

United States Department of the Interior Bureau of Land Management

**Finding of No Significant Impacts
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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INTRODUCTION

The Bureau of Land Management (BLM) has completed three 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] in order to address nominated parcels within the Richfield (RFO), Price (PFO) and Vernal (VFO) Field Offices for the November 2012 Oil and Gas Lease Sale.

In processing the expressions of interest filed with this office, the BLM considered the leasing of 202,155 acres (136 parcels). As identified in the Notice of Competitive Oil and Gas Lease Sale (issued on August 14, 2012), 20 parcels consisting of 22,532.30 acres were offered. By erratum issued on October 15, 2012, parcel UT025 was withdrawn from further consideration. In the October 25, 2012 erratum, parcels UT015, UT019, UT020, and UT042 were deferred. Parcel UT032 was split into two parcels (UT032 and UT032A) in order to accommodate a unit joinder. Ultimately, 16 parcels consisting of 18,789.69 acres were offered at the November 13, 2012 quarterly oil and gas lease auction.

This Finding of No Significant Impact (FONSI) addresses 15 of these 16 parcels covering 18,309.69 acres. A separate Finding of No New Significant Impacts¹ (FONNSI) will be made in regard to parcel UT016 (480 acres).

As documented in the Deferred Lands List,² parcels were deferred based on consultation with the United States Fish and Wildlife Service (USFWS) and affected Native American tribes and management needs of the cultural resources, wildlife (Gordon Creek Wildlife Management Area, greater sage-grouse habitat and prairie dog habitat), & recreation programs as well as coordination with special interest groups.

This action 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 are present. Adequate provisions are included with the leases to protect public health and safety and assure full compliance with the objectives of National Environmental Policy Act (NEPA), as amended and other federal environmental laws and regulations. Continued leasing is necessary to maintain options for exploration of oil and gas as companies seek new areas for production or

¹ In accordance with 43 CFR 46.140, a FONNSI is prepared because parcel UT016 is located within the analysis area of the West Tavaputs Plateau Natural Gas Full Field Development Plan Environmental Impact Statement, and incorporates mitigation derived from that analysis.

² Deferred Lands List is available online at:

http://www.blm.gov/style/medialib/blm/ut/lands_and_minerals/oil_and_gas/november_2012.Par.84760.File.dat/Deferred%20Lands.pdf

attempt to locate and develop previously unidentified, inaccessible or uneconomical reserves. The sale of oil and gas leases will assist the growing energy needs of the United States public.

The underlying need for the proposal has been met while accomplishing the following objectives:

1. Lease where in conformance with the BLM land use plans and consistent with state and local plans.
2. Protect important wildlife habitats.
3. Protect traditional cultural properties and Indian sacred sites.
4. Mitigate impacts on other resource values, including air quality, recreation, soils, visual resources and coal conflicts.

FINDING OF NO SIGNIFICANT IMPACT DETERMINATION

Based upon a review of the EAs and the supporting documents, I have determined that the project 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 RFO, PFO and VFO Record of Decisions and Approved Resource Management Plans (ROD/RMP) (issued in 2008, as maintained).

Each November 2012 Oil and Gas Lease Sale EA tiers to and incorporates by reference, the analysis and information contained in supporting documents as identified in the RFO and PFO EAs at section 1.5 and Appendix C and in the VFO EA throughout section 4.3 and Appendix C. Therefore, an environmental impact statement is not needed.

This finding is based on the context and intensity of the proposal as described:

Context: The lease sale involved 18,309.69 acres of BLM administered lands within the RFO, PFO and VFO that by themselves do not have international, national, regional, or state-wide importance. The BLM estimated the surface disturbance for all significant reasonably foreseeable oil and gas activities within the planning areas during a 20 year period. The BLM verified these projections again during the preparation of these EAs. The BLM incorporated air quality and emissions inventory information from the analysis contained in the air quality studies prepared for the Greater Natural Buttes and the West Tavaputs Plateau projects.

