BLM

United States Department of the Interior
Bureau of Land Management

Decision Record
Environmental Assessments
DOI-BLM-UT-C020-2011-043-EA (Richfield)
DOI-BLM-UT-G021-2012-0048-EA (Price)
DOI-BLM-UT-G010-2012-174-EA (Vernal)

November 2012

November 2012 Oil and Gas Lease Sale

Location: Color Country District Office, Richfield Field Office
Green River District Office, Price and Vernal Field Offices

Applicant/Address: U.S. Department of the Interior
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DECISION RECORD

It is my decision to select Alternative A, the Proposed Action alternative from the November 2012 Oil and Gas Lease Sale environmental assessments (EAs) (DOI-BLM-UT-C020-2011-043-EA, DOI-BLM-UT-G021-2012-0048-EA, and DOI-BLM-UT-G010-2012-174-EA) prepared by the Bureau of Land Management (BLM) Richfield, Price, and Vernal Field Offices (FOs). Except for parcel UT1112-016 (lease UTU89234), it is my decision to offer leases to the successful bidders with protective measures as analyzed in each EA and as identified in the Notice of Competitive Lease Sale (NCLS) Oil and Gas issued on August 14, 2012. The protective stipulations and notices are listed in each EA at Appendix A, as changed by errata issued on October 15 and 25, 2012. In regards to parcel UT1112-016 (lease UTU89234), it is my decision to replace stipulation UT-S-319 with UT-S-320. This stipulation replacement would implement a no surface occupancy on federal land, without exception, modification or waiver, for the protection of cultural resources within the Nine Mile Canyon Area of Critical Environmental Concern. The other stipulations and notices for parcel UT1112-016 (lease UTU89234) would remain as listed in the NCLS.

Portions of three parcels were not offered at the auction for competitive bidding. They include portions of parcels UT0512-001 (lease UTU89242), UT0512-003 (lease UTU89243), and UT0512-004 (lease UTU89244). The portions of a railroad or ditches and canals rights-of-way (ROW) would be offered in accordance with the Rights-of-Way Leasing Act of May 21, 1930 and 43 CFR 3109.1-1. The area under the right-of-way is owned by those entities described in the respective ROWs. Title 43 CFR 3109.1-3 states that after the BLM has considered the application of the lease, the adjoining land owner or lessee shall be allowed reasonable time, as provided in the notice, to submit a bid for the amount or compensatory royalty, the owner or lessee shall pay for the extraction of the oil and gas underlying the ROW through wells on adjoining lands. The owner of the ROW shall be given the same time period to submit a bid for the sale. The BLM will award the lease to the owner of the ROW or a contract for the payment of compensatory royalty by the owner or lessee of the adjoining lands shall be made to the bidder whose offer is determined, by the authorized officer to be the best advantage of the United States, considering the amount of royalty to be received and the better development under the respective means of production and operation (43 CFR 3109.1-4). The term of these leases shall be for no more than 20 years instead of the regular lease which is 10 years unless oil or gas is produced in paying quantities.

At the lease sale, competitive bids were not received on three parcels. A parcel that is not sold at a lease sale is available for noncompetitive leasing for a period of two years after the sale. Should an offer be received, these leases would be issued with the protective stipulations also as listed in the NCLS.

This decision is also based on the documented results presented in the Finding of No Significant Impacts (FONSI) and Finding of No New Significant Impacts (FONNSI) for this lease sale. The FONSI and FONNSI found that leasing the parcels is not a major federal action and it 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 Regulation (CFR) 1508.27 and do not exceed those effects described in the Final Environmental Impact Statements (EIS) prepared for the Richfield, Price and Vernal FO Record of Decisions and Approved Resource Management Plans (ROD/RMP) (issued in 2008, as maintained) or those effects described in the West Tavaputs (WTP) Natural Gas Full-Field Development Plan Environmental Impact Statement (EIS) (July 2010).

Oil and gas leasing is a principal use of the public lands as identified in Section 102(a)(12), 103(1) of the Federal Land Policy and Management Act of 1976 (FLPMA), and it 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). My authority to make this decision is granted in 43 CFR subpart 3100 (Onshore Oil and Gas Leasing: General).

ALTERNATIVES

Each 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 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 periods. The No Action alternatives are considered and analyzed to provide a baseline for comparison of the impacts of the Proposed Action.

