United States Department of the Interior
Bureau of Land Management

Decision Record
Environmental Assessment
WY-080-EA10-22

July 28, 2010

Competitive Oil and Gas Lease Sales
August and November 2010

Newcastle Field Office
2987 Prospector Drive
Newcastle, Wyoming 82701
307-746-6600

BLM

DECISION RECORD
Environmental Assessment
WY-080-EA10-22
Competitive Oil and Gas Lease Sales
August and November 2010

It is my decision to implement Alternative B -- the Proposed Action, and recommend the availability of 68 whole parcels and 1 in-part (WY-1011-068) for leasing in the August and November 2010 Competitive Oil and Gas Lease Sales as identified in environmental assessment (WY-060-EA10-22).

Authorities: The authority for this decision is contained in 43 CFR 3100.

Compliance and Monitoring:

No monitoring would be required in the availability or the issuance of the subject parcels. Should the parcels be developed, monitoring may be required and would be analyzed under future NEPA documentation.

Terms / Conditions / Stipulations:

For all parcels, Standard Oil and Gas lease stipulations, standard terms and conditions as well as Special Cultural Resource Lease Notices 1-3 and lease notices Washington Office: Threatened and Endangered Species Stipulation (included within Instruction Memorandum No. 2002-174); Migratory Bird Species-Interim Management Guidance Policy (included within Instruction Memorandum No. 2008-050); BLM Sensitive Species, Raptors, Migratory Birds, and Prairie Dog Surveys; Biological Survey; and other Washington Office and state guidance would apply and be attached per parcel as appropriate upon offering for lease.

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):

Pursuant to 40 Code of Federal Regulations (CFR) 1508.28 and 1502.21, this environmental assessment (EA) tiers to and incorporates by reference the information and analysis contained in the Newcastle Resource Management Plan (RMP) and Final Environmental Impact Statement (FEIS) (2007). The Final Resource Management Plan was approved by a Record of Decision (ROD) signed on December 7, 2007.

Alternatives Considered:

Alternative A: No Action --Under the No Action alternative, the BLM would not offer for sale 71 parcels that have been nominated by industry expressions of interest (EOI). Surface management would remain the same and ongoing oil and gas development would continue on surrounding federal, private, and state leases.

Alternative B: Proposed Action -- The Proposed Action is a recommendation from the Newcastle Field Manager to the State Director to offer 68 whole parcels and 1 in-part (WY-1011-068) for competitive sale, federal minerals administered by the Newcastle Field Office.

Standard terms and conditions as well as special stipulations would apply. Lease stipulations (as required by Title 43 Code of Federal Regulations 3131.3) were added to each parcel as identified by the Newcastle Field Office to address site specific resource concerns or new information not identified in the land use planning process.

Additionally, there would be a recommendation to the State Director to delete the remainder parts of 2 whole parcels (WY-1011-071 and WY-1011-072) and 1 in-part parcel (WY-1011-068) are recommended for deferral and/or deletion in-part.

Alternative C: Under Alternative C, all 71 parcels nominated would be offered for competitive sale with the stipulations recommended at the time of offering.

Rationale for Decision:

The decision to approve the proposed action is based upon the following: 1) consistency with resource management plan and land use plan; 2) national policy; 3) agency statutory requirements; 4) relevant resource issues; 5) application of measures to avoid or minimize environmental impacts. Alternative B, the proposed action was chosen as being the most environmentally sound alternative.

1. This decision is in conformance with the Newcastle Resource Management Plan (August 2000).
2. It is the policy of the Bureau of Land Management (BLM) as derived from various laws, including the Mineral Leasing Act of 1920, as amended [30 U.S.C. 181 *et seq.*] and the Federal Land Policy and Management Act of 1976, to make mineral resources available for disposal and to encourage development of mineral resources to meet national, regional, and local needs.
3. The decision is consistent with all federal, state, and county authorizing actions required for implementation of the Proposed Action.
4. Standard terms and conditions as well as special stipulations would apply. Lease stipulations (as required by Title 43 Code of Federal Regulations 3131.3) were added to each parcel as identified by the Newcastle Field Office to address site specific resource concerns or new information not identified in the land use planning process.

Appeal Language:

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4 and Form 1842-1 (copy attached). If an appeal is taken, your notice of appeal must be filed in this office (at the above address) within 30 days from your receipt of this decision. The appellant has the burden of showing that the Decision appealed from is in error.

If you wish to file a petition (pursuant to regulation 43 CFR 3165.4(c)) for a stay of the effectiveness of this Decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. A copy of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

1. The relative harm to the parties if the stay is granted or denied;

2. The likelihood of the appellant's success of the merits;

3. The likelihood of immediate and irreparable harm if the stay is not granted, and

4. Whether the public interest favors granting the stay.

Authorized Officer

7-30-2010
Date

Attachments: None.