

Documentation of Land Use Plan Conformance and NEPA Adequacy (DNA)

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

A. Fillmore Field Office:

Proposed Action:

August 2006 Oil and Gas Lease Sale

Location of Proposed Action:

Lands to be offered:

<u>Parcel</u>	<u>Description</u>	<u>Parcel</u>	<u>Description</u>
UT0806-010	T. 15 S., R. 1 W., Salt Lake Sec. 19, Lots 1, 4, W2NE, E2NW; Sec. 29, NESE; Sec. 30, Lots 1-4, E2W2, W2SE. 681.81 Acres	UT0806-017	T. 15 S., R. 1.5 W., Salt Lake Sec. 23, Lots 1-4, N2NE, SWNE, NWSE; Sec. 24, Lots 1-3, W2NE, NW, NESW, NWSE; Sec. 25, ALL; Sec. 35, Lots 1, 2, NE. 1,556.41 Acres
UT0806-023	T. 14 S., R. 3 W., Salt Lake Secs. 1, 11, and 12, ALL. 1,933.21 Acres	UT0806-024	T. 14 S., R. 3 W., Salt Lake Secs. 13, and 14, ALL. 1,381.11 Acres
UT0806-025	T. 14 S., R. 3 W., Salt Lake Secs. 23, and 24, ALL. 1368.43 Acres	UT0806-026	T. 14 S., R. 3 W., Salt Lake Sec. 25, Lots 1-15; Sec. 26, NWNW; Sec. 35, Lot 1. 709.36 Acres
UT0806-039	T. 13 S., R. 4 W., Salt Lake Sec. 28, SE; (excluding 16 acres for ROW 36); Sec. 33, NE, E2NW, NESW, N2SE; (excluding 7 acres for ROW 36). 497.00 Acres	UT0806-040	T. 14 S., R. 4 W., Salt Lake Sec. 5, NESE Sec. 8, W2NE. 120.00 Acres
UT0806-041	T. 14 S., R. 4 W., Salt Lake Sec. 17, N2NE, SWNE, E2NW, SW, NWSE. 400.00 Acres	UT0806-042	T. 14 S., R. 4 W., Salt Lake Sec. 19, ALL; Sec. 20, NW, W2SW; Sec. 31, Lots 2-4, E2W2. 1,163.18 Acres

<u>Parcel</u>	<u>Description</u>	<u>Parcel</u>	<u>Description</u>
UT0806-044	T. 11 S., R. 5 W., Salt Lake Sec. 21, ALL; Sec. 22, ALL (EXCLUDING PATENTED MINING CLAIM) Sec. 23, Lots 1, 2, SENE, NENW, S2NW, N2SW, SESW, SE; Sec. 24, NE, N2NW, SENW, SW, W2SE. 2,251.71 Acres	UT0806-045	T. 11 S., R. 5 W., Salt Lake Sec. 25, SENE, SENW, W2W2, SE; Sec. 26, Lots 4-8, W2E2, SENW, E2SW; Sec. 35, NWNE, NW, N2SW, Sec. SWSW, SESE. 1,168.56 Acres
UT0806-046	T. 11 S., R. 5 W., Salt Lake Sec. 27 and 34, ALL (EXCLUDING PATENTED MINING CLAIM). 543.62 Acres	UT0806-047	T. 11 S., R. 5 W., Salt Lake Sec. 28, and 33, ALL (EXCLUDING PATENTED MINING CLAIM). 1,119.70 Acres
UT0806-048	T. 12 S., R. 5 W., Salt Lake Sec. 12, Lots 1-4, W2E2; Sec. 13, E2; Sec. 24, NE. 1,368.30 Acres	UT0806-051	T. 11 S., R. 6 W., Salt Lake Sec. 1, Lots 1-4, S2N2, N2SW, SESW, SE; Sec. 12, S2NE, SE; Sec. 31, Lot 1-4. 1008.36 Acres
UT0806-052	T. 12 S., R. 6 W., Salt Lake Sec. 4, Lots 1-2, S2NW, SW; Sec. 5, ALL; Sec. 22, W2; Sec. 27, W2. 1,609.20 Acres	UT0806-054	T. 11 S., R. 7 W., Salt Lake Sec. 10, E2, W2SW. 400.00 Acres
UT0806-210	T. 14 S., R. 17 W., Salt Lake Secs. 5, 8, and 17, ALL. 1,739.00 Acres	UT0806-211	T. 14 S., R. 17 W., Salt Lake Secs. 6, and 7, ALL. 1,470.00 Acres
UT0806-212	T. 14 S., R. 17 W., Salt Lake Secs. 9, 10, and 15, ALL. 1,920.00 Acres	UT0806-213	T. 14 S., R. 17 W., Salt Lake Secs. 18, 19, and 20, ALL. 2,354.00 Acres
UT0806-214	T. 14 S., R. 17 W., Salt Lake Secs. 21, 22, 27, and 28, ALL. 2,560.00 Acres	UT0806-215	T. 14 S., R. 17 W., Salt Lake Secs. 29, 30, and 31, ALL. 2,357.00 Acres
UT0806-216	T. 14 S., R. 17 W., Salt Lake Secs. 33, and 34, ALL. 1,280.00 Acres	UT0806-217	T. 15 S., R. 17 W., Salt Lake Secs. 3, 4, and 9, ALL. 1,980.00 Acres
UT0806-218	T. 15 S., R. 17 W., Salt Lake Secs. 5, 8, and 17, ALL. 1,949.00 Acres	UT0806-219	T. 15 S., R. 17 W., Salt Lake Secs. 19, 30, and 31, ALL. 2,369.00 Acres
UT0806-220	T. 14 S., R. 18 W., Salt Lake Secs. 1, 3, and 10, ALL. 2,296.98 Acres	UT0806-221	T. 14 S., R. 18 W., Salt Lake Secs. 11, 12, 13, and 14, ALL. 2,560.00 Acres

