

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

U.S. Department of the Interior  
Utah Bureau of Land Management (BLM)

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The signed CONCLUSION at the end of this worksheet is part of an interim step in the BLM's internal analysis process and does not constitute an appealable decision; however, it constitutes an administrative record to be provided as evidence in protest, appeals and legal procedures.

**A. BLM Office:** Price Field Office (UT-070)

**Proposed Action Title:** August 15, 2006 competitive Oil and Gas Lease Sale

**Location of Proposed Action:** Parcels within Carbon and Emery County, Utah. Attachment 2 contains legal descriptions for each parcel.

**Description of the Proposed Action:** The Utah State Office proposes to offer 13 parcels of land in Carbon and Emery Counties, Utah administered by the Price Field Office for oil and gas leasing in a competitive lease sale to be held on August 15, 2006. All 13 parcels were assessed for land use plan compliance and NEPA adequacy. Seven (7) parcels are located in Carbon County, Utah and six (6) parcels are located in Emery County, Utah. Attachment 2 lists all parcels including special lease stipulations and lease notices. These parcels include public lands or lands in which the mineral estate is administered by the BLM. If a parcel of land is not purchased at the lease sale by competitive bidding, it may still be leased within two years after the initial offering under a current review of NEPA adequacy. A lease may be held for ten years, after which the lease expires unless oil or gas is produced in paying quantities. A producing lease can be held indefinitely by economic production.

Planning decisions place certain lands in a no leasing category. Most lands are leased with minor stipulations attached to the lease from the appropriate land use plan for the area. Some lands are leased with limited areas of no surface occupancy within the lease boundaries. Some lands are leased with no stipulations other than those found on the standard lease contract form. A lease grants the right to drill for oil and gas, at some location on the lease.

A lessee must submit an Application for Permit to Drill (APD) (Form 3160-3) to the BLM for approval and must possess an approved APD prior to any surface disturbance in preparation for drilling. Any stipulations attached to the standard lease form must be complied before an APD may be approved. Following BLM approval of an APD, a lessee may produce oil and gas from the well in a manner approved by BLM in the APD or in subsequent sundry notices. The operator must notify the appropriate authorized officer, 48 hours before starting any surface disturbing activity approved in the APD.

Based on our review of the parcels, the Price Field Office found that all of UT0806-252 is in conflict with coal mining-related activities. This parcel is therefore indefinitely deferred (see Attachment 3) and not included with the analysis completed for this document.

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

- Price River Management Framework Plan, September 2, 1983
- Price River Management Framework Plan Supplement, August 13, 1984
- San Rafael Resource Management Plan, May 24, 1991
- Nine Mile Canyon Special Recreation and Cultural Management Area Activity Plan, January 4, 1995

The proposed action is in conformance with the applicable LUPs because it is specifically provided for in the following LUP decisions:

Price River Management Framework Plan (MFP) Minerals M-1: Allow and encourage development of those Leasable minerals known to occur within the planning area in accordance with current laws and regulations so as to aid in filling the local and national energy requirements.

San Rafael Resource Management Plan (RMP) (page 11): To lease public lands for oil and gas...only so long as RMP goals are met; and to administer operational aspects of federal oil and gas leases where BLM does not manage the surface.

The Oil and Gas Category plats of the Price River MFP and the San Rafael RMP identify the stipulations to be attached to each lease or portion thereof.

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

- Price District Oil and Gas Environmental Analysis Record, August 15, 1975
- Price River Management Framework Plan Supplement, August 13, 1984
- EA Supplement on Cumulative Impacts on Oil and Gas Lease Categories, Price River Resource Area, December 23, 1988
- San Rafael Resource Management Plan Final Environmental Impact Statement, May 24, 1991
- San Rafael Proposed Resource Management Plan, 1989 Vol. 1 and 2
- Castlegate Coalbed Methane Project Carbon County Utah, October 1992
- Price Coalbed Methane Project Final Environmental Impact Statement, May 1997
- Ferron Natural Gas Project Final Environmental Impact Statement, July 6, 1999
- Price Field Office Resource Management Plan Draft Environmental Impact Statement (EIS), July 2004 (referred to in this document as the 2004 draft RMP EIS)
- Price RMP ACEC Proposal Review Information 2003-2004

