

ATTACHMENT 1:

**DOCUMENTATION OF LAND USE PLAN CONFORMANCE AND DETERMINATION
OF NEPA ADEQUACY (DNA)**

MAY, 2007 O&G LEASE SALE

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

This Worksheet is to be completed consistent with the "Guidelines for using the DNA Worksheet," located at the end of the worksheet. 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: Moab Field Office (UT-060)

Proposed Action Title/Type: Parcels offered for the May, 2007 Oil & Gas Lease Sale

Location of Proposed Action: Various land parcels within Grand and San Juan Counties. Attachment 2 contains a legal description for each parcel to be offered.

Description of the Proposed Action: The Bureau of Land Management, Utah State Office, proposes to offer 14 parcels of public land in Grand and San Juan Counties for oil and gas leasing in a competitive lease sale to be held in May, 2007. This DNA addresses those parcels administered by the Moab Field Office. Attachment 2 lists all parcels recommended for leasing and includes lease stipulations. The leases will be offered as Oil and Gas Category 1, open for leasing with standard stipulations, and Category 2, open for leasing with special stipulations. If any of the parcels are not taken by competitive bidding, then they may be taken by a non-competitive sale for two years after the competitive offer. A lease may be held for 10 years, 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.

A lessee's right to explore and drill for oil and gas, at some location on Category 1 and 2 leases, is implied by issuance of the lease. A lessee must submit an application for permit to drill (APD) to the BLM for approval including NEPA analysis. A lessee must possess a BLM approved APD prior to drilling. Following BLM's approval of an APD, a lessee may produce oil and gas from the approved well.

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

Oil and Gas Environmental Analysis Record	Date Approved: 1976
Oil and Gas Leasing Category Revision	Date Approved: September, 1982
Grand Resource Area RMP (Moab)	Date Approved: July, 1985
Oil & Gas Supplemental EA UT-060-89-025	Date Approved: December, 1988

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

- Adopt the oil and gas category system...which will protect critical wildlife habitat, watersheds, and recreational use (Grand RMP, page 27).

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

List by name and date all applicable NEPA documents that cover the proposed action.

Oil and Gas Environmental Analysis Record, 1976

Draft Environmental Impact Statement (EIS), Grand Resource Area (March, 1983); this is part of the

RMP.

Final Environmental Impact Statement (EIS), Grand Resource Area (December, 1983); this is part of the RMP.

Grand Resource Area RMP (July, 1985).

Oil & Gas Supplemental EA # UT-060-89-025 (December, 1988).

Relevance and Importance Evaluations of ACEC Nominations, August 2, 2004

List by name and date other documentation relevant to the proposed action (e.g., source drinking water assessments, biological assessment, biological opinion, watershed assessment, allotment evaluation, rangeland health standard's assessment and determinations, and monitoring reports):

Draft Programmatic T&E Species BAs (See Wildlife/TES Report)

An eligibility study for the National Wild and Scenic River System, August 2004

Potential Fossil Yield Classification Map, BLM, USO, 2006

Staff reviews were completed and are documented in the Interdisciplinary Team Review Record, and Staff Reports identified below.

<u>Staff Review</u>	<u>Date Completed</u>	<u>Final Revision</u>	<u>Specialist</u>
Cultural Resources	2-21-2007		Donna Turnipseed
Wildlife	2-15-2007		Pam Riddle
VRM	2-21-2007		Rob Sweeten
ACEC's	2-21-2007		Katie Stevens
Paleontology	2-15-2007		Donna Turnipseed
Wilderness	2-15-2007		Bill Stevens
Wild and Scenic Rivers	2-21-2007		Marilyn Peterson
Recreation	2-21-2007		Katie Stevens
Orphan Wells	2-20-2007		Marie McGann

D. NEPA Adequacy Criteria

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

Yes for all parcels: UT0507 – 76, 77, 80, 81, 82, 83, 84, 90, 91, 101, 107, 122, 123, and 133.