<u>Parcel</u>	<u>Description</u>	<u>Parcel</u>	<u>Description</u>
UT0806-222	T. 14 S., R. 18 W., Salt Lake Sec. 15, N2, N2SW, SWSW, SE; Secs. 23, 24, and 25, ALL. 2,520.00 Acres	UT0806-223	T. 19 S., R. 19 W., Salt Lake Secs. 3, 6, 9, and 10, ALL. 2,559.18 Acres
UT0806-224	T. 19 S., R. 19 W., Salt Lake Secs. 14, 15, 21, and 22, all. 2,560.00 Acres	UT0806-225	T. 19 S., R. 19 W., Salt Lake Sec. 33, ALL. 640.00 Acres

Description of Proposed Action:

The Bureau of Land Management has received nominations for thirty eight parcels totaling 62,348.78 acres within the administrative area of the Fillmore Field Office (FFO) to be offered for oil and gas leasing in a competitive lease sale to be held August 15, 2006. All or portions of parcels UT0806-037 through UT0806-041 and UT0806-048 through UT0806-050 that are within Little Sahara Recreation Area (LSRA) will be deferred from this oil and gas lease sale offering. The lands recommended for leasing are described as the parcels above. If a parcel is not taken by competitive bidding, then it may be leased by non-competitive sale for the two years following the competitive offer.

A lease may be held for ten years (43 CFR 3120.2-1), after which the lease would expire unless oil or gas is produced in paying quantities. A producing lease would be held indefinitely by paying production of oil or gas.

A lessee’s right to explore and drill for oil and gas, at some location on the lease, is implied by issuance of the lease, unless the lease has a non-surface occupancy stipulation. A lessee must submit an application for permit to drill (APD) to the BLM for approval and must possess a BLM approved APD prior to drilling. An Environmental Assessment must be prepared and a Finding of No Significant Impact made prior to APD approval. Following BLM’s approval of an APD, a lessee may produce oil and gas from a lease without additional approval.

B. Conformance with the Land Use Plan (LUP) and Consistency with the Related Subordinate Implementation Plans

House Range Resource Area Resource Management Plan (HRRARMP) and Record of Decision Rangeland Program Summary (RMP/ROD), Date Approved: October 28, 1987, and

Warm Springs Resource Area Resource Management Plan (WSRARMP) and Record of Decision Rangeland Program Summary (RMP/ROD), Date approved: March 23, 1987.

The proposed action is in conformance with the applicable Resource Management Plans (RMPs) because it is specifically provided for in the following RMP decision:

The House Range Resource Area HRRARMP (10/87) specifically identifies the entire planning area as being open for leasing with standard stipulations in Decision D.3, page 76 of the HRRARMP, except for 30,780 acres designated as Category 2 lands; 54,740 acres as Category 3 lands; and 58,990 acres as Category 4 lands. These categories and acreages were later revised in the 1988 Implementation EA.