Intensity: The following discussion is organized around the Ten Significance Criteria described in 40 CFR 1508.27 and incorporated into resources and issues considered (includes supplemental authorities Appendix 1 H-1790-1) and supplemental Instruction Memorandum, Acts, regulations and Executive Orders. The following have been considered in evaluating intensity for this proposal:

1. Impacts may be both beneficial and adverse. The proposed leasing would impact resources as described in the EAs. Design features (stipulations/notices) to reduce impacts to other natural resources were incorporated in the leases and were based on decisions within the RMPs, as maintained.

Collectively, the stipulations and notices form the resource protection measures identified in the EAs, Appendix A. None of the environmental effects discussed in detail in each EA and associated appendices are considered significant, nor do the effects exceed those described in the RMPs. Should all of the offered parcels be developed, they may contribute substantially to local and regional energy supplies. Additional, site-specific NEPA analysis and further mitigation (as warranted) to reduce environmental impacts will be required at the Application for Permit to Drill (APD) stage.

2. The degree to which the selected alternative will affect public health or safety. Leasing for oil and gas and subsequent exploration and development is an on-going activity on public lands. With the stipulations and lease notices attached to the leases and the additional NEPA analysis and potential protections applied at the APD stage, they will be developed in a way that protects public health and safety. For example, spill prevention plans will be required; drilling operations will be conducted under the safety requirements of Federal Onshore Oil and Gas Orders, and recommended practices of the American Petroleum Institute, including blow-out preventers, well bore casings and other industry safety requirements to protect workers and public health. Environmentally responsible oil and gas operations, including health and safety, are outlined within the RFO EA at sections 2.2.1 through 2.2.5; PFO EA at sections 4.2.2 through 4.2.4; and VFO EA at sections 2.2.1 through 2.2.6. As such, all operations, including well pad and road construction, water handling, and plugging and abandonment will be conducted following the “Gold Book” Surface Operating Standards for Oil and Gas Exploration and Development. As stated, the Gold Book provides operators with a combination of guidance and standards for ensuring compliance with agency policies and operating requirements, such as those found at 43 CFR 3000 and 36 CFR 228 Subpart E; Onshore Oil and Gas Orders (Onshore Orders); and Notices to Lessees. Included in the Gold Book are environmental best management practices; these measures are designed to provide for safe and efficient operations while minimizing undesirable impacts to the environment. For example, handling of produced water is addressed in Onshore Oil and Gas Order No. 7, which prescribes measures required for the protection of surface and ground water sources. During reclamation, if the fluids within the reserve pit have not evaporated within 90 days, the fluid would be pumped from the pit and disposed of in accordance with applicable regulations.

3. Unique characteristics of the geographic area such as proximity to cultural resources and Traditional Cultural Properties, recreation, visual resources, vegetation, and wildlife. Existing records regarding cultural resources indicate that the density of cultural resources is such that it is likely that a well pad could be located on each of the lease parcels without adverse effects on cultural resources. On January 6, 2012 and June 21, 2012, the Utah State Historic Preservation Office (SHPO) concurred with the following determinations “No Historic Properties” (RFO) and “No Adverse Effect” (PFO and VFO) on historic properties [36 CFR § 800.4 and 5(b)] for this lease sale.

There are no other unique characteristics within or adjacent to the parcels.

The following resources and uses considered (including supplemental authorities Appendix 1 H-1790-1) are not affected because they are not present in the project area:

RFO – Areas of Critical Environmental Concern, BLM Natural Areas, Farmlands (Prime or Unique), Threatened, Endangered or Candidate Animal Species, Threatened, Endangered, Proposed, or Candidate Plant Species, Wetlands/Riparian Zones, Wild and Scenic Rivers, Wild Horses and Burros and Wilderness/WSA.

PFO – BLM Natural Areas, Farmlands (Prime or Unique), Floodplains, Wild and Scenic Rivers and Wilderness/WSA.

VFO – BLM Natural Areas, Wild and Scenic Rivers, Wild Horses and Burros, and Wilderness/WSA.

