United States Department of the Interior
Bureau of Land Management

Finding of No Significant Impact
Environmental Assessment
DOI-BLM-WY-080-2010-18-EA

July 2010

Previously Sold Lease Parcels
June 2008-May 2010

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FINDING OF NO SIGNIFICANT IMPACT
Environmental Assessment
DOI-BLM-WY-080-2010-18EA

Previously Sold Lease Parcels
June 2008-May 2010

INTRODUCTION:

The Bureau of Land Management (BLM) has conducted an environmental analysis (NEPA Number) for a proposed action to address unissued leases for parcels offered between June 2008 and May 2010 in the Newcastle Field Office area in Crook, Weston, and Niobrara Counties. The project would be a recommendation to the State Director to issue leases for 104 parcels that have been sold, or are available non-competitively, for oil and gas development containing approximately 54,527.18 acres of federal minerals administered by the Newcastle Field Office. Standard terms and conditions as well as special stipulations have been attached to each parcel to be issued. Lease stipulations (as required by Title 43 Code of Federal Regulation 3131.3) were added to each parcel as identified by the Newcastle Field Office to address site specific concerns or new information not identified in the land use planning process.

Additionally, there would be a recommendation to the State Director to defer the issuance of a lease for one parcel containing approximately 279.35 acres until the process to include a more restrictive stipulation has been resolved with the High Bidder.

The underlying need for the proposal would be met while accomplishing the following objectives:

1. Issuing leases for parcels resulting from several competitive oil and gas lease sales to allow private individuals or companies to explore for and develop oil and gas resources on public markets

The Previously Sold Lease Parcel project area EA, DOI-BLM-WY-080-2010-18, is attached. A No Action alternative and Full Lease Issuance alternative were analyzed in the EA in addition to the Proposed Action.

FINDING OF NO SIGNIFICANT IMPACT:

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 Newcastle RMP/FEIS. Therefore, an environmental impact statement is not required.

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

Context:

The Action would occur within the Newcastle Field Office boundaries and would have local impacts on the resources similar to and within the scope of those described and considered

within the Newcastle Resource Management Plans and its respective FEIS/Records of Decision. The project is a program-specific action directly involving approximately 54,806.53 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 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 Action/Alternatives would affect resources as described in the EA. Mitigating measures to reduce impacts to the various resources were incorporated in the design of the action alternatives. None of the environmental effects discussed in detail in the EA are considered significant, nor do the effects exceed those described in the Newcastle Resource Management Plan and its respective FEIS/Records of Decision.

2. **The degree to which the selected alternative will affect public health or safety.**

   The proposed action is designed to issue leases for parcels offered during 12 leases sales occurring from June 2008 through May 2010. No aspect of the Action/Alternatives would have an effect on public health and safety. If the leases enter into a development stage, public health or safety would be further addressed through site specific NEPA.

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.**

   The only unique characteristics present within the project area are historic and cultural resources. These characteristics have been deemed to be not affected by the Action/Alternatives with mitigating measures as attached to the lease parcels. The proposed action is designed to issue leases for previously sold, or noncompetitively available, parcels. No aspect of the Action/Alternatives would have an effect on cultural resources at the issuance phase. If the leases enter into a development stage, cultural resources would be further addressed through site specific NEPA.

4. **The degree to which the effects on the quality of the human environment are likely to be highly controversial.**

   Controversy in this context is considered to be in terms of disagreement about the nature of the effects– not political controversy or expressions of opposition to the action or preference among the alternatives analyzed within the EA. Although sale of the parcels have been protested, BLM considers that the EA, in conjunction with its protest response has addressed disagreements about the nature of the effects.

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 and corresponding Resource Management Plan. 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.**

   This project neither establishes a precedent nor represents a decision in principle about future actions. 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.

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 environmental analysis did not reveal any cumulative effects beyond those already analyzed in the Newcastle RMP/FEIS. The interdisciplinary team evaluated the possible actions in context of past, present and reasonably foreseeable actions. Significant cumulative effects are not predicted.

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 proposed action is designed to recommend issuance of leases for previously sold, or available noncompetitively, parcels. No aspect of the Action/Alternatives would have an effect on 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 at the leasing phase. Mitigating measures to reduce direct impacts to cultural resources have been incorporated into the design of the action alternatives. If the leases enter into a development stage, cultural resources would be further addressed through site specific NEPA.

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 and fisheries have been incorporated into the design of the action alternatives. Although listed species may occupy habitat within the project boundary, it has been determined that they will not be affected because surface use restrictions, including timing limitation stipulations (TLS), NSO stipulations, and controlled surface use (CSU) stipulations, as well as unavailable for leasing designations, have been applied to the lease parcels. Furthermore, post-lease actions/authorizations (e.g., APDs, road/pipeline ROWs), could be encumbered by TLS

and CSU restrictions on a case-by-case basis, as required through project-specific NEPA analysis or other environmental review.

No threatened or endangered plants 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. In addition, the project is consistent with applicable land management plans, policies, and programs.

Rick C Miller — July 30, 2010

Authorized Officer — Date