The Warm Springs Resource Area WSRARMP (3/87) specifically identifies the entire planning area as being open for leasing with standard stipulations on page 47 of the WSRARMP, except for 64,570 acres designated as Category 2 lands and 25,727 acres as Category 3 lands. These categories and acreages were later revised in the 1988 Implementation EA.

C. Identify the applicable NEPA document(s) and other related documents that cover the proposed action.

Environmental Analysis Record (EAR), Oil & Gas Leasing, (Old) Fillmore District, Bureau of Land Management, Richfield District, May 06, 1976;

Final Environmental Impact Statement and Proposed Resource Management Plan for the House Range Resource Area (HRRAEIS), August 1986/September 1986;

House Range Resource Area RMP Oil and Gas Leasing Implementation Environmental Assessment (HRRAOGEA), Richfield District, December 21, 1988;

Final Environmental Impact Statement and Proposed Resource Management Plan for the Warm Springs Resource Area (WSRAEIS), September 1986; and

Warm Springs Resource Area RMP Oil and Gas Leasing Implementation Environmental Assessment (WSRAOGEA), Richfield District, December 21, 1988.

D. NEPA Adequacy Criteria

1. Is the current proposed action substantially the same action (or is a part of that action) as previously analyzed?

The HRRARMP, WSRARMP, HRRAOGEA and WSRAOGEA include categorization of lands within the planning unit pertaining to oil and gas leasing. Category 1 lands are available for lease with standard lease stipulations. Category 2 lands are available for lease, subject to special stipulations dependent on the specific area. Category 3 lands are available for lease subject to a no surface occupancy stipulation. Category 4 lands are unavailable for lease of oil and gas. The WSRAOGEA, identifies 2,136,458 acres as Fluid Mineral Leasing Category 1, 64,570 acres as Fluid Mineral Leasing Category 2, and 25,727 acres as Fluid Mineral Leasing Category 3. The HRRAOGEA, identifies 2,112,594 acres as Fluid Mineral Leasing Category 1, 34,454 acres as Fluid Mineral Leasing Category 2, and 75,592 acres as Fluid Mineral Leasing Category 3.

The action for Category 1, as analyzed in the WSRAOGEA and HRRAOGEA, is to lease the Category 1 lands for oil and gas exploration and development subject to standard lease stipulations (Page 8, Table 2-11, WSRAOGEA and Page 12, Table 2-29, HRRAOGEA). All the lands of parcels UT0806-023, UT0806-024 and UT0806-026; parcels UT0506-037 through UT0506-042; parcels UT0806-044 through UT0506-051; and parcels UT0806-223 through UT0806-225 are Category 1. Portions of parcels UT0806-010, UT0806-017, UT0806-025, and UT0806-220 through UT0806-222 are also identified as Category 1 lands. Portions of parcel UT0806-010 and UT0806-017 are identified as Category 2 and are subject to time frame restrictions for development. Portions of parcels UT0806-025, and UT0806-220 through UT0806-222 are identified as Category 3 and are subject to a no surface occupancy stipulation.

2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the current proposed action, given current environmental concerns, interests, and resource values?

The HRRAEIS, Summary, page 1, paragraph “Alternative A: No Action” and page 5, paragraph “Alternative C” proposed no new special land use designations within the Resource Area. These alternatives proposed no change in the lands available for oil and gas lease under standard lease stipulations, nor any change in lands withdrawn from oil and gas lease (Categories 1 and 4 lands respectively). Alternatives “A” and “C”, also did not propose any change in lands available for oil and gas lease with special lease stipulations nor lands with surface occupancy restrictions (Categories 2 and 3 respectively). Alternative “B”, Summary, page 1, paragraph “Alternative B” as incorporated in the preferred alternative “D”, Summary, page 5, paragraph “Alternative D” proposed no change in the lands designated as Category 2 lands. However, the HRRAOGEA increased the area designated as Category 2 lands from 30,780 acres to 34,454 acres. Alternatives “B” and “D” increased the area designated as Category 3 lands from 22,490 acres to 54,740 acres (increased further in the HRRAOGEA to 75,592 acres). These alternatives proposed that the Category 4 designated lands be reduced from 59,190 acres to 58,990 acres (decreased further in the HRRAOGEA to 21,394 acres).