Documentation of answer and explanation:

The current proposed action is substantially the same action as previously analyzed in the RMP. The parcels recommended for lease sale are located within a large area specifically analyzed in the RMP (see, for example, p. 17-19, 21, 23-26, 28, 30, 31).

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?

Yes for all parcels: UT0507 – 76, 77, 80, 81, 82, 83, 84, 90, 91, 101, 107, 122, 123, and 133.

Documentation of answer and explanation:

A range of alternatives from Full Production to No Action was analyzed in the EIS; Alternative C (Limited Protection), was selected as the RMP Decision; Part A of the Oil and Gas Supplemental EA, which described the level of oil and gas exploration and development in the Moab Field Office, also still applies. The BLM

analyzed one alternative not to allow leasing, as documented in the 1976 Environmental Analysis Record (EAR) for oil and gas leasing.

3. Is the 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?

Yes for parcels: UT0507 – 76, 77, 80*, 81, 82, 90, 91, and 133.

*** means parcel is recommended for partial deferral.**

Documentation of answer and explanation:

A review of the proposed action has been completed and is documented in the Interdisciplinary Team Analysis Record. Significant new information or a significant change in circumstances has not been identified by BLM resource specialists; however, new information, none of which is significant is described below.

Paleontology

Paleontology concerns were addressed in a staff report that outlines high potential fossil areas based primarily on geologic formations. The information presented in these maps is new information and is referenced in section C above. Paleontology values can be protected at the leasing stage by inserting the appropriate lease notice.

ACEC's

On August 2, 2004, as part of the Moab RMP revision process, the MFO Manager signed the "Relevance and Importance Evaluation of Area of Critical Environmental Concern (ACEC) Nominations."

Parcel 80 is located in the Book Cliffs Potential Area of Critical Environmental Concern, proposed in one or more alternatives of the draft Moab Field Office Resource Management Plan. The relevance and importance evaluation of this ACEC was determined on August 2, 2004 (see "Relevance and Importance Evaluations of Area of Critical Environmental Concern (ACEC) Nominations"), with wildlife and cultural values being the relevant and important value. The fact that wildlife is relevant and important within a potential ACEC is new information. Wildlife is addressed in the 1988 O&G Supplemental Environmental Assessment and in the 1985 Grand Resource Area RMP. The lease notice attached to the above-listed parcels (See Item F of this DNA) would conserve the habitat by identifying the need to require modifications of the surface use plan of operations. With the addition of this lease notice, and application of standard operating procedures, Best Management Practices (BMPs) and the ability to move proposed surface disturbing activities pursuant to 43 CFR 3101.1-2, the relevant and important value identified for this Potential ACEC can be adequately protected, and consideration of the area for ACEC designation in the ongoing Moab Plan Revision would not be compromised.

Cultural Resources and Native American Consultation

The cultural resources review and Native American consultation completed for this sale have not provided any new information or changed circumstances. Although compliance with Section 304 of the National Historic Preservation Act (NHPA) of 1966, as amended, prohibits disclosure of the description, location, and or land ownership of archaeological remains to the general public, the Moab Field Office Class I Inventory Report for the May, 2007 Oil and Gas lease parcels adequately summarizes the presence and absence of archaeological inventories and archaeological sites located on each parcel.

On February 21, 2007, certified consultation letters were sent to the following Tribes: Zuni, Ute Indian Tribe, Hopi Tribe, Ute Mountain Ute Tribe, the Navajo Nation, Pueblo of Santa Clara, Pueblo of Zia, Pueblo of Laguna, Paiute Indian Tribe of Utah, and the Navajo Commission. The letter requested comments to be provided to the MFO within 30 days. Responses were received from the Pueblo of Laguna and the Paiute Indian Tribe of Utah. Consultation is complete if tribal response presents no objections or if a response is not received seven (7) days prior to the date of the proposed sale. Additional consultation will be conducted should site-specific use

authorization requests for a lease be received.