**D. NEPA Adequacy Criteria**

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

**Item 1: Yes for the following parcels:**

UT0806-250	UT0806-257	UT0806-263	UT0806-267
UT0806-251	UT0806-261	UT0806-263A	UT0806-269
UT0806-253	UT0806-262	UT0806-264	UT0806-271

**Item 1: Rationale for Yes:** The Price District Oil and Gas Environmental Analysis Record, the 1988 Environmental Assessment (EA) Supplement on Cumulative Impacts on Oil and Gas Leasing Categories for Price River Resource Area analyzed the leasing of parcels for development of mineral resources. The San Rafael Resource Management Plan Final Environmental Impact Statement (EIS) proposed leasing for oil and gas development stating, “To lease public lands for oil and gas... only so long as RMP goals are met; and to administer operational aspects of federal oil and gas leases where BLM does not manage the surface.”

**Item 1: No for the following parcels: None**

**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, resource values, and circumstances?**

**Item 2: Yes for the following parcels:**

UT0806-250	UT0806-257	UT0806-263	UT0806-267
UT0806-251	UT0806-261	UT0806-263A	UT0806-269
UT0806-253	UT0806-262	UT0806-264	UT0806-271

**Item 2: Rationale for Yes:** The range of alternatives in the Price District Oil and Gas Environmental Analysis Record, 1984 Price River Resource Area Management Framework Plan Supplement, the EA Supplement on Cumulative Impacts on Oil and Gas Lease Categories, Price River Resource Area, December 23, 1988, and the San Rafael RMP EIS are appropriate. In the 1975 District Oil and Gas EA, BLM evaluated leasing and one alternative, to not allow leasing. The Decision Record of the 1984 Price River Resource Area Management Framework Plan Supplement states that alternatives were considered throughout the document including no action, open to leasing, leasing with special stipulations, no surface occupancy and no leasing. The San Rafael EIS analyzed the impacts of oil and gas leasing on all the lands in the San Rafael Resource Area under seven alternatives which ranged from maximum oil and gas development to reduced production in favor of other resource values.

**Item 2: No for the following parcels: None**

**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 U.S. 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?**

**Item 3: Yes for the following parcels:**

*(\* indicates that a portion of this parcel is deferred)*

UT0806-250*	UT0806-257	UT0806-262*
UT0806-251*	UT0806-261	UT0806-263

UT0806-263A  
UT0806-264\*

UT0806-267  
UT0806-269

UT0806-271

**Item 3: Rationale for “Yes”:** The Price District Oil and Gas Environmental Analysis Record, the EA Supplement on Cumulative Impacts on Oil and Gas Lease Categories, Price River Resource Area, December 23, 1988, and the San Rafael RMP Final EIS describe the resource values that could be affected by the proposed leasing. Since the publication of these NEPA documents, environmental justice, ground water quality, Native American Religious Concerns, and noxious weeds have been added to the list of critical elements of the human environment.

**Environmental Justice:** The ethnic composition and economic situation of residents of Carbon and Emery Counties indicates that there are no minority or low-income populations are experiencing disproportionately high or adverse effects from current management actions (2004 Draft RMP EIS, pg 3-62). Leasing would not adversely or disproportionately affect minority, low income or disadvantaged groups.

**Groundwater:** Groundwater quality for the land proposed for lease was analyzed in the original planning documents. Usable water zones would be isolated and protected under current regulations and Onshore Orders when permits are submitted and considered for approval.

**Invasive, Non-native Species :** Noxious weed introduction is limited by standard operating procedures and best management practices used as conditions of approval for surface use authorizations. These practices include, equipment washing, inspections and treatments to limit the spread or introduction of invasive, not-native species.