The Draft Warm Springs Resource Area Resource Management Plan Environmental Impact Statement (Draft EIS) is referenced by the WSRAEIS, Chapter 3: Alternatives. Alternative “A”, Draft EIS, Chapter 2: Alternatives, page 41, table 2-3 and Alternative “C”, Draft EIS, page 52, paragraph: “Oil, Gas, and Geothermal proposed no new oil and gas leasing category designations within the Resource Area. These alternatives proposed no change in the lands available for oil and gas lease under standard lease stipulations, nor any change in lands withdrawn from oil and gas lease (Categories 1, and 4 lands respectively). Alternatives “A” and “C”, also did not propose any change in lands available for oil and gas lease with special lease stipulations nor lands with surface occupancy restrictions (Categories 2 and 3 lands respectively). The Draft EIS, Chapter 2: Alternatives, page 48, table 2-7: Oil and Gas Leasing Categories Under Alternative B shows an increase of the acreage of Category 2 lands from 6,321 to 112,097 and the acreage of Category 3 lands from 26,840 to 45,447. Category 4 acreage would have remained the same. The Draft EIS, Chapter 2: Alternatives, table 2-10: Oil and Gas Leasing Categories under Alternative D, the preferred alternative, proposed increasing the acreage of Category 2 from 6,321 to 55,670; decreasing the acreage of Category 3 lands from 26,840 to 25,727; and decreasing the acreage of Category 4 lands from 24,167 to zero. However, the WSRAEIS increased the area designated as Category 2 lands from 55,670 acres to 64,570 acres.

The “No Action Alternative” in the HRRAEIS is described as “existing management practices at current levels and intensities.” The “No Action Alternative” included by reference to the Draft EIS in the WSRAEIS is described as “current direction and level of management intensity and levels of resources uses.” The EAR, which considers a no leasing alternative for oil and gas resources in the district, page 11, Alternatives to the Proposed Action, reflects the “No Action Alternatives” for Draft EIS and HRRAEIS where oil and gas leasing are concerned.

Analysis of this range of alternatives would respond to any concerns and interests and provides an alternative for protection of any resource values that may need protection by the current proposal. Issues, concerns, interests and resource values identified and analyzed in the WSRAOGEA, HRRAOGEA, and the related NEPA documents identified in Section C of this DNA, and their relevance to the proposed leasing, are discussed in Section D.3 and D.5.

3. Is existing analysis adequate in light of any new information or circumstances (including, for example, riparian proper functioning condition [PFC] reports; rangeland health standards assessments; Unified Watershed Assessment categorizations; inventory and monitoring data; most recent Fish and Wildlife Service lists of threatened, endangered, proposed, and candidate species; most recent BLM lists of sensitive species)? Can you reasonably conclude that all new information and all new circumstances are insignificant with regard to analysis of the proposed action?

The existing analysis is adequate. Pages 13 through 94 of the HRRARMP and pages 9 through 62 of the WSRARMP describe the resource values that could be affected by the proposed leasing. Conflicts with oil and gas leasing usually occur when there is considerable area within a parcel that cannot be explored without causing significant impact to one or more resources. Resources scrutinized when determining oil and gas categories during preparation of the HRRARMP and WSRARMP were: riparian, watersheds, critical habitat, significant geologic features, significant historic sites, special recreation management areas, and threatened and endangered species. Impacts to other resources and critical elements, including environmental justice, Native American concerns, hazardous and solid waste, and noxious weeds have been added to the list of critical elements since the HRRARMP and WSRARMP were prepared. These impacts have been analyzed and are described in Section D.5 below. Areas within wilderness study areas are not offered for lease. The ID team review finding is that existing NEPA documents adequately analyze the potential impacts of leasing the parcels recommended for leasing (see attachment A).

4. Do the methodology and analytical approach used in the existing NEPA document(s) continue to be appropriate for the current proposed action?

The methods of extraction, land requirements for exploration and development and potential impacts have not changed substantially since 1988. The basic analysis assumptions included in the HRRAOGEA and WSRAOGEA are still applicable to the current proposal as detailed in the response to Questions D.5 and D.6 below.

