

**U.S. Department of the Interior  
Bureau of Land Management**

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**Finding of No Significant Impact**

**August 2011 Lease Parcel Review**

**January 2011**

**PREPARING OFFICE**

U.S. Department of the Interior  
Bureau of Land Management  
Wind River / Bighorn Basin District Office  
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# Finding of No Significant Impact

## August 2011 Lease Parcel Review

DOI-BLM-WY-R000-2011-0001-EA

### Introduction

The Bureau of Land Management (BLM) has conducted an Environmental Assessment (EA) (DOI-BLM-WY-R000-2011-0001-EA) to address offering certain lease parcels within the Wind River / Bighorn Basin District at the August 2011 BLM-Wyoming Competitive Oil and Gas Lease Sale. The selected alternative, Alternative 2, would be a recommendation to the Wyoming State Director to offer for sale approximately 37,162.74 acres of federal minerals administered by the Wind River / Bighorn Basin District. Standard terms and conditions as well as parcel specific timing limitation, no surface occupancy, and controlled surface use stipulations have been attached to the parcels as specified through the EA to be issued. Lease stipulations (as required by 43 Code of Federal Regulations (CFR) 3131.3) were added to each parcel as identified by the Wind River / Bighorn Basin District Interdisciplinary Team, 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 nine parcels and five partial parcels (23,276.33 acres) due to resource conflicts or protection measure not addressed in the land use plans.

The Lease Parcel Review EA (DOI-BLM-WY-R000-2011-0001-EA) is attached. A Full Lease Issuance alternative (Alternative 1) and No Action alternative (Alternative 3) were analyzed in the EA in addition to the Selected Alternative (Alternative 2).

### Finding of No Significant Impact

I have reviewed Environmental Assessment (EA) DOI-BLM-WY-R000-2011-0001-EA January 2011. Based upon a review of the EA and the supporting documents, I have determined that Alternative 2, 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 Washakie, Grass Creek, Cody, and Lander RMPs/Final Environmental Impact Statements (FEISs). Therefore, an EIS is not needed.

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

#### **Context:**

The Action would occur within the Wind River / Bighorn Basin District Office boundaries and would have local impacts on the resources similar to and within the scope of those described and considered within the Washakie, Grass Creek, Cody and Lander RMPs and their respective FEISs/Records of Decision (ROD). The project is a site-specific action directly involving approximately 37,162.74 acres of BLM administered mineral estate, that by itself does not have known or identified 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.

**1. Impacts that 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 Washakie, Grass Creek, Cody, and Lander RMPs and their respective FEISs/ROD.

**2. The degree to which the proposed action affects public health or safety.**

The selected alternative is designed to offer lease parcels for sale. No aspect of the Action/Alternatives would have an effect on public health and safety. If the parcels are subsequently sold and the leases enter into a development stage, public health or safety would be further addressed through site specific National Environmental Policy Act (NEPA) analysis.

**3. Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, 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 selected alternative is designed to offer lease parcels for sale. No aspect of the Action/Alternatives would have an effect on cultural resources at the offering phase. If the leases enter into a development stage, cultural resources would be further addressed through site specific NEPA. Although it is not identified as an ecologically critical area, certain parcels adjoin and/or fall within Multiple Use Lands with Wilderness Characteristics. Under the selected alternative the lands within these areas would be deferred from being offered for sale.

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

Effects on the quality of the human environment are not expected to be significant or highly controversial. Site specific NEPA will be conducted that addresses specific effects on resources at the time of development. 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.

**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 RMPs. 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 expected.

**7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.**

The EA did not reveal any cumulative effects beyond those already analyzed in the Washakie, Grass Creek, Cody, and Lander RMPs/FEISs. The interdisciplinary team evaluated the possible actions in context of past, present and reasonably foreseeable actions. Significant cumulative effects are not expected.

**8. The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the NRHP or may cause loss or destruction of significant scientific, cultural, or historical resources.**

There are no features within the project area listed or eligible for listing in the NRHP that would be adversely affected by a decision to offer for sale the subject parcels. If the leases enter into a development stage, NRHP 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 ESA of 1973.**

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), no surface occupancy (NSO) stipulations, and controlled surface use (CSU) stipulations, as well as unavailable for leasing designations, will be applied to the lease parcels. Furthermore, post-lease actions/authorizations (e.g., Application for Permit to Drill (APDs), road/pipeline Right-of-Ways (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 Federal, State, or local law or requirements imposed for the protection of the environment.**

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.

**Signed:**

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Authorized Officer	Date