The potential for oil and gas development does not affect any known National Register eligible properties. The Moab Field Office submitted a request for concurrence to the Utah State Historic Preservation Office. No concurrence has been received as of March 9, 2007.

Wildlife

Federally Listed Threatened Species and Utah Sensitive Species

New information and circumstances concerning Federally Listed Threatened Species have developed since the 1985 RMP. The Moab Field Office has identified 4 parcels that have potential habitat for listed threatened or endangered species or their habitat. A determination that the proposed action "may affect, but is not likely to adversely affect" Mexican Spotted Owls and the Southwestern Willow Flycatchers was submitted to the U.S. Fish and Wildlife Service (USFWS). Lease notices (see section F) have been prepared to inform the lessee that these species and their habitat may be present on these leased lands. These species are: Mexican Spotted Owl on parcels 80 and 107 and the Southwestern Willow Flycatcher on parcels 76 and 77. This new information is not considered significant since compliance with the Endangered Species Act would afford protection for these species and their habitats.

Utah Sensitive Species including the Golden Eagle, which may be found on parcels 76, 77, 80, 81, 82, 90, 91, and 133, the White Tailed Prairie Dog, found on parcel 90, the Ferruginous Hawk, potentially found on parcels 76, 77, 80, 81, 82, 90, 91, and 133, and the Burrowing Owl which may be found on parcels 76, 77, 80, 81, 82, 90, 91, and 133. When these species are present on the above listed parcels they would be afforded protection by application of measures identified in species specific lease notices (See Section F), application of standard operating procedures, Best Management Practices (BMPs), the ability to move proposed surface disturbing activities pursuant to 43 CFR 3101.1-2, and the Endangered Species Act Section 7 Consultation Stipulation from WOIM 2002-174.

NO for parcels: UT0507 – 80*, 83, 84, 101, 107, 122, and 123.

*** means parcel is recommended for partial deferral.**

Documentation of answer and explanation:

Wildlife

Parcels UT0507 – 107, 122, and 123 are recommended for deferral due to the identification of big game crucial winter habitat. New information indicates that deer and elk winter range is located on this parcel and this winter range habitat was not identified in the 1985 Grand RMP. A portion of Parcel 101 is being deferred for bighorn sheep habitat. Additional NEPA is needed to study possible consequences of leasing this parcel.

VRM

The Colorado River Recreation / National Scenic Byway does not have any VRM management for these highly sensitive areas. New visual resource information and changing use patterns warrant consideration because much has changed since the completion of the 1985 Grand RMP. The BLM now has a current inventory that identifies parcels 101 and 107 as being located in some of the highest quality and highly sensitive visual landscapes within the Moab Field Office. These areas were both inventoried as a very high VRM II. The development of these parcels including well pad placement, roads, and pipelines would be extremely disruptive to the visual resources of the area.

ACEC's

On August 2, 2004, as part of the Moab RMP revision process, the MFO Manager signed the "Relevance and Importance Evaluation of Area of Critical Environmental Concern (ACEC) Nominations."

Parcels 83 and 84 are located in the White Wash Potential Area of Critical Environmental Concern, proposed in one or more alternatives of the draft Moab Field Office Resource Management Plan. The relevance and

importance evaluation of this ACEC was determined on August 2, 2004 (see "Relevance and Importance Evaluations of Area of Critical Environmental Concern (ACEC) Nominations"). This potential ACEC is new information requiring additional NEPA analysis to be completed before leasing may be considered.

WILD AND SCENIC RIVERS

As part of its on-going plan revision process, the Moab BLM completed an eligibility review of rivers for the National Wild and Scenic Rivers System in August, 2004. Parcel 101 is located partially within Segment 4 the Colorado River, as identified in the eligibility review. This segment was found to be eligible for National Wild and Scenic status and is tentatively classified as recreational. Outstandingly remarkable values include: scenery, recreation, wildlife, fish, cultural, geology, and ecology. The river corridor for eligible river segments involves a ¼ mile area measured from the high water mark on both sides of the river.