5. Are the direct and indirect impacts of the current proposed action substantially unchanged from those identified in the existing NEPA document(s)? Do the existing NEPA documents analyze impacts related to the current proposed action at a level of specificity appropriate to the proposal (plan level, programmatic level, project level)?

The HRRAOGEA and WSRAOGEA analyze the potential impacts from oil and gas leasing in the resource areas (HRRAOGEA, pages 2 and 3 and WSRAOGEA, pages 2 and 3). Reasonable foreseeable impacts of exploration and development were analyzed, taking into account the known and inferred potential for occurrence and discovery of producible quantities of hydrocarbons. The potential for the occurrence of producible quantities of oil and gas appears to be low. Historically about one exploration well is drilled every two years and there are no wells producing oil or gas in either resource area. The analyses in the HRRAOGEA and WSRAOGEA were based on the drilling of one exploration well every two years. This would total five exploration wells over a ten year planning horizon in each resource area. The average oil and gas exploration well disturbs one acre. When two miles of access road are included, the total disturbance, per well, is six acres. Therefore, the total disturbance from oil and gas activity for the ten-year planning period would be about thirty acres in each resource area, including access requirements.

Since preparation of the HRRAOGEA and WSRAOGEA, two oil and gas exploration wells have been drilled in the House Range Resource Area (HRRRA), and two have been drilled in the Warm Springs Resource Area (WSRA). Three other APDs were approved in the HRRRA, but the sites were never drilled. No economic quantities of hydrocarbons have been demonstrated. The total disturbance in each planning unit from the two drilled wells totals approximately four acres, well within the analyzed scenario. Because the proposed action is essentially the same (see the answer to D.1) and the existing resource conditions and

values (Affected Environment) have not changed (see the answer to D.3), the potential direct and indirect environmental impacts of the current lease proposal are substantially unchanged from those addressed in the HRRAOGEA and WSRAOGEA.

The proposed parcels being offered in the Fillmore Field Office area are within Category 1, Category 2, and Category 3 lands. Potential impacts on Category 1 lands can be mitigated through the standard oil and gas lease terms and conditions, operating regulations, best management practices, and standard operating procedures; Category 2 lands can be mitigated through special lease stipulations outlined in table 2-11, pages 7 and 8 of the HRRAEA and table 2-29 pages 4 and 5 of the WSRAEA. Category 3 lands are leased with a no surface occupancy stipulation. The HRRARMP, pages 2 through 5 and Map 9, the WSRARMP pages 1 through 4 and Map 8, the HRRAOGEA Maps 1 through 38, and Maps 1 through 20 of the WSRAOGEA provide site-specific information regarding the location of sensitive resources and potential impacts. The analysis of the HRRAOGEA and WSRAOGEA are therefore site-specific and allows specific location and identification of potential impacts of the current leasing proposal. Further site-specific review that addressed environmental justice, hazardous and solid waste, Native American Religious concerns, and noxious weeds in addition to the elements originally examined in the NEPA documents listed in B. and C. above, indicate the following:

Concerns have been identified for Cultural Resources, Invasive/Non-native Species, Threatened, Endangered and Sensitive (TES) animal species, Wetlands/Riparian, Vegetation including special status plant species, Recreation, and Lands/Realty. The resources specialists for these resources determined the following:

Cultural resources:

All cultural resource information was reviewed and pertinent cultural resource information was analyzed for the Area of potential effect (APE) which is defined as the entire parcel being offered for the August 2006 oil and gas lease sale. Cultural resource information concerning the proposed parcels varies from parcels with no inventories to parcels where some inventories have covered a portion of the area. In no case is the entire parcel completely surveyed. Un-inventoried portions or parcels were compared with similar areas where inventories had been conducted. This analysis included an assessment of soils, elevation, topography, vegetation and water resources. Based on the results of previous cultural resource inventories, the potential for locating additional cultural resources within the proposed lease parcels reviewed for the August 2006 oil and gas lease sale is moderate to low. Furthermore, unidentified cultural properties resulted in the recommendation of "No Historic Properties Affected." This is based on the determination that reasonable development could occur on each proposed parcel without impact to eligible properties (see attached specialist report).

Invasive/Non-native Species:

Invasive/Non-native species can be mitigated by cleaning equipment prior to and/or after use on-site (see attached specialist report).

