

Executive Summary

This Draft Resource Management Plan Amendment (RMPA) and Environmental Assessment (EA) presents management options for Bureau of Land Management (BLM)-managed minerals within the Fortification Creek Planning Area (FCPA). Total acreage within the FCPA boundaries is 100,655 acres, 65,000 acres of which are federally owned and 93,159 acres of which are BLM managed mineral resources within Campbell, Johnson, and Sheridan counties in northeastern Wyoming. The FCPA is generally bounded on the northeast by Wild Horse Creek, on the west by the Powder River, and on the south by Fortification and Montgomery Roads.

There are approximately 52,576 acres of private surface land and 5,324 acres of State of Wyoming surface and subsurface land in the area. While the FCPA encompasses private and State, as well as Federal lands, the BLM will make decisions only on its lands and resources. However, under the Federal Land Policy and Management Act (FLPMA) and National Environmental Policy Act (NEPA), BLM is required to consider impacts to non-BLM lands and resources that would occur as a result of its actions.

With generally rugged topography, elevations in the FCPA range from approximately 3,700 feet along the Powder River to approximately 4,800 feet on ridges. The area is covered by shrublands, with ridges covered predominantly by juniper woodlands. This diverse landscape is home to an isolated elk herd as well as a variety of other wildlife.

The FCPA is used as a hunting area for local and non-local hunters. Human activity is visible throughout the landscape with gas field developments on the south and east, and private ranches surrounding the FCPA.

Overview of the Plan

This Draft RMPA/EA is organized and formatted consistently with applicable NEPA and Council on Environmental Quality (CEQ) regulations. It has been developed in accordance with BLM's Land Use Planning Handbook and other policies and guidance relevant to the management of public lands.

The RMPA/EA was developed with the cooperation and input of many State agencies, the three affected counties, and other interested parties. BLM also consulted with other Federal agencies such as the U.S. Fish and Wildlife Service. The RMPA describes these contacts and coordination efforts, which have improved the analysis and enhanced the basis for decision-making.

The purpose of the plan amendment is to consider changes in management of coal bed natural gas (CBNG) development within the FCPA. While virtually all of the Federal CBNG reserves have been leased, new information regarding wildlife, notably elk, has led BLM to consider modifying certain operational standards for CBNG development. The current land use plan was prepared in 1985 and amended in 2001. In 2003, BLM prepared another RMPA/Environmental Impact Statement (EIS) for the entire Powder River Basin (PRB), which includes the FCPA (BLM 2003a). This RMPA/EIS did not specifically address the following issues:

- Protection of the isolated elk herd found in the FCPA;
- Continuation of the prohibition against overhead power lines within the FCPA;
- Designation of portions of the FCPA as an Area of Critical Environmental Concern (ACEC);

- Land exchange of a State-owned parcel within a Wilderness Study Area (WSA) found within the FCPA; and
- Management of produced water from CBNG operations.

In cooperation with the Wyoming Game and Fish Department (WGFD), BLM has been monitoring elk populations and movement within the FCPA. This ongoing study and analysis has confirmed that the elk are particularly susceptible to mineral development. Because BLM has leased fluid minerals in the FCPA, but has not generally allowed development, the agency decided to reevaluate its management controls to minimize additional impacts to the elk and to other resources.

Management Alternatives

The development of the alternatives for the FCPA included a public scoping process that allowed interested members of the public, special interest groups, and resource and land use agencies to comment on the appropriate scope of issues to consider in the planning process. The formal scoping period began on August 20, 2007, with the publication of the Notice of Intent (NOI) in the Federal Register (FR). Written comments on the proposal for the RMPA/EA were accepted through November 30, 2007. BLM staff and cooperators reviewed the issues identified during scoping and collected pertinent resource information for the FCPA.

Because the lands have been leased giving the leaseholders the right to develop the mineral resource, BLM discussed potential development options with them. BLM met with leaseholders in December 2007 to propose phasing development to reduce impacts to the elk herd. It was agreed that the phased development would be feasible from an operational and economic standpoint. The phased development approach is built into the two action alternatives discussed below.

Three alternatives were considered in the RMPA/EA. The first, known as the “No Action” alternative, Alternative I, is required by NEPA and the CEQ regulations. It considers impacts under existing management direction. As such, development on the CBNG leases could proceed without any new management direction.

Under the second alternative, Alternative II, CBNG development would be managed through a phased approach. Continued development would be performance-based in that monitoring of reclamation with two-year grazing rest and resources would help determine whether additional development could occur. There would be Timing Limitations (TLs) for the elk crucial winter range, for surface-disturbing activities. Overhead power lines would be allowed on BLM surface land within road corridors. There would be no net loss of elk security habitat by allowing no net increase in road density. Development would not be allowed on highly erosive soil or slopes greater than 25 percent. Along with the CBNG and elk management actions, an ACEC would be established along elk crucial ranges, and ACEC management prescriptions would be identified.