**Native American Religious Concerns:** On May 9, 2006 certified consultation letters (attached to the cultural staff report in Attachment 4) were sent to the following Tribes: Southern Ute, Navajo, Shoshone-Wyoming, Hopi, Goshute, Zuni, Uintah and Ouray Ute, Ute Mountain Ute, Northwestern Band of the Shoshone, Shoshone-Bannock, and Paiute. The letters requested comments to be provided to the PFO within 30 days upon receipt of the letter. As of June 6, 2006 two responses were received, one from the Paiute Tribe and one from the Goshute Tribe. The Paiute Tribe’s letter states that the material they received from us had been reviewed, but at this time they are not aware of any archaeological resources in or near the proposed areas. It also states that their interest is not limited to cultural resources but includes plants and animals. Though the letter from the Goshute Tribe says the BLM’s proposal is for 12 parcels, the parcel list they received has 13 parcels. This letter stated no issues related to the project and recommended BLM to contact the Northern Ute Tribe, because these parcels are within their aboriginal roaming area. The Northern (Uintah and Ouray) Ute were among the tribes contacted for this lease sale. Both letters are included in with the staff reports in Attachment 4. No concerns pertaining to leasing of the preliminary parcels have been received. If any concerns are raised by the tribes, those concerns will be addressed. Consultation will be considered complete if tribal response presents no objections or if response is not received within 30 business days after the last letter was received.

**Cultural Resources:** The Area of Potential Effect for the August 2006 Oil and Gas Lease Sale is identified as the parcels offered for the lease sale, which are listed with their legal description in Attachment 2. All parcels within this lease sale were reviewed for the presence of cultural resources. Most of the previous inventories are over twenty years old and were made at a different standard than today. Additional sites are expected to exist that were not recorded. The existing inventories and others surrounding these parcels are sufficient to determine that historic properties are likely to be present on each proposed lease parcel. Site specific analysis would be conducted at the Application

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for Permit to Drill stage where the presence of cultural resources would be confirmed and measures to protect these resources would be defined in the Conditions of Approval.

It is submitted that this oil and gas lease undertaking falls under the purview of the Protocol negotiated between BLM and the Utah State Historic Preservation Office (SHPO), a document designed to assist BLM in meeting its responsibilities under the National Historic Preservation Act, various implementing regulations, and the National Cultural Programmatic Agreement. Per the Protocol, the Price Field Office's archaeologist documented the completion of the cultural resource report for this lease sale into the June quarterly log that was submitted to SHPO. Further, the view taken here is that the undertaking does not exceed any of the review thresholds listed in Part VII (A) of the Protocol, and that it may be viewed as a No Historic Properties Affected; eligible sites present, but not affected as defined by 36CFR800.4 [VII (A) C (4)]. The determination was based on a conclusion that at least one well could be located on each parcel without adversely affecting cultural properties.

To assure appropriate consideration of future effects from the August 15, 2006 lease sale, the BLM will add the following "lease stipulation" (WO-IM-2005-003), to all parcels offered for lease.

*"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." (WO-IM 2005-03).*

**Special Status Species:** Habitat evaluations were conducted for special status species. Parcels containing potential habitat are identified in reports contained in Attachment 4. The Price Field Office determined that the proposed action "may affect, but not likely adversely affect", bald eagle, Mexican spotted owl, and black footed ferret.

A coordination letter requesting U.S. Fish and Wildlife Service (FWS) concurrence on BLM's "not likely to adversely affect" determination was sent on May 31, 2006. A response for the parcels with potential bald eagle, Mexican spotted owl and black-footed ferret habitat, was received on June 28, 2006. In their letter, FWS concurred with BLM's "not likely to adversely affect" determination for the bald eagle, Mexican spotted owl and black-footed ferret. Detailed information and copies of BLM determinations and FWS concurrence are contained in Attachment 4.

There are several sensitive animal species/habitat that may occur within, or in proximity of parcels offered for sale, including northern goshawk, white-tailed prairie dog, greater sage-grouse nesting grounds, burrowing owl and Jones Indigo-bush. Application of lease stipulations, notices, best management practices, and approval conditions would afford protection for these species for any surface use activities. Additionally, a stipulation for protection of special status species is added to all parcels

**Wilderness Characteristics:** BLM's Instruction Memorandum (IM) 2003-275-Change 1 addresses the issue of wilderness characteristics in land use plans. The IM defines wilderness *characteristics* as features of the land associated with the concept of wilderness. The IM then describes these features

as naturalness, and outstanding opportunities for solitude and/or primitive and unconfined recreation. According to the IM:

*“Lands and resources exhibit a high degree of naturalness when affected primarily by the forces of nature and where the imprint of human activity is substantially unnoticeable. BLM has authority to inventory, assess, and/or monitor the attributes of the lands and resources on public lands, which, taken together, are an indication of an area’s naturalness. These attributes may include the presence or absence of roads and trails, fences and other improvements; the nature and extent of landscape modifications; the presence of native vegetation communities; and the connectivity of habitats.”*

Parcels UT0806-267 and UT0806-269 are located on non WSA lands with wilderness characteristics. These areas were inventoried and found to have wilderness characteristics by BLM in the *1999 Utah Wilderness Inventory*. They are also located within the Utah Wilderness Coalition’s “Redrock Wilderness” proposal.