TES Animal Species:

All or portions of lease parcels offered in the FFO are known to be frequented by Bald Eagles and contain Sage Grouse and historic Pygmy Rabbit habitat. Lease development would account for proper protection of these species. Lease notices will be attached to parcels as outlined below (see attached specialist report).

Wetlands/Riparian:

Lease development would require a 100 meter buffer from wetlands and riparian vegetation. This can be achieved through application of lease stipulations and/or application of 43 CFR 3101.1-2.

Vegetation:

There are several plants designated as BLM sensitive species in the Fillmore Field Office area. Two of these species are known to occur within the area of the proposed competitive lease sale: *Atriplex canescens* var. *gigantea* (giant fourwing saltbush) and *Penstemon angustifolius* var. *dulcis* (Neese narrowleaf penstemon). These two species live in sand dune habitats and are known to occur throughout Little Sahara Recreation Area (LSRA) and in the sand dune areas surrounding LSRA. Known populations and/or potential habitat for these two plant species exists in parcels UT0806-037 through 042 and UT0806-048 through 050. As such, detailed plant surveys and the associated detailed plant population maps would be required prior to the authorization of any ground-disturbing activities. Protocols for plant survey work and mapping would have to be approved by the TES plants specialist in the Fillmore Field Office prior to any fieldwork being completed. Using that detailed plant distribution information from the plant survey and mapping efforts, any potential impacts to special status plants would be identified, and mitigation measures would be employed that eliminate or reduce potential impacts to those plants. Such mitigation measures might include moving and/or modifying proposed on-the-ground activities (e.g. drill holes, access roads, etc.) so as to not affect the plants.

There are no known populations of sensitive plants in the remaining parcels (i.e. parcels not mentioned in the previous paragraph) in the August lease sale. However, if there is potential habitat for special status plant species on those parcels, plant surveys would be required should oil and gas exploration activities be proposed on those parcels (see attached specialist report).

Recreation:

The nature and extent of recreational activities at Little Sahara Recreation Area (LSRA) has changed and increased since the RMP and Oil & Gas EA were implemented. The lands within LSRA were categorized as Category 1 Oil and Gas lands at that time. The interaction of recreation and Oil and Gas activity within LSARA is in need of re-assessment.

Lands and Realty:

Activities performed under the lease are subject to valid existing rights. Parcels UT0806-210 through UT0806-219 are within the Utah Test and Training Range and subject to coordination with the U.S. Air Force (USAF).

The recreation concerns are being addressed by deferring the parcels within LSRA until Oil and Gas leasing within LSRA can be re-assessed. Concerns with Cultural Resources, Invasive/Non-native Species, Threatened, Endangered and Sensitive (TES) animal species, Wetlands/Riparian, Vegetation including special status plant species, and Lands/Realty are addressed and mitigated through Category 1, Category 2, and Category 3 lease stipulations and standard operating procedures required through the Application for Permit to Drill approval process, as well as, the following notices and stipulations that will apply to the specific parcels listed.

Portions of parcels UT0806-025, and UT0806-220 through UT0806-222 would contain the following stipulation:

A portion of the land in this lease is included in riparian habitat. Therefore, no occupancy or disturbance of the surface of the land described below is authorized. The lessee, however, may exploit the oil and gas resources in the described area by directional drilling from sites outside the described area. If a proposed drilling site lies on land administered by the Bureau of Land Management, a permit for use of the site must be obtained from the BLM field manager before drilling or other development begins.

UT0806-025: T. 14 S., R. 3 W., sec. 23: lots 13 and 14.

UT0806-220: T. 14 S., R. 18 W., sec. 10: E2, E2NW, SWNW, SW.

UT0806-221: T. 14 S., R. 18 W., sec. 11: W2NW.

UT0806-222: T. 14 S., R. 18 W., sec. 15: W2E2E2, W2NE,
NW, N2SW, SWSW, W2SE.

Portions of UT0806-010 and UT0806-017 would contain the following stipulation:

In order to protect crucial elk winter range exploration, drilling, and other development activity in the designated portions of the parcel will be allowed only during the period from May 1 to November 30. This limitation does not apply to maintenance and operation of producing wells. Exceptions to this limitation in any year may be specifically approved in writing by the authorized officer of the Bureau of Land Management.

