014-0013-EA, dated May 2014. The EA analyzes the impacts associated with offering eight parcels within the WD for competitive oil and gas (O&G) leasing. The parcels include approximately 15,831 acres of public land administered by the WD.

The sale of O&G leases is needed to allow continued exploration for additional petroleum reserves which would help the United States meet its growing energy needs and to enable the United States to become less dependent on foreign oil sources. This action by the WD implements the requirements of Executive Order 13212 and the Energy Policy Act of 2005.

#### **Decision**

The Proposed Action is to offer eight parcels in the September 2014 competitive O&G lease sale as described and analyzed in the EA. A No Action Alternative was considered; however, it was not selected since it would not meet the BLM's purpose and need and would not be consistent with the objectives of the WD Sonoma-Gerlach Management Framework Plan (July 1982), Executive Order 13212, and the Energy Policy Act of 2005.

The EA documents the review of the eight nominated parcels. As a result of the analysis, it is my decision to approve the Proposed Action to offer eight nominated parcels for competitive O&G leasing. This decision is issued under the Federal Land Policy and Management Act (FLPMA) of 1976, the Onshore Orders for O&G, as amended, and 43 CFR 3100, and is effective immediately upon signing of this Decision Record.

A Finding of No Significant Impact (FONSI) supports this decision. The FONSI was prepared separately and accompanies this Decision Record. The Proposed Action coupled with lease stipulations and lease notices detailed in the EA and FONSI have led to my decision that all practicable means to avoid or minimize environmental harm have been adopted and that unnecessary or undue degradation of the public lands will not result. All resource values impacted by the Proposed Action have been evaluated for cumulative impacts. It has been determined that cumulative impacts would be insignificant for all resources.

#### **Rationale**

The rationale for this decision is based on factors including, but not limited to:

- Conformance with the approved Sonoma-Gerlach Management Framework Plan (MFP) dated July 1982.

- Conformance with the Mineral Leasing Act of 1920, as amended and supplemented by subsequent legislation.
- Conformance with the 43 Code of Federal Regulations (CFR) 3100, Onshore O&G Leasing.
- Conformance with the FLPMA of 1976, which calls for managing the public lands for multiple use.
- Conformance with Executive Order 13212, which directs the Secretary of the Interior to expedite energy-related projects.
- Conformance with National Historic Preservation Act (NHPA) and rules for implementing Section 106 found at 36 CFR Part 800.
- Conformance with Endangered Species Act and rules for implementation of Section 7 found at 50 CFR Part 402.
- Conformance with Clean Air Act (CAA). The BLM has air resource program responsibilities through its permitting programs and CAA requirements.
- Conformance with Secretarial Order 3289, which addresses current and future impacts of climate change on America's land, water, wildlife, cultural-heritage, and tribal resources.
- Conformance with the Energy Independence and Security Act of 2007 (Public Law 110-140).
- Conformance with the 2005 Energy Policy Act; The National Energy Policy, Executive Order 13212.
- Based on the President's National Energy Policy and Executive Order 13212, the proposed action will not generate any adverse energy impacts or limit energy production and distribution. Therefore, no "Statement of Adverse Energy Impact" is required per WO IM No. 2002-053 and NV IM 2002-049.
- Based on the consultation, coordination, and public involvement that has occurred, it is determined that this is a well informed decision.
- Based on the EA, it is determined that this decision will not result in any undue or unnecessary environmental degradation of the public lands and is consistent with Federal, State, and local laws, regulations and plans.
- The Proposed Action will not adversely impact any threatened or endangered species or significant scientific, cultural, or historical resources.
- The Proposed Action, subject to the lease stipulations and monitoring summarized in Section 5.0 of the EA, meets the purpose and need for the federal action.
- The EA and FONSI support this decision.

### **Compliance/Conformance**

The Proposed Action is in conformance with the Sonoma-Gerlach MFP. The Proposed Action is consistent with other Federal agency, State, and local plans to the maximum extent consistent with Federal law and the FLPMA provisions. No Federal, State, or local law, or requirement imposed for the protection of the environment will be threatened or violated.

### **Consultation and Coordination**

Letters requesting consultation were sent to the following tribes on March 4, 2014: Battle

Mountain Band, Fallon Paiute Shoshone Tribe, Lovelock Paiute Tribe, Pyramid Lake Paiute Tribe, and the Winnemucca Indian Colony. On February 28, 2014, an informational meeting was held with the Fallon Paiute Shoshone Tribe.

On March 28, 2014, a letter and copy of the Preliminary EA were provided to the above referenced Tribes. No comments or concerns were provided to the BLM from the Tribes contacted regarding review of the Preliminary EA.

The Nevada Department of Wildlife (NDOW) was informed of the lease sale. A response letter was received from NDOW on February 27, 2014.

### **Public Involvement**

The Preliminary EA was made available for a 20-day public comment period through the WD ePlanning website. The comment period closed on April 17, 2014. Two comment letters were received. One was from the Pershing County Commissioners, another from the State Clearinghouse. Substantive comments were considered and incorporated into the EA.

No additional comments or concerns were provided to the BLM during the public review period. In total, the comments received did not result in a change to the analysis or conclusions made from the analysis.

### **APPEAL PROVISIONS**

A person who wishes to appeal to the Interior Board of Land Appeals must do so under 43 CFR 4.411 and must file in the office of the officer who made the decision (not the board), in writing to Gary Johnson, Deputy State Director, Minerals Management, 1340 Financial Blvd, Reno, Nevada 89502. A person served with the decision being appealed must transmit the notice of appeal in time to be filed in the office where it is required to be filed within thirty (30) days after the date of service.

The notice of appeal must give the serial number or other identification of the case and may include a statement of reasons for the appeal, a statement of standing if required by § 4.412(b), and any arguments the appellant wishes to make. Attached Form 1842-1 provides additional information regarding filing an appeal.

No extension of time will be granted for filing a notice of appeal. If a notice of appeal is filed after the grace period provided in § 4.401(a), the notice of appeal will not be considered and the case will be closed by the officer from whose decision the appeal is taken. If the appeal is filed during the grace period provided in § 4.401(a) and the delay in filing is not waived, as provided in that section, the notice of appeal will not be considered and the appeal will be dismissed by the Board.

The appellant shall serve a copy of the notice of appeal and any statements of reason, written arguments, or briefs under § 4.413 on each adverse party named in the decision from which the appeal is taken and on the Office of the Solicitor, Pacific Southwest Regional Solicitor, U.S.

Department of the Interior, 2800 Cottage Way, Room E-2753, Sacramento, California 95825-1890. Service must be accompanied by personally serving a copy to the party or by sending the document by registered or certified mail, return receipt requested, to the address of record in the bureau, no later than fifteen (15) days after filing the document.

  
Gary Johnson  
Deputy State Director, Minerals Management

  
Date

Attachment: Form 1842-1