Although inventory data and resource specialist determinations have indicated that this is new information in BLM inventoried areas and areas with a reasonable probability of wilderness characteristics, it is not significant from a NEPA standpoint for the following reasons: BLM has adequately considered the characteristics that make up wilderness characteristics in these existing NEPA documents.

- Price Field Office Draft RMP
- San Rafael Resource Area Proposed RMP Vol. 1 and Vol. 2 (1989)
- San Rafael Resource Area RMP/ROD (1991)
- Price District Oil and Gas Environmental Analysis Record (1975)

These NEPA documents may not have specifically addressed *wilderness characteristics* in the analysis but impacts to natural character were addressed in the identification of likely disturbance related to reasonable foreseeable development and impacts to the soils and flora and fauna of the resource area. Impacts to recreation opportunities were addressed in the existing NEPA record, including impacts to primitive types of recreation to the degree that they were occurring. There has been no significant change in focus of recreation use of the areas.

The Price River Management Framework Plan (1984) is not a NEPA document, but the document is developed from the environmental analysis from other NEPA documents such as the Price District Oil and Gas Environmental Analysis Record (1975). The Price River MFP also provides some analysis in regards to Visual Resource Management. In Instruction Memorandum No. 2003-275, Change 1, visual resources was identified as being a component of naturalness. While VRM is primarily concerned with scenic quality, one aspect of VRM is the description of what degree of change would be allowed to the basic landscape elements. By the classification of public lands into the five VRM classes BLM does provide a degree of analysis on naturalness through the assessment on the amount of contrast that would result from a proposed activity on the landscape.

There is no Bureau policy to protect wilderness characteristics outside of WSAs or designated wilderness, except as directed in an existing land use plan.

**Item 3: No for the following parcels:**  
(\* indicates that a portion of this parcel is deferred)

UT0806-250*	UT0806-257*
UT0806-251*	UT0806-262*
UT0806-253	UT0806-264*

**Item 3: Rationale for “No”:** See Deferred Parcel Table in Attachment 3.

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

**Item 4: Yes for the following parcels:**  
(\* indicates that a portion of this parcel is deferred)

UT0806-250*	UT0806-261	UT0806-263A	UT0806-269
UT0806-251*	UT0806-262*	UT0806-264*	UT0806-271
UT0806-257*	UT0806-263	UT0806-267	

**Item 4: Rationale for “Yes”:** The methodology and approach used in the Price District Oil and Gas Environmental Analysis Record, the 1984 and 1988 EA Supplements, the Utah Combined Hydrocarbon Leasing Regional EIS and the San Rafael RMP Final EIS are appropriate for the current proposed action because the methods of extraction, land requirements for exploration and development, and potential impacts have not changed substantially since completion of these documents. The basic analysis assumptions included in these documents are still applicable to the current proposal. Coalbed methane production in Utah is essentially the same as conventional gas development as water production is injected below surface, therefore the methods of extraction, land requirements for exploration and development and potential impacts have not substantially changed.

**Item 4: No for the following parcels:** See Deferred Parcel Table in Attachment 3.

**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)?**

**Item 5: Yes for the following parcels:**  
(\* indicates that a portion of this parcel is deferred)

UT0806-250*	UT0806-262*	UT0806-267
UT0806-251*	UT0806-263	UT0806-269
UT0806-257*	UT0806-263A	UT0806-271
UT0806-261	UT0806-264*	

**Item 5: Rationale for “Yes”:** The Price District Oil and Gas Environmental Analysis Record, the 1984 and 1988 EA Supplements, the Utah Combined Hydrocarbon Leasing Regional EIS and San Rafael RMP Final EIS evaluated the direct and indirect impacts of oil and gas leasing per the current leasing categories, whether open to leasing, open to leasing with special stipulations or otherwise. As identified under criterion 3, no significant new information or circumstances have been identified

which would render the existing analyses inadequate for leasing the above parcels. Nor have the existing resource conditions and other elements of the human environment changed substantially from those evaluated in the existing documents.