Parcel 107 is located near the corridor of Onion Creek, the eligible river segment identified in the review. The river corridor for eligible river segments involves a ¼ mile area measured from the high water mark on both sides of the river. The only access to the lease parcel runs through the eligible river segment.

The Bureau of Land Management (BLM) is required to protect the outstandingly remarkable values, tentative classification and free-flowing character of the river segments found to be eligible in this study. The BLM manual 8351 part 32 C states: "...protective management shall be initiated by the authorized officer (Area/District Manager) as soon as eligibility is determined."

The 1985 Grand Resource Management Plan addressed Wild and Scenic Rivers with the following statement: "continued management of 65 miles of the Colorado and Dolores river study corridors as required under the Wild and Scenic Rivers Act;" These rivers were the subject of a congressionally-mandated study by the National Park Service (NPS) – "Wild and Scenic River Study Final Environmental Impact Statement, Colorado and Lower Dolores Rivers, Colorado/Utah (September, 1970)." However, Segment 4 of the Colorado River was not addressed as part of the river corridor studied by NPS, and referred to in the Grand Resource Management Plan. Still, all of the values that comprise the outstandingly remarkable values were addressed in the EIS prepared for the Grand Resource Management Plan, and in the existing oil and gas leasing EAR. Therefore, although identification of the affected eligible river segment is new information, it is not significant new information from a NEPA standpoint.

In the case of parcel 101, current stipulations allow no occupancy or other surface disturbance within ¼ mile of the channel centerline of the Colorado River. The difference between measuring from high waterline (identified corridor in the current planning effort) and the centerline of the river is mitigated using the current oil and gas 200 meter rule. Thus, all of the outstandingly remarkable values can be adequately protected, and the eligibility of the river for further consideration in the on-going planning effort with the tentative classification of recreational will not be jeopardized by oil and gas leasing.

Additional NEPA analysis is required for parcel 107 before leasing may be considered.

WILDERNESS

Portions of parcels 84 and 101 lie in a UWC wilderness proposal. A formal determination by BLM concerning the presence of wilderness characteristics determined that parcel 84 lacks wilderness characteristics, and thus may be leased, and that a portion of parcel 101 contains 4.69 that is within the Mary Jane Canyon WIA, possess wilderness characteristics, and will be deferred from leasing.

Summary of New information and/or Circumstances

There is no new information or circumstances that would render the existing environmental analysis inadequate at this time for the parcels listed as "yes" at the beginning of this section. The new information and/or circumstances described in this document are not considered significant with regard to the analysis in the existing record for all yes parcels.

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

Yes for all parcels: UT0507 – 76, 77, 80, 81, 82, 83, 84, 90, 91, 101, 107, 122, 123, and 133.

Documentation of answer and explanation:

The methodology and approach used in the 1985 RMP/EIS are still appropriate for the current proposal to lease because the methods of extraction, and the land requirements for exploration and development, and their potential impacts, have not changed substantially since 1985. The basic analysis assumptions included in the RMP/EIS are still applicable to the current proposal to lease these tracts for oil and gas exploration and development.

The 1988 Supplemental EA evaluates oil and gas leasing as directed and allowed under the 1985 Grand Resource Area RMP. In the EA and RMP, oil and gas leasing categories are designated for lands in the Resource Area. In the 1988 EA, a reasonable foreseeable development (RFD) scenario was analyzed for oil and gas exploration and development. The RFD estimated that a total of 248 wells would be drilled from 1989-95, which includes the lands encompassed by these parcels. Thus, the average number of wells drilled in any one year would be 248 divided by 6, or roughly 41 per year. The actual numbers of wells permitted in Grand County have turned out to be much fewer than projected. For example, only 33 wells were permitted from 1998-2002, for an average of less than seven per year, much lower than projected in the 1988 EA.

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)?