In addition, the following resources and uses considered (including supplemental authorities Appendix 1 H-1790-1), although present, would not be affected by this proposed action for the reasons listed in Appendix C of the EAs:

RFO – Environmental Justice, Fish and Wildlife Excluding USFWS Designated Species, Floodplains, Fuels/Fire Management, Geology / Mineral Resources/Energy Production, Greenhouse Gas Emissions, Invasive Plants/Noxious Weeds, Soils, and Vegetation, Lands/Access, Livestock Grazing, Migratory Birds, Paleontology, Rangeland Health Standards, Recreation, Special Status Plant and Animal Species Other Than FWS Candidate or Listed Species, Vegetation, Visual Resources, Wastes (hazardous or solid), Water Resources/Quality (surface/ground) and Woodland/Forestry.

PFO – Areas of Critical Environmental Concern, BLM Sensitive Animal Species, Coal, Cultural Resources, Environmental Justice, Fuels/Fire Management, Greenhouse Gas Emissions, Geology/Mineral Resources/Energy Production, Invasive Plants/Noxious Weeds, Soils, and Vegetation, Lands/Access, Livestock Grazing, Native American Religious Concerns, Paleontology, Rangeland Health Standards, Recreation, Socio-Economics, Threatened, Endangered or Candidate Animal Species, Visual Resources, Wastes, (hazardous or solid), Water/Quality (drinking/ground), Wetlands/Riparian Zones, Wild Horses and Burros, Woodland/Forestry, Vegetation including Special Status Plant Species Other Than FWS Candidate or Listed Species, Fish and Wildlife Excluding USFWS Listed Species and Sensitive species, e.g. Migratory Birds.

VFO – Cultural Resources, Environmental Justice, Farmlands (Prime or Unique), Floodplains, Fuels/Fire Management, Greenhouse Gas Emissions, Geology / Mineral Resources/Energy Production, Hydrologic Conditions (stormwater), Invasive Plants/Noxious Weeds, Soils, and Vegetation, Lands/Access, Livestock Grazing, Native American Religious Concerns, Paleontology, Rangeland Health Standards, Socio-Economics, Visual Resources, Wastes (hazardous or solid), Waters of the U.S., Water Resources/Quality (surface/ground), Wetlands/Riparian Zones and Woodland/Forestry.

The Interdisciplinary Team Checklists (Appendix C of the EAs) contain the specialists' determinations and rationale statements for those elements not present or impacted by the proposal. Issues including changes brought forward by public comment or internal review are discussed at EA sections 1.6, 5.2, 5.3, 5.3.1, 5.3.2 (all EAs) and within Appendix D (Response to Public Comments) in the PFO and VFO EAs. Significance thresholds were not exceeded for any resource or use of the public land.

The stipulations and notices added to the lease parcels including the standard lease terms under the Onshore Oil and Gas Lease Orders, those developed in the RMPs and those recommended in these EAs, take into account the resource values and appropriate management constraints prescribed in the governing land use plan, as amended and maintained.

4. The degree to which the effects on the quality of the human environment are likely to be highly controversial. Scientific controversy over the nature of the impacts does not exist. The oil and gas exploration and development that could follow leasing is a routine practice on public lands. The nature of the activities and the resultant impacts are well understood and have been adequately analyzed and disclosed to the public through existing BLM NEPA documents and within the EAs.

5. The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks. As stated above, leasing and subsequent exploration and development of oil and gas is not unique or unusual. The BLM has experience implementing the oil and gas program and the environmental effects to the human environment are fully analyzed in existing NEPA documents and within the EAs. Therefore, there are no predicted effects on the human environment that are considered to be highly uncertain or involve unique or unknown risks.

6. The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration. Reasonably foreseeable actions connected to the decision to lease have been considered. A lessee's right to explore and drill for oil and gas, at some location on Standard Stipulation and Controlled Surface Stipulation leases, is implied by issuance of the lease. A lessee must submit an APD identifying the specific location and drilling plan to the BLM for approval and must possess a BLM-approved APD prior to drilling. An appropriate NEPA document is prepared prior to approval of the APD. Following BLM's approval of an APD, a lessee may produce oil and gas from a lease without additional approval. The impacts which may result from oil and gas development from leasing the parcels included in the selected alternative were considered by an interdisciplinary team within the context of past, present, and reasonably foreseeable future actions and, as stated below, significant cumulative effects are not predicted.