Coalbed methane production was not reasonably foreseeable when the planning documents were prepared. However, coalbed methane production in Utah is essentially the same as conventional gas development as water production is injected below surface; therefore there is no change to the existing resource conditions and values.

**Item 5: No for the following parcels:** See Deferred Parcel Table in Attachment 3.

6. **Can you conclude without additional analysis or information that the cumulative impacts that would result from implementation of the current proposed action are substantially unchanged from those analyzed in the existing NEPA document(s)?**

**Item 6: Yes for the following parcels:**

*(\* indicates that a portion of this parcel is deferred)*

UT0806-250*	UT0806-262*	UT0806-267
UT0806-251*	UT0806-263	UT0806-269
UT0806-257*	UT0806-263A	UT0806-271
UT0806-261	UT0806-264*	

**Item 6: Rationale for “Yes”:** The cumulative impacts of oil and gas including coalbed methane development have been analyzed in Castlegate Coalbed Methane Project, Price Coalbed Methane Project, and Ferron Natural Gas Project EISs. The EISs update the development scenario addressed the 1988 EA Supplements. The Ferron Natural Gas Project EIS, the last to be completed, addressed the cumulative impacts of all three actions. Therefore the cumulative impacts of coalbed methane and conventional oil and gas activities have been analyzed in full. Coalbed methane production was not reasonably foreseeable when the planning documents were prepared. However, coalbed methane production in Utah is essentially the same as conventional gas development as water production is injected below surface; therefore there is no change to the existing resource conditions and values.

The 1988 EA evaluated the cumulative impacts of oil and gas leasing to supplement the Price District Oil and Gas Environmental Analysis Record, August 15, 1975, and Price River Management Framework Plan Supplement, August 13, 1984. The 1988 EA supplement projected five wells drilled per year between 1988 and 2000 within the Price River Resource Area on lands administered according to the MFP. Estimates also projected that 48 of the 60 total wells would be non-producing, abandoned and reclaimed.

Recent cumulative impacts analysis, from the Stone Cabin 3D Seismic Survey Project EA completed March 19, 2004, projected at total of nine federal wells, plus five to seven wells to be drilled annually on state and private lands. The current implementation of the West Tavauputs Plateau Drilling Program, authorized July 29, 2004, consisting of development of 38 wells. This level of development is within the limits of the 1,100 wells described in the reasonable foreseeable development scenario presented in the most conservative alternative (alternative C) of the 2004 Draft RMP EIS.

Because the reasonably foreseeable level of oil and gas activity analyzed previously is still appropriate and additional connected, cumulative, or similar actions are not anticipated; potential cumulative impacts are substantially unchanged from those analyzed in the EAs, EISs and RFDs.

**Item 6:** No for the following parcels: See Deferred Parcel Table in Attachment 3.

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

**Item 7:** Yes for the following parcels:

UT0806-250	UT0806-257	UT0806-263	UT0806-267
UT0806-251	UT0806-261	UT0806-263A	UT0806-269
UT0806-253	UT0806-262	UT0806-264	UT0806-271

**Item 7: Rational for “Yes”:** The public involvement and interagency review procedures and findings made through the development of the Price River MFP, the Price River MFP Supplement approved August 13, 1984, and the Environmental Assessment Supplement on Cumulative Impacts on Oil and Gas Leasing Categories for the Price River Resource Area approved on December 23, 1988, the Environmental Assessment Supplement on Cumulative Impacts on Oil and Gas Leasing Categories for the San Rafael Resource Area approved on December 20, 1988, and the San Rafael Resource Management Plan approved May 24, 1991 are adequate for the proposed lease sale. A public meeting was held in Price on April 18, 1983. A Federal Register Notice concerning the preparation and availability was posted on April 27, 1983. On June 13, 1985 a Federal Register Notice announced BLM’s intention to develop the San Rafael RMP, soliciting public participation in the process. A series of opportunities, though comment periods, public workshops, and similar meetings, ensured an appropriate level of public participation during the preparation of the RMP EIS between 1985 and 1991.