In processing the expressions of interest filed with this office, the BLM considered leasing on 202,155 acres (136 parcels). Based on the National Environmental Policy Act screening process, 16 parcels consisting of 18,790 acres were ultimately offered at the November 13, 2012 lease sale. Additional information is documented in the Deferred Lands List.[1]

In compliance with Washington Office (WO) Instruction Memoranda (IM) (2012-043, 2012-044 and 2010-117), the BLM deferred from leasing within occupied greater sage-grouse habitat and within master leasing plan areas. Deferrals were also based on consultation with United States Fish and Wildlife Service and Native American Tribes, the needs of the prairie dog, the presence of cultural resources, recreational values and coordination with special interest groups.

The Proposed Action Alternative 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 EAs ensured that adequate provisions were included in the lease stipulations to protect public health and safety and assure full compliance with the objectives of the Federal Land Policy and Management Act, National Historic Preservation Act, Endangered Species Act, National Environmental Policy Act and other federal environmental laws and regulations designed to protect the environment and mandating multiple use of public lands. Selling oil and gas leases is needed to meet the growing energy needs of the United States public.

[1] Available online at: http://www.blm.gov/ut/st/en/prog/energy/oil_and_gas/oil_and_gas_lease.html.

PLAN CONFORMANCE AND CONSISTENCY

The proposed action was reviewed and found to be in conformance with the decisions contained in the 2008 Record of Decision and Approved Resource Management Plan (RMP) (as maintained) prepared for the Richfield, Price, and Vernal FOs.

Each RMP categorized all lands in Sevier, Carbon, and Uintah counties that are available for leasing.

Richfield RMP (pages 132-133):

> **MIN-1.** Issue oil and gas leases and allow for oil and gas exploration and development.
> **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 CSU and/or timing limitations: 917,500 acres
> - Areas open to leasing subject to NSO: 154,500 acres

Price RMP **(**pages 125 and 126):

> **MLE-5.** The BLM has identified LUP leasing allocations for all lands within the Price Field Office. In addition, the Proposed RMP describes specific lease stipulations (Appendix R-3) that apply to a variety of different resources including raptors, greater sage grouse, and big game habitat, as well as program-related Best Management Practices (Appendix R-14) that may be applied on a case-by-case basis, site-specific basis to prevent, minimize, or mitigate resource impacts (Map R-8).
>
> **MLE-6.** Review all lease parcels prior to lease sale.
>
> **MLE-9.** Oil and gas leasing management will be conducted as shown on Map R-25.
>
> - Areas open to leasing subject to the standard terms and conditions of the lease form (1,161,000 acres)
> - Areas open to leasing subject to moderate constraints (timing limitations; CSU, and lease notices) (467,000 acres)
> - Areas open to leasing subject to major constraints (NSO) (282,000 acres)
> - Areas unavailable to leasing (569,000 acres)
>
> The combination of all restrictions on oil and gas development is shown on Map R-26.

Vernal RMP (pages 98-99):

> **MIN 6 – MIN 14** identifies those specific lands within the Vernal Field Office that are available for leasing as illustrated on its corresponding Oil and Gas Leasing map (Figure 8a).

The proposed action is also 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.

Pursuant to 40 CFR 1508.28 and 1502.21, each EA tiered to and incorporated by reference the information and analysis contained in supporting documents (EAs at section 1.5). Public and stakeholder involvement and participation are documented in the EAs at sections 1.6 and 5.0 – 5.3.2. Pertinent stipulations, lease notices and committed measures are contained in each 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.

Each 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 alternatives, 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 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 (Division of Wildlife Resources, State Institutional Trust Lands Administration & Public Lands Policy Coordination Office) was initiated on August 5, 2011 (Richfield FO) and March 16, 2012 (Price and Vernal FOs). 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 EAs at section 5.2.

Each EA (DOI-BLM-UT-C020-2011-043-EA, DOI-BLM-UT-G021-2012-0048-EA, and DOI-BLM-UT-G010-2012-174-EA) fulfills the requirements outlined in the WO IM 2010-117 (leasing reform).

The NCLS also initiated a 60 day protest period on the preliminary list which ended on September 13, 2012. Two protests to the November 2012 oil and gas lease sale were timely received. A summary is as follows:

- Southern Utah Wilderness Alliance – Protest Withdrawn (October 22, 2012)
- Rocky Mountain Wild – Protest Denied (January 16, 2013)

1/18/2013

Authorized Officer Date

bcc: Lease Sale Book Nov2012
Reading File: UT-910, UT-930
Central Files UT-950

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