7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts – which include connected actions regardless of land ownership. The interdisciplinary teams evaluated the possible actions in context of past, present and reasonably foreseeable future actions. Significant cumulative effects are not predicted. A complete disclosure of the effects, including cumulative effects, of leasing the selected parcels is contained in Chapter 4 of each EA.

In summary, the EAs establish that increased surface disturbance associated with potential operational authorizations resulting from the Proposed Action alternative may impact resources as follows:

RFO – Air Quality, Cultural Resources, Native American Religious Concerns, Socio-Economics, and Soils/Watershed.

PFO – Air Quality, Hydrologic Conditions, Threatened, Endangered or Candidate Plant and Animal Species, and Non-WSA Lands with Wilderness Characteristics.

VFO – Air Quality, BLM Sensitive Plant Species, Fish and Wildlife Excluding USFWS Designated Species, Migratory Birds, Non-WSA Lands with Wilderness Characteristics, Threatened, Endangered or Candidate Plant and Animal Species, Recreation, and Areas of Critical Environmental Concern.

It is anticipated that the respective stipulations and notices associated with the Proposed Action would reduce the impacts to specific resources and areas within the cumulative impact analysis area (CIA). The minimal amount of disturbance associated with the expected level of development in the CIA, in combination with Gold Book standard operating practices, best management practices, and additional measures that would minimize development impacts, would result in a negligible cumulative impact on the resources within the CIA.

8. The degree to which the action may adversely affect districts, sites, highways, structures, or other objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources. Leasing of the parcels included in the selected alternative will not adversely affect districts, sites, highways, structures, or other objects listed in or eligible for listing in the National Register of Historic Places, nor will it cause loss or destruction of significant scientific, cultural, or historical resources.

As discussed in item 3 above, consultation with SHPO has been completed in accordance with Section 106 of the NHPA and the SHPO has concurred with the effects determinations made by the RFO, PFO and VFO. Given the requirements of the oil and gas lease orders, the governing land use plan and the other stipulations placed on the leases, scientific, cultural or historical resources would not be significantly affected. In addition, the following has been included as a formal stipulation [Washington Office (WO) Instruction Memorandum (IM) 2005-003] on all of the lease parcels subject to this sale:

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 following Native American Tribes were notified via certified letter:

RFO – Paiute Indian Tribe of Utah, Ute Indian Tribe, Hopi Tribe, Navajo Nation, Utah Navajo Commission, Southern Ute Tribe, Ute Mountain Ute, White Mesa Ute, San Juan Southern Paiute, Kaibab Paiute Tribe, Moapa Band of Paiute Indians, Northwest Band of Shoshone Tribe, and Fallon Paiute-Shoshone Tribe.

PFO – Paiute Tribe of Utah, Ute Indian Tribe, Hopi Tribe, Zuni Tribe, Navaho Nation, Ute Mountain Tribe, Southern Ute Tribe, Northwestern Band of Shoshone Nation, Shoshone-Bannock Tribes, and Eastern Shoshone Tribe.

VFO – Ute Mountain Ute Tribe, Ute Indian Tribe, Goshute Indian Tribe, Zia Pueblo Tribe, White Mesa Ute Tribe, Navajo Nation, Laguna Pueblo Tribe, Northwest Band of Shoshone Tribe, Southern Ute Tribe, Eastern Shoshone Tribe, Ute Indian Tribe, Eastern Shoshone Tribe, and Santa Clara Pueblo Tribe.

In consulting with the affected Tribes, the BLM deferred 3,252 acres to accommodate additional discussions with the Tribes or protect cultural resources.

Based on the information received and parcel deferrals, the BLM has determined that the November 2012 Oil and Gas Lease offering has no potential to affect Tribes or Traditional Cultural Properties.