In February 1997, BLM conducted public and internal scoping to solicit input to identify the environmental issues and concerns associated with the proposed Ferron Natural Gas Project. A Notice of Intent (NOI) to prepare an EIS was published in the Federal Register on January 28, 1997. An amendment to the NOI was published in the Federal Register on February 3, 1998, which adjusted the western boundary of the South Area to the location evaluated in this EIS. The BLM prepared a scoping information packet and provided copies of it to federal, state, and local agencies; Native American groups; and members of the general public. In addition, the BLM conducted public scoping meetings in Price, Utah; Castle Dale, Utah; and Salt Lake City, Utah on February 11, 12, and 13, 1997, respectively. The environmental issues identified are described in for the proposed are described in the Ferron EIS. A summary of the results of the scoping are maintained in the Price Field Office.

In addition, the Price Field Office issued a Notice of Intent (NOI) to revise the above land use plans in the Federal Register on November 7, 2001 initiating public scoping. This scoping included the No Action Alternative, which represents current management, as outlined in the 1983 Price River MFP and the 1991 San Rafael RMP as altered through amendment and policy since adoption of the records of decision for those plans.

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A coordination letter was sent via electronic mail to the U.S. Fish and Wildlife Service (FWS) on May 31, 2006. A response of concurrence with BLM’s determinations from FWS service was received on June 28, 2006.

**Item 7: No** for the following parcels: **None**

**E. Interdisciplinary Analysis:** Identify those team members conducting or participating in the preparation of this worksheet. An Interdisciplinary checklist is attached to this DNA.

<b>Name</b>	<b>Title</b>	<b>Resource Represented</b>
Sue Burger	Physical Science Technician	Coal
Rebecca Doolittle	Geologist	Native American Consultation
Tom Gnojek	Outdoor Recreation Planner	Wilderness, Recreation
Brad Higdon	Environmental Coordinator	NEPA
Karl Ivory	Range Management Specialist	T&E Plants/Weeds
Mike Leschin	Geologist/Paleontology	Paleontology
Blaine Miller	Archaeologist	Cultural Resource
Mike Tweddell	Range Management Specialist	Wild Horses & Burros
David Waller	Wildlife Biologist	T&E Wildlife

**F. Mitigation Measures:** The following Lease Notices and/or Lease Stipulations should be applied to the identified, subsequent parcels (these are in addition to those applied by the Utah State Office).

<b>LEASE STIPULAITONS- WO-IM</b>
<p><b>1. Lease Stipulation-Cultural Resources (WO-IM-2005-003); This Stipulation Shall be Applied to All Parcels</b></p> <p><i>“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 statues 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.” WO-IM 2005-03.”</i></p>
<p><b>2. Lease Stipulation-Endangered Species Act Section 7 Consultation (WO-IM-2002-174): This stipulation shall be applied to all parcels.</b></p> <p><i>The lease area may now or hereafter contain plants, animals, or their habitats determined to be threatened, endangered, or other special status species. BLM may recommend modifications to exploration and development proposals to further its conservation and management objective to avoid BLM-approved activity that will contribute to a need to list such a species or their habitat. BLM may require modifications to or disapprove proposed activity that is likely to result in jeopardy to the continued existence of a proposed or listed threatened or endangered species or result in the destruction or adverse modification of a designated or proposed critical habitat. BLM will not approve any ground-disturbing activity that may affect any such species or critical habitat until it completes its obligations under applicable requirements of the Endangered Species Act as amended, 16 U.S.C. §1531 <i>et seq.</i>, including completion of any required procedure for conference or</i></p>

