

United States Department of the Interior Bureau of Land Management

Decision Record Environmental Assessment DOI-BLM-UT-C020-2012-035-EA

June 2013

May 2013 Oil and Gas Lease Sale

Location: Color Country District, Richfield and Kanab Field Offices
Sanpete and Garfield Counties, Utah

Applicant/Address: U.S. Department of the Interior
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DECISION RECORD
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It is my decision to select Alternative A, the Proposed Action from the May 2013 Oil and Gas Lease Sale environmental assessment (EA) (DOI-BLM-UT-C020-2012-035-EA) prepared by the Richfield Field Office (FO). It is also my decision to issue leases to the successful bidders with the protective measures (stipulations and notices) as analyzed in the EA and identified in the Notice of Competitive Oil and Gas Lease Sale (NCLS) issued on February 14, 2013, for the following 12 parcels (14,614.02 acres): UT0513-002, UT0513-003, UT0513-004, UT0513-005, UT0513-006, UT0513-007, UT0513-008, UT0513-009, UT0513-010, UT0513-011, UT0513-012, and UT0513-014. The protective stipulations and notices are listed in the EA at Appendix A.

This decision incorporates the documented results presented in the Finding of No Significant Impacts (FONSI) for this lease sale. The FONSI found that leasing the parcels is not a major federal action and will not significantly affect the quality of the human environment, individually or cumulatively with other actions in the general area. No environmental effects meet the definition of significance in context or intensity, as defined in 40 Code of Federal Regulations (CFR) 1508.27, or exceed those effects described in the Final Environmental Impact Statements (EIS) prepared for the Richfield FO Record of Decision and Approved Resource Management Plan (ROD/RMP) (2008, as maintained).

Oil and gas leasing is a principal use of the public lands as identified in section 102(a) (12) and 103(1) of the Federal Land Policy and Management Act of 1976 (FLPMA), and leasing is conducted to meet requirements of the Mineral Leasing Act of 1920, as amended, the Mining and Minerals Policy Act of 1970, and the Federal Onshore Oil and Gas Leasing Reform Act of 1987 (Reform Act). The authority to make this decision is implemented in 43 CFR Part 3100 (Onshore Oil and Gas Leasing: General).

ALTERNATIVES

The EA considered two alternatives: Alternative A – Proposed Action and Alternative B – No Action. Other action alternatives were not considered because the issues identified during scoping (internal or external) did not indicate a need for additional alternatives or protective measures beyond those contained in the proposed action. Other alternatives were not suggested by the public as a result of the EA comment period. The No Action alternative is considered and analyzed to provide a baseline for comparison.

In processing the expressions of interest (EOIs) filed with this office, BLM considered oil and gas leasing on 16,066.43 acres (13 parcels) within the Richfield and Kanab FOs. Based on the National Environmental Policy Act (NEPA) screening process, 1,406.17 acres were deferred, which included a single parcel located in the Kanab FO and a portion of another in the Richfield FO.

As identified in the February 14, 2013, NCLS, 12 parcels consisting of 14,614.02 acres were offered (representing 91% of the EOIs filed).¹

In compliance with Washington Office (WO) Instruction Memoranda (IM) (2012-043, 2012-044 and 2010-117), the BLM deferred 1,406.17 acres. Insufficient split estate contact information was received with an EOI which caused a portion of parcel UT0513-006 to be deferred. The Kanab FO parcel UT0513-013 was deferred in its entirety due to the presence of greater sage-grouse occupied habitat. Additional information is documented in the Deferred Lands List.²

The Proposed Action was selected because it best met the BLM's purpose and need for action. Offering parcels for competitive oil and gas leasing provides for the orderly development of fluid mineral resources under the BLM's jurisdiction in a manner consistent with multiple use management and environmental consideration for the resources that may be present.

The EA ensures that adequate provisions were included in the lease stipulations to protect public health and safety and assure full compliance with the objectives of the National Historic Preservation Act (NHPA), the Endangered Species Act (ESA), NEPA and other federal laws and regulations designed to protect the environment and multiple use management of public lands. Selling oil and gas leases is needed to meet the growing energy needs of the United States.

PLAN CONFORMANCE AND CONSISTENCY

The Proposed Action was reviewed and found to be in conformance with the decisions contained in the 2008 ROD and Approved RMP (as maintained) prepared for the Richfield FO.