UT0806-010: T. 15 S., R. 1 W., sec. 19: lots 1 and 4, W2NE, E2NW.

UT0806-017: T. 15 S., R. 1.5 W., sec. 24: lots 1-3, W2NE, NW, NESW, NWSE.

Parcels UT0806-017, UT0806-023 through UT0806-026, UT0806-044 through UT0806-048, and UT0806-051 would contain the following lease notice:

The lessee/operator has been given notice that the area has been identified as containing crucial deer winter range, which may be utilized from November 1 through March 31. Modifications including seasonal restrictions may be required to the Surface Use Plan of Operations in order to protect the winter range. This limitation does not apply to operation and maintenance of producing wells.

Parcels UT0806-023, UT0806-039 through UT0806-042, UT0806-052, and UT0806-054 would contain the following lease notice:

The lessee/operator is given notice that this lease parcel has been identified as containing potential sage grouse brooding and wintering habitat. Modifications to the Surface Use Plan of Operations may be required in order to protect the sage grouse and habitat from surface disturbing activities.

Parcels UT0806-017, and UT0806-044 through UT0806-048 would contain the following lease notice for Sage Grouse:

The lessee/operator is given notice that lands in this lease have been identified as containing habitat for named species on the BLM Sensitive Species List and the Utah Sensitive Species List. Modifications to the Surface Use Plan of Operations may be required in order to protect any sensitive Species and/or habitat from surface disturbing activities in accordance with Section 6 of the Oil and Gas Lease Terms, Endangered Species Act, and 43 CFR 3101.1-2. This notice may be waived, excepted, or modified by the authorized officer if either the resource values change or the lessee/operator demonstrates that adverse impacts can be mitigated.

Parcels UT0806-039 through UT0806-042, and UT0806-048 would contain the following lease notice:

The lessee/operator is given notice that lands in this lease have been identified as containing special status plants, not federally listed, and their habitats. Modifications to the Surface Use Plan of Operations may be required in order to protect the special status plants and/or habitat from surface disturbing activities in accordance with Section 6 of the lease terms, Endangered Species Act, and 43 CFR 3101.1-2.

Parcel UT0806-017 and UT0806-039 would contain the following stipulation:

Material Site Rights of Way:

Lessee shall conduct operations in conformity with the following requirements:

- (1) The Utah State Department of Highways will have unrestricted rights of ingress of the property.
- (2) The lease will not conflict with the right of the Utah State Department of highways to remove any road-building materials from the property.
- (3) The Utah State Department of Highways reserves the right to set up, operate, and maintain such facilities as are reasonable to expedite the removal, production, and use of the materials; and the lessee shall not interfere with the Highway Department's use of the property for such purposes.

Parcels UT0806-210 through UT0806-219 would contain the following notice:

All or portions of this parcel are within the Utah Test and Training Range (UTTR) Military Operations Area or Restricted Area. Prior to approval or any operations on the lease The 388th Range Squadron Security Office, Hill Air Force Base (801-777-3242) must be contacted for coordination concerning the following requirements:

Military Operations Area (MOA)

- 1) The MOA air space starts at 100 ft. above ground surface. No towers or rigs may be installed in excess of 100 ft. above ground level (AGL) without UTTR coordination.
- 2) No permanent construction above 500 AGL is allowed.
- 3) Lease sites may not be permanently manned.
- 4) There can be no limitations on current Chaff (100 ft. AGL) and Flares (2,000 ft. AGL).
- 5) No electronic counter measures (ECM) conflicts/limitations would be allowed. A total frequency review will be required to ensure there is no conflict.
- 6) No noise limitations are allowed.
- 7) No permanent construction above 500' AGL is allowed
- 8) No live weapon overflight limitations will be permitted.
- 9) The military will not be liable for wildfire damage.

Restricted Airspace

- 1) Restricted Airspace starts at the surface. In addition to the above noted requirements, No towers or rigs will be allowed in excess of 100 ft. AGL without UTTR approval. Any aerial operations require UTTR scheduling.

Cultural Resources, Threatened, Endangered and Critical Species (animals) and Wildlife concerns will result in all lease parcels having the following notices attached:

This lease may be found to contain historic properties and/or resources protected under the National Historic Preservation Act (NHPA), American Indian Religious Freedom Act, Native American Graves Protection and Repatriation Act, E.O. 13007, or other statutes and executive orders. The BLM will not approve any ground disturbing activities that may affect any such properties or resources until it completes its obligations under applicable requirements of the NHPA and other authorities. The BLM may require modification to exploration or development proposals to protect such properties, or disapprove any activity that is likely to result in adverse effects that cannot be successfully avoided, minimized or mitigated.