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<i>consultation.</i>		
<b>LEASE STIPULATIONS (Parcels marked with * have been partially deferred. See Attachment 2.)</b>		
<b>UT-S-14 –High Country Watershed-should be added to the following parcels:</b>		
UT0806-250*	UT0806-262*	
UT0806-251*	UT0806-263	
UT0806-257*	UT0806-267	
UT0806-261		
<b>UT-S-114- Elk and Deer Winter Range –Should be added to the following parcels:</b>		
UT0806-250*	UT086-261	
UT0806-251*	UT0806-263	
UT0806-257*		
<b>UT-S-124 -Greater Sage Grouse nesting habitat- Should be applied to the following parcels:</b>		
UT0806-250*	UT0806-251*	UT0806-257*
<b>UT-S-125-Raptor Nesting Surveys- Should be added to the following parcels:</b>		
UT0806-250*	UT0806-262*	
UT0806-257*	UT0806-263	
UT0806-261		
<b>LEASE NOTICES (Parcels marked with * have been partially deferred.)</b>		
<b>UT-LN-07– Raptor Habitat- should be added to the following parcels:</b>		
UT0806-250*	UT0806-262*	
UT0806-257*	UT0806-263	
UT0806-261		
<b>UT-LN-12- Crucial Elk Habitat – Should be added to the following parcels:</b>		
UT0806-250*	UT0806-257*	
UT0806-251*	UT0806-263	
<b>UT-LN-13- Lease Notice – Burrowing Owl - Should be added to the following parcel:</b>		
UT0806-263		
<b>UT-LN-29– Special Plant Species, (Jones Indigo-bush, <i>Psoralea polydenius</i> var. <i>jonesii</i>)– Should be added to the following parcels:</b>		
UT0806-267		
UT0806-269		
<b>UT-LN-33– Raptor Surveys - Should be added to the following parcels:</b>		
UT0806-250*	UT0806-261	UT0806-262*
<b>UT-LN-30-High Potential Paleontological Resources-should be added to the following parcels:</b>		
UT0806-251*	UT0806-263-A	
UT0806-263	UT0806-264	
<b>UT-LN-35 Paleontological -should be added to the following parcels:</b>		
UT0806-251*	UT0806-263-A	
UT0806-263	UT0806-264	
<b>UT-LN-39 - Lease Notice – Antelope Fawning- Should be added to the following parcel:</b>		
UT0806-264*		
UT0806-263A		
<b>UT-LN-51-Greater Sage Grouse Habitat- Should be added to the following parcels:</b>		

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UT0806-250*	UT0806-251*	UT0806-257*
<b>UN-LN-52-Utah Sensitive Species, Migratory Birds- Should be added to the following parcels:</b>		
UT0806-250*	UT0806-261	UT0806-262*
<b>UT-LN- 53- White-tailed Prairie Dog –Should be added to the following parcel:</b>		
UT0506-263		
<b>UT-LN- 56-Price Field Office- Should be added to the following parcels:</b>		
All parcels offered in the August 2006 sale		
<b>UT-LN- 69-Riparian- Should be added to the following parcels:</b>		
UT0806-250*	UT0806-261	
UT0806-257*	UT0806-262*	
<b>UT-LN- 75-Erodible Soils-Should be added to the following parcels:</b>		
UT0806-269		
UT0806-271		
<b>Threatened and Endangered Species Lease Notices</b>		
<b>T&amp;E-02- Black Footed Ferret should be added to the following parcel:</b>		
UT0806-263		
<b>T&amp;E-06 Mexican Spotted Owl (without designated critical habitat information) – Should be applied to parcels:</b>		
UT0806-251*		

## **CONCLUSIONS**

### **Plan Conformance and Determination of NEPA Adequacy**

Based on the review documented above, I conclude that the following parcels conform with the existing land use plans and have adequate NEPA (the asterisk (\*) after the parcels indicates that portions of that parcel are recommended for deferral):

**UT0806-250\***  
**UT0806-257\***  
**UT0806-261**  
**UT0806-262\***

**UT0806-263**  
**UT0806-263A**  
**UT0806-264\***  
**UT0806-267**

**UT0806-269**  
**UT0806-271**

Based on new information regarding relevant and important resources, and wild and scenic river eligibility, the current land use plan guidance no longer provides adequate protection of those resources and therefore no longer conform to the current land use plan (the asterisk (\*) after the parcels indicates that portions of that parcel are recommended for lease sale because there is adequate protection of those resources under current plans):

**UT0806-250\***  
**UT0806-251\***  
**UT0806-252**  
**UT0806-253**  
**UT0806-257\***  
**UT0806-262\***  
**UT0806-264\***

Fred O'Ferrall  
**Signature of the Responsible Official**

6/29/06  
**Date**