Yes for parcels: UT0507 – 76, 77, 80*, 81, 82, 90, 91, and 133.

*** means parcel is recommended for partial deferral.**

Documentation of answer and explanation:

The RMP/EIS and the Oil and Gas Supplemental EA analyzed potential impacts from oil and gas leasing within the Grand Resource Area. Reasonably 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. Possible mitigation measures are addressed in the EIS and EA. Leasing categories were established to meet management objectives for protecting certain resources/values in particular areas. Leasing the proposed parcels falls within the reasonably foreseeable development analysis for direct and indirect impacts contained in the Oil and Gas Supplemental EA. Such impacts are substantially unchanged from those identified in the existing NEPA documents. Site-specific impacts of leasing these parcels are mitigated by the stipulations found on p. A-20-21 of the RMP.

NO for parcels: UT0507 – 80*, 83, 84, 101, 107, 122, and 123.

*** means parcel is recommended for partial deferral.**

Documentation of answer and explanation:

Parcels 107, 122 and a portion of parcel 123 are located in crucial deer and elk winter range. A portion of parcel 101 is located in bighorn sheep habitat. Direct and indirect impacts to wildlife have not been analyzed on the new information. Leasing of these parcels may result in development on these lands during crucial winter range use by elk and deer or bighorn sheep lambing and migration. Disturbance from development activities may lead to displacement and mortality of these animals attempting to utilize their range. Further NEPA analysis is required to determine the consequences of leasing these lands, the effects of oil and gas development on crucial winter range use and the deer, elk and bighorn herds that reside on these parcels and mitigation measures needed to protect the resources.

Parcels 83 and 84 are located in potential ACEC's. Further NEPA analysis is required to determine the consequences of leasing these lands and the effects of oil and gas development.

The standard lease terms and conditions and stipulations specified in the Grand RA RMP are insufficient for leasing this parcel at this time. Further NEPA analysis and RMP modification may be required in order to apply

appropriate stipulations or make new determinations.

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)?

Yes for parcels: UT0507 – 76, 77, 80*, 81, 82, 90, 91, and 133.

*** means parcel is recommended for partial deferral.**

Documentation of answer and explanation:

As discussed in the answers to Items D.4 and D.5, above, the RMP EIS, 1988 EA and RFD addressed reasonable future oil and gas activity, This included analysis of the potential additive and cumulative impacts of oil and gas leasing for up to 248 wells per year in the field office area. 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 to exceed the activity level analyzed, the potential cumulative impacts are substantially unchanged from those analyzed in the RMP EIS and EA.

NO for parcels: UT0507 – 80*, 83, 84, 101, 107, 122, and 123.

*** means parcel is recommended for partial deferral.**

Documentation of answer and explanation:

Potential effects of oil and gas leasing on crucial big game winter range, are not fully analyzed in the RMP/EIS and the Oil and Gas Supplemental EA. Further NEPA analysis may be necessary so that the cumulative impacts to the various resources will be fully understood.

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

Yes for all parcels: UT0507 – 76, 77, 80, 81, 82, 83, 84, 90, 91, 101, 107, 122, 123, and 133.

Documentation of answer and explanation:

The public involvement and interagency review procedures and findings made through the development of the Grand Resource Area RMP/EIS and Record of Decision and the Oil and Gas Supplemental EA are adequate for the proposed leasing of the parcels listed above. During the development of the RMP (1979 to 1982), news releases, Federal Register Notices and public meetings were held to obtain the public's input on the alternatives and level of development that was being proposed in the RMP. Additionally, information about this lease sale has been posted on the ENBB for public comment, and the NPS, DWR, FWS, SHPO, and various Native American Tribes were all given the opportunity to comment on all parcels listed for the sale.

No response was received from The Utah State Historic Preservation Office as of March 9, 2006. A response was received from The United States Department of the Interior National Park Service on February 26, 2007; they had no concerns with any parcels to be leased. Responses were received from The Paiute Indian Tribe of Utah and the Pueblo of Laguna, neither of whom had any concerns. No other tribes responded as of March 9, 2007.