The lessee/operator is given notice that this lease parcel has been identified as containing threatened or endangered species or habitat. Modifications to the Surface Use Plan of Operations may be required in order to protect threatened or endangered species and/or habitat from surface disturbing activities in accordance with the Endangered Species Act and its section 7 consultation procedures.

6. Are the reasonably foreseeable cumulative impacts that would result from implementation of the proposed action substantially unchanged from those identified in the existing NEPA document(s)?

As discussed in the answer to question D.5, the HRRAOGEA and WSRAOGEA addressed reasonably foreseeable impacts based on an anticipated level of oil and gas activity. The analyses in the HRRAOGEA and WSRAOGEA were based on the drilling of one exploration well every two years. This would total five exploration wells over a ten year planning horizon in each resource area. The average oil and gas exploration well disturbs one acre. When two miles of access road are included, the total disturbance, per well, is six acres. Therefore, the total disturbance from oil and gas activity for the ten-year planning period would be about thirty acres in each resource area, including access requirements.

Since preparation of the HRRAOGEA and WSRAOGEA, two oil and gas exploration wells have been drilled in the House Range Resource Area (HRRRA), and two have been drilled in the Warm Springs Resource Area (WSRA). Three other APDs were approved in the HRRRA, but the sites were never drilled. No economic quantities of hydrocarbons have been demonstrated. The total disturbance in each planning unit from the two drilled wells totals approximately four acres, well within the analyzed scenario.

The potential collective and cumulative impacts of oil and gas leasing as analyzed on pages 2 and 3 of the HRRAOGEA and pages 2 and 3 of the WSRAOGEA are not substantially different for this proposal.

7. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action?

During the development of the HRRARMP in 1980 through 1987, public workshops and meetings were held in Nephi, Irapah, and Fillmore, Utah. Federal Register (FR) Notices concerning the preparation and availability of the HRRARMP were posted February 22, 1980, May 1, 1985 and September 1986. Public comment on the oil and gas categories was received in 1986 and all comments were responded to in the HRRAEIS.

During the development of the WSRARMP public meetings were held in Fillmore, Utah on February 15, 1983 and May 12, 1986. Federal Register (FR) Notices concerning the preparation and availability of the WSRARMP were posted February 27, 1983, May, 1985, April 3, 1986 and April 17, 1986. Public comment on the oil and gas categories was received in 1986 and all comments were responded to in the WSRAEIS.

Consultation with the U.S. Fish and Wildlife Service (FWS) regarding this action occurred by letter dated June 9, 2006. In that letter a description of the concerns with wildlife and threatened and endangered species was described along with the notices proposed to be attached to any leases being issued. Consultation with the FWS was completed in a response letter dated June 15, 2006; where FWS concurred with the BLM finding of “not likely to adversely affect.”

The following tribes were notified via certified letter sent on May 30, 2006 regarding this project: Paiute Tribe of Utah (PITU), Confederated Tribes of the Goshute Reservation, Kanosh Band of the Paiute Tribe, Skull Valley Goshute Tribe and the Ute Tribe. They were asked to identify traditional cultural places or any other areas of traditional cultural importance that needs to be considered within the Area of Potential Effect. Based on the information received, the BLM has determined that the August 2006 Oil and Gas Lease Offering has no potential to affect tribes or Traditional Cultural Properties. The Utah State Historic Preservation Office was also consulted with regarding this project and concurs with the BLM determination of No Historic Properties Affected. Additional consultation will be conducted should site-specific use authorization requests for a lease be received.

E. Interdisciplinary Analysis:

The interdisciplinary team is identified on the attached Interdisciplinary Team Checklist.

F. Mitigation Measures:

Mitigation measures in the form of lease notices and stipulations for specific lease parcels are listed in question D.5.

Conclusion

- Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan(s) and that the NEPA documentation fully covers the proposed action and constitutes BLM's compliance with the requirements of NEPA

/s/ Jerry W. Mansfield Acting Field Office Mgr
Signature of the Responsible Official

6/29/06
Date