The third alternative, Alternative III, calls for performance-based, phased CBNG development, as described in Alternative II, along with one year of livestock rest after interim reclamation before additional development. Overhead power lines would be allowed on BLM surface land within road corridors. Security habitat loss would be kept below 20 percent by limiting new roads. Surface-disturbing activities on slopes greater than 25 percent and erosive soils would not be allowed, but there could be exceptions. Exceptions would be granted if the operator proposed adequate site mitigation to meet the BLM Wyoming Policy of Reclamation (BLM 1990).

An ACEC would be established along the citizen-proposed boundaries and ACEC management prescriptions would be identified. Additionally, a Wildlife Habitat Management Area (WHMA) would be established.

Environmental Impacts

Results of the analysis in the Draft RMPA/EA indicated that changes to BLM’s management of CBNG in the FCPA would have minor to moderate impacts to a number of resources. For some resources, new management direction under the action alternatives would reduce impacts from those expected under the no action alternative. For example, phased development and limiting security habitat loss to no more than a 20 percent decrease would allow the elk herd to continue to meet the WGFD’s population goal of 150 individual animals.

Coordination and Consultation

BLM published a NOI to prepare the RMPA/EA in the FR on August 20, 2007. A public scoping period was held through November 30, 2007. Three public meetings were held from October 29-31, 2007, in Gillette, Buffalo, and Sheridan, respectively. Approximately 64 people attended these meetings.

BLM received more than 25,000 form letters and 16 unique letters during the scoping period. These letters suggested which issues, alternatives, and information should be used in developing the RMPA/EA. The State of Wyoming and Sheridan and Johnson counties, entered into formal agreements with BLM.

Impact Summary

No significant impacts were found during the Draft RMPA/EA analysis. CBNG development in the FCPA would have impacts on almost all resources and resource uses. These impacts are briefly listed in Table ES-1.

Table ES-1 Summary of Impacts			
Land Use or Management Action	Alternative I (No Action)	Alternative II	Alternative III
Air Resources Management	No exceedances of air quality standards	No exceedances of air quality standards	No exceedances of air quality standards
Soil Resources Management	Minor (-) 179 miles of new roads	Minor (-) 90 miles of new roads	Minor (-) 90 miles of new roads
Water Resources Management	Minor (-) 179 miles of new roads	Minor (-) 90 miles of new roads	Minor (-) 90 miles of new roads
Vegetation Resources Management	Minor (-) 3,593-acre (3.6%) disturbance	Minor (-) 2,183-acre (2.2%) disturbance	Minor (-) 2,514-acre (2.5%) disturbance
Fish and Wildlife Resources	Major (-) 4,601 acres (41%) of	Minor (-) No loss of security	Moderate (-) 2,128 acres (18%) of

Table ES-1 Summary of Impacts			
Land Use or Management Action	Alternative I (No Action)	Alternative II	Alternative III
Management	yearlong security habitat is lost. 4,269 acres (31%) of crucial range security habitat is lost.	habitat in yearlong or crucial range.	yearlong security habitat is lost. 1,193 acres (12%) of crucial range security habitat is lost.
Special Species Resources Management	Major (-) Loss of security habitat	Minor (-) No net loss of security habitat	Moderate (-) Loss of some security habitat
Cultural Resources Management	Minor (-) Sites inventoried and mitigated.	Minor (-) Sites inventoried and mitigated.	Minor (-) Sites inventoried and mitigated.
Paleontological Resources Management	Minor (-) Fossils inventoried and mitigated.	Minor (-) Fossils inventoried and mitigated.	Minor (-) Fossils inventoried and mitigated.
Visual Resources Management	Moderate (-) 73 miles of overhead power lines, 179 miles of new roads	Moderate (-) 47 miles of overhead power lines, no net increase in roads	Moderate (-) 57 miles of overhead power lines, 90 miles of new roads
Fuels and Fire Management	Minor (-) Increased fire risk	Minor (-) Increased fire risk	Minor (-) Increased fire risk
Rangeland Resource Management	Minor (-) 3,593-acre disturbance, Water impoundments dispersed	Minor (-) 2,183-acre disturbance, Water impoundments outside yearlong range	Minor (-) 2,514-acre disturbance, Water impoundments outside crucial ranges
Recreation Resources Management	Major (-) 3,593-acre disturbance	Major (-) 2,183-acre disturbance	Major (-) 2,514-acre disturbance
Transportation Resources Management	Major (-) Vehicle trips increase by 275%.	Major (-) Vehicle trips increase by 210%.	Major (-) Vehicle trips increase by 240%.
Fluid Minerals Management	No Impact 726 potential new wells	Major (-) 468 potential new wells	Moderate (-) 574 potential new wells

Table ES-1 Summary of Impacts			
Land Use or Management Action	Alternative I (No Action)	Alternative II	Alternative III
Special Designations	Minor (-) 726 new wells	Minor (-) 468 new wells	Minor (-) 574 new wells
Economics	Minor (+) Additional 340 jobs in surrounding counties	Negligible Additional 240 jobs in surrounding counties	Negligible Additional 270 jobs in surrounding counties
Social	Negligible Population increase of 250 and an additional 340 jobs in the surrounding counties	Negligible Population increase of 175 and an additional 240 jobs in the surrounding counties	Negligible Population increase of 200 and an additional 270 jobs in the surrounding counties