Interdisciplinary Team Analysis: Individuals conducting or participating in the preparation of this worksheet.

<u>Name</u>	<u>Title</u>	<u>Resource Represented</u>
Marie McGann	Land Law Examiner	Oil and gas
Marilyn Peterson	Outdoor Recreation Planner	Wild and Scenic Rivers
Pam Riddle	Wildlife Biologist	Wildlife
Bill Stevens	Outdoor Recreation Planner	Wilderness

Katie Stevens	Outdoor Recreation Planner	Recreation and ACEC's
Daryl Trotter	Environmental Protection Specialist	Vegetation, T&E plants, Riparian
Donna Turnipseed	Archaeologist	Archaeology / Consultation / Paleontology
Rob Sweeten	Landscape Architect	VRM

F. Mitigation Measures

Cultural –

Cultural Resource and Tribal Consultation Stipulation (WOIM 2005-003)

VRM / ACEC's – Parcels 101 and 107.

Paleontology – Parcels – 76, 77, 91, and 133.

UT-LN-21– Lease Notice – Paleontological

Wildlife -

Mexican Spotted Owl – Parcel 80.

Endangered Species Act Section 7 Consultation Stipulation (WOIM #2002-174)

Lease Notice T&E-06 Mexican spotted owl

Southwestern Willow Flycatcher – Parcels 76 and 77.

Endangered Species Act Section 7 Consultation Stipulation (WOIM #2002-174)

Lease Notice T&E-07-Southwestern Willow Flycatcher

Burrowing Owl – Parcels 76, 77, 80, 81, 82, 90, 91, and 133.

Endangered Species Act Section 7 Consultation Stipulation (WOIM #2002-174)

UT-LN-13 - Lease Notice - Burrowing Owl Habitat

Raptor Surveys – Parcels 76, 77, 80, 81, 82, 90, 91 and 133

Endangered Species Act Section 7 Consultation Stipulation (WOIM #2002-174)

UT-LN-33 - Lease Notice - Raptor Surveys

Golden Eagle – Parcels 76, 77, 80, 81, 82, 90, 91and 133.

Endangered Species Act Section 7 Consultation Stipulation (WOIM #2002-174)

UT-LN-17 – Lease Notice - Golden Eagle

White Tailed Prairie Dog – Parcel 90.

Endangered Species Act Section 7 Consultation Stipulation (WOIM #2002-174)

UT-LN-53 – Lease Notice - White Tailed Prairie Dog Habitat

Ferruginous Hawk – Parcels 76, 77, 80, 81, 82, 90, 91 and 133.

Endangered Species Act Section 7 Consultation Stipulation (WOIM #2002-174)

UT-LN-14 – Lease Notice - Ferruginous Hawk Habitat

Antelope Kidding – Parcels 80 and 81.

UT-LN-05 – Lease Notice Antelope Kidding

Utah Sensitive species – All parcels

UT-LN-37 – Lease Notice – Utah Sensitive Species

Special Status Species – All parcels

Endangered Species Act Section 7 Consultation Stipulation (WOIM #2002-174)

Cactus Rose Unit – Parcel 81

UT-S-89: Cactus Rose Unit

Watershed Damage – Parcel 80

UT-S-11: Watershed damage in Sec. 1 from April 30 to November 1.

CONCLUSIONS

Based on the review documented above, I conclude that:

This proposal conforms to the applicable land use plan for "Yes" parcels.

Documentation of NEPA Adequacy

The existing NEPA documentation fully covers the proposed action and constitutes BLM's compliance with the requirements of NEPA for "yes" parcels.

The existing NEPA documentation does not fully cover the proposed action. Additional NEPA documentation is needed if the project is to be further considered for "no" parcels.

Maggie Wyatt
Maggie Wyatt - Field Manager

3/28/07
Date