The RMP categorized all lands in San Juan and Grand Counties that are available for leasing (RMP Table 19 pages 132-133). The following decisions from the RMP apply:

MIN-1. Issue oil and gas leases and allow for oil and gas exploration and development.

MIN-6. Lease split-estate lands according to BLM RMP stipulations for adjacent or nearby public lands or plans of other surface management agencies as consistent with federal laws, 43 CFR 3101, and the surface owner's rights.

MIN-9. In accordance with an UDEQ-DAQ letter dated June 6, 2008, (see Appendix 13) requesting implementation of interim nitrogen oxide control measures for compressor engines; the BLM will require the following as a lease stipulation and condition of approval for Applications for Permit to Drill:

- All new and replacement internal combustion gas field engines of less than or equal to 300 design-rated horsepower must not emit more than 2 grams (gms) of NOx per horsepower-hour. This requirement does not apply to gas field engines of less than or equal to 40 design-rated horsepower.

¹ By an erratum issued on April 18, 2013, an acreage change was made to parcel UT0513-011.

² Available online at:

http://www.blm.gov/style/medialib/blm/ut/lands_and_minerals/oil_and_gas/may_2013.Par.63867.File.dat/Deferred%20Lands.pdf

- All new and replacement internal combustion gas field engines of greater than 300 design rated horsepower must not emit more than 1.0 gms of NOx per horsepower-hour.

MIN-10. Area closed to leasing: 447,300 acres.

MIN-11. Manage fluid mineral leases as shown on Map 23:

- Areas open to leasing with standard lease terms: 608,700 acres
- Areas open to leasing subject to Controlled Surface Use (CSU) and/or timing limitations: 917,500 acres
- Areas open to leasing subject to No Surface Occupancy (NSO): 154,500 acres.

The Proposed Action is consistent with RMP decisions and their corresponding goals and objectives related to the management of, including but not limited to, air quality, BLM natural areas, cultural resources, recreation, riparian, soils, water, vegetation, fish & wildlife, and Areas of Critical Environmental Concern (ACEC) as well as the Surface Stipulations Applicable to Oil and Gas Leasing and Other Surface Disturbing Activities (Appendix 11 of the RMP/ROD).

Public and stakeholder involvement and participation are documented in the EA at sections 1.7 and 5.0 – 5.3.2. Pertinent stipulations, lease notices and committed measures are contained in the RMP’s appendices for Stipulations for Surface Disturbing Activities, Best Management Practices for Raptors and their Associated Habitats, Utah’s T&E and Special Status Species Lease Notices for Oil and Gas and BLM Committed Measures and Fluid Mineral Development Best Management Typical Practices.

The EA was used to determine the necessary administrative actions, stipulations, lease notices, special conditions, or restrictions that would be made a part of an actual lease at the time of issuance. Under the Proposed Action, continued interdisciplinary support and consideration would be required to ensure on-the-ground implementation of planning objectives, including the proper implementation of stipulations, lease notices and best management practices through the Application for Permit to Drill (APD) process.

Coordination with stakeholders (private landowners, the United States National Park Service, the United States Fish and Wildlife Service, the United States Forest Service and the State of Utah’s Division of Wildlife Resources, State Institutional Trust Lands Administration and Public Lands Policy Coordination Office was initiated on August 28, 2012. Consultation with the United States Fish and Wildlife Service, the State Historic Preservation Officer and affected Tribes was also completed. The consultation and coordination process and corresponding dates are summarized in the EA at section 5.2.

The EA (DOI-BLM-UT-C020-2012-035-EA) fulfills the requirements outlined in WO IM 2010-117, *Oil and Gas Leasing Reform – Land Use Planning and Lease Parcel Reviews*.

Issuance of the NCLS initiated a 30 day protest period, which ended on March 18, 2013. One protest of seven lease parcels offered at the May 21, 2013, oil and gas lease sale was submitted by Rocky Mountain Wild. The protest generally alleged that BLM failed to comply with agency directives related to greater sage-grouse and violated NEPA, FLPMA and ESA. The merits of the protest were fully considered and dismissed in a decision issued on May 20, 2013.³

/s/ Michael Stiewig
Authorized Officer

07/09/2013
Date

³ The protest and the BLM's response are available online at:
http://www.blm.gov/ut/st/en/prog/energy/oil_and_gas/oil_and_gas_lease/may_2013_oil_and_gas.html