9. The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973, or the degree to which the action may adversely affect: 1) a proposed to be listed endangered or threatened species or its habitat, or 2) a species on the BLM's sensitive species list. The RFO preliminary parcel list, originally slated for the May 2012 lease sale, was distributed to the USFWS on August 5, 2011. Similarly, the preliminary parcel list for the VFO and PFO was sent to the USFWS on March 16, 2012.

On October 25, 2011, the USFWS concurred with a “no effect” determination for the parcels located in Sevier County. None of these parcels occur in known or potentially listed threatened or endangered plant and animal species habitat.

In addition, on August 31, 2012 the USFWS concurred with a “may affect, not likely to adversely affect” determination and the applicable stipulations and notices for the Endangered Fish of the Upper Colorado River Drainage Basin, Mexican Spotted Owl, Clay Reed-Mustard, San Rafael Cactus, Uinta Basin Hookless Cactus and the Wright Fishhook Cactus.

The BLM has previously consulted with the USFWS on oil and gas lease sale actions. In 2006, a statewide consultation occurred which resulted in the development of specific lease notices for individual listed species. The BLM also consulted with the USFWS in preparing the 2008 RMPs.

The BLM committed to attaching to the appropriate lease notices that were designed to manage and protect specific listed species in conjunction with the authority of the ESA and the Standard Terms and Conditions of an oil and gas lease. The BLM and the USFWS have agreed upon the language of the lease notice which will notify lessees of specific species that require protection under the ESA.

In addition, the following has been included as a formal stipulation (WO IM 2002-174) on all of the lease parcels subject to this sale:

The lease may now and hereafter contain plants, animals, and their habitats determined to be threatened, endangered, or other special status species. The BLM may recommend modifications to exploration and development proposals to further its conservation and management objectives to avoid BLM approved activity that will contribute to a need to list such a species or their habitat. The BLM may require modification 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. The BLM will not approve any ground-disturbing activity that may affect any such species or critical habitat until it completes its obligation under requirements of the Endangered Species Act as amended, 16 U. S. C. § 1531 et seq. including completion of any required procedure for conference or consultation.

The BLM consulted with the USFWS in preparing for the lease sale. The BLM also coordinated with the Utah Division of Wildlife Resources (UDWR). Both of these agencies, who have jurisdiction by law and expertise, were involved with the BLM's application of stipulations and notices. The UDWR did not have greater sage-grouse concerns given the current restrictions placed on the subject parcels.

As recommended by the PFO Field Manager (based on plan maintenance change number G020-2013-001), parcels that occurred within the Gordon Creek Wildlife Management Area (WMA) were deferred as the area is closed to leasing activity [PFO RMP wildlife decision (WL-6)]. In compliance with Washington Office (WO) Instruction Memoranda (IM) (2012-043, 2012-044 and 2010-117), the BLM deferred from leasing areas occurring within occupied greater sage-grouse habitat and the needs of the prairie dog as per the Deferred Lands List.

Since appropriate stipulations and notices for protection of plant and wildlife including special status species have been identified, as incorporated through interdisciplinary and interagency efforts, the BLM has concluded that plant and animal species would not be adversely affected.

10. Whether the action threatens a violation of a federal, state, local, or tribal law, regulation or policy imposed for the protection of the environment, where non-federal requirements are consistent with federal requirements. The sale of the parcels included in the November 13, 2012 lease sale does not violate any known federal, state, local or tribal law or requirement imposed for the protection of the environment. State, local, and tribal interests were given the opportunity to participate in the environmental assessment process.

In addition, based on the emissions estimates and consideration of the parcel locations relative to population centers and Class 1 areas, no significant air resource impacts including greenhouse gases are anticipated. Detailed analysis or modeling is not warranted.

The project is consistent with the applicable resource management plans, policies, and programs as indicated in section 1.5, Conformance with BLM Land Use Plans, included in the EAs. Additional consultation and coordination will be required during review and approval of site-specific proposals for oil and gas exploration, drilling and development.



Authorized Officer

1/18/2013

Date

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

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