

United States Department of the Interior Bureau of Land Management

Environmental Assessment WY-020-EA07-058
Casefile Number: WYW-165810

Finding of No Significant Impact

Bill Barrett Corporation, Red Point 3-D Seismic Exploration

*Location: 6th Principal Meridian, Townships 52-53 North, Ranges 98-99 West,
Various Sections, Park County, Wyoming.*

Applicant/Address: Bill Barrett Corporation, 1099 18th Street, Denver, CO 80202

U.S. Department of the Interior
Bureau of Land Management
Cody Field Office
P.O. Box 518
Cody, WY 82901
Phone: 307-578-5900
FAX: 307-578-5939

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Finding of No Significant Impact Cody Field Office

INTRODUCTION:

The Bureau of Land Management (BLM) has conducted an environmental analysis, (EA No. WY-020-EA07-58/WYW-165810), for a proposed action to address seismic exploration in the McCullough Peaks area, in Park County. The project would authorize seismic/geophysical exploration in a 44 square mile area, approximately 22 miles east of Cody, Wyoming. The seismic exploration would be a combination of buggy drill, vibroseis, and heli-portable shot holes.

Alternatives analyzed in this document consist of

1. The No Action Alternative
2. The Proposed Action

Two other alternatives considered but not analyzed in detail were 1) to provide an additional water source for wild horses in the project area, and 2) an all heli-portable alternative.

The additional water source would have taken the form of cleaning out existing stock watering reservoirs and filling them with water. This alternative was not determined feasible because of the need to bring in heavy equipment, resulting in additional surface disturbance, and because it is generally not known which reservoirs in the project area successfully hold water when filled.

An all helicopter alternative was analyzed to the extent that it became apparent this alternative would not only increase project cost but also would add more stress to the wild horses.

The EA is available at the Cody Field Office, is incorporated by reference for this Finding of No Significant Impact (FONSI).

PLAN CONFORMANCE AND CONSISTENCY:

The proposed action and alternatives have been reviewed and found to be in conformance with one or more of the following BLM Land Use Plans and the associated decision(s):

The proposed action is in conformance with the Cody Resource Area, Record of Decision (ROD) and Resource Management Plan, dated November 8, 1990.

Page 21 of the ROD, states, "All parts of the planning area that are open to oil and gas exploration are open to geophysical exploration."

FINDING OF NO SIGNIFICANT IMPACT DETERMINATION:

Based upon a review of the EA and the supporting documents, I have determined that the project 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 CFR 1508.27 and do not exceed those effects described in the Cody RMP/FEIS. Therefore, an environmental impact statement is not needed. This finding is based on the context and intensity of the project as described:

Context: The project is a site-specific action directly involving approximately 505 acres of BLM administered land that by itself does not have international, national, regional, or state-wide importance

Intensity: The following discussion is organized around the Ten Significance Criteria described in 40 CFR 1508.27 and incorporated into BLM's Critical Elements of the Human Environment list (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 action would impact resources as described in the EA. Those resources analyzed are: air quality, public health and safety, visual resource management, water resources, wetland/riparian, wilderness study area, cultural resources, paleontological resources, geology/minerals, rangeland management, invasive non-native species, recreation, soils, vegetation, wild horses, and wildlife (T&E, sensitive, and migratory). Mitigating measures to reduce impacts to have been incorporated into the proposed action in the form of Project Design Features (PDFs). These PDFs are listed in Appendix B of the EA. In addition to the PDFs, we have also required the proponent to place an alternate water source in the form of a temporary water trough for wild horses.
2. **The degree to which the selected alternative will affect public health or safety.** The proposed action is designed to minimum impact on public health. Transportation of equipment to the project location will be in conformance with state and federal laws. Safety signs will be placed in the project area to alert public land users of project activities. Explosives (for shot holes) will be stored and handled according to federal regulations and a shot-point coordinator will ensure the detonation area is clear of public and animals. Vehicles in the project area will travel at speeds no faster than 25 mph. An on-site project coordinator will ensure the public maintains a safe distance from helicopter and operational equipment.

3. **Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farm lands, wetlands, wilderness, wild and scenic rivers, or ecologically critical areas.** Historic, cultural, and vertebrate and scientifically important paleontological resources in the project area have been inventoried and avoided. Potential impacts have mitigated in the design of proposed action. The following Critical Elements of the Human Environment and Other Resource Issues are not affected because they are not present in the project area: areas of critical environmental concern, environmental justice, farmlands (prime or unique), Native American religious concerns, wastes solid/hazardous, and wild/scenic rivers.
4. **The degree to which the effects on the quality of the human environment are likely to be highly controversial.** There is no scientific controversy over the nature of the impacts.
5. **The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.** The project is not unique or unusual. The BLM has experience implementing similar actions in similar areas. The environmental effects to the human environment are fully analyzed in the EA. 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.** The actions considered in the selected alternative were considered by the interdisciplinary team within the context of past, present, and reasonably foreseeable future actions. Significant cumulative effects are not predicted. A complete analysis of the direct, indirect, and cumulative effects of the selected alternative and all other alternatives is described in Chapter 4 of the EA.
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 team evaluated the possible actions in context of past, present and reasonably foreseeable actions. Significant cumulative effects are not predicted. A complete disclosure of the effects of the project is contained in Chapter 4 of the EA.

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.** The project will not 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. A cultural inventory has been completed for the proposed action, and resources are being avoided. Consultation with SHPO has been completed in accordance with Section 106 of the NHPA and the Programmatic Agreement between the Wyoming BLM and SHPO.
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 BLM's sensitive species list.** Mitigating measures to reduce impacts to wildlife have been incorporated into the design of the proposed action. Although sage-grouse, golden eagles, burrowing owls, grey wolf, long billed curlew, mountain plover, and white-tailed prairie dog species may occupy habitat within the project boundary, it has been determined that they will not be affected because of measures outlined in the PDFs which have been incorporated in the project design. No other threatened or endangered plants or animals are known to occur in the area.
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 project 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 analysis process. Letters were sent to eleven (11) Native American tribes concerning consulting party status.