

**United States Department of the Interior
Bureau of Land Management**

**Decision Record
Environmental Assessment
DOI-BLM-WY-030-2011-123-EA**

November 2011 Lease Parcels

High Desert District Office
280 Highway 191 North
Rock Springs, Wyoming 82003



DECISION RECORD
DOI-BLM-WY-030-2011-123-EA
November 2011 Lease Parcels

Decision: It is my decision to implement a modified Alternative B (the Proposed Action) of the Environmental Assessment (DOI-BLM-WY-030-2011-123-EA). At the November 2011 lease sale, the WSO will offer thirty-nine (39) whole parcels and ten (10) partial parcels. Alternative B, as analyzed, proposed the offering of eighty-one (81) whole parcels and ten (10) partial parcels. Based on WSO review, an additional forty-two (42) whole parcels (WY-1111-003, 004, 005, 006, 007, 008, 009, 010, 011, 012, 013, 014, 015, 016, 019, 020, 021, 022, 023, 024, 025, 026, 027, 028, 029, 030, 033, 035, 042, 060, 067, 068, 069, 070, 072, 076, 077, 078, 079, 080, 083 and 086) have also been identified for deferral. These additional forty-two (42) parcels are deferred from sale pending a consistency review with proposed National BLM Sage-Grouse management policy. It is also my decision to defer fifty-three (53) whole parcels and thirty-one (31) partial parcels falling within Greater sage-grouse core areas consistent with WY IM 2010-012 and 013, within areas needing field review for wilderness characteristics, and/or within areas needing Native American consultation from the November 2011 lease sale. Three (3) proposed parcels (WY-1111-041, 054, and 78) and one (1) partial parcel (WY-1111-042) were determined to be in areas designated through the Pinedale and Rawlins Resource Management Plans (RMPs) as unavailable for leasing and were deleted the sale list.

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

Compliance and Monitoring:

No monitoring would be required in the offering of the lease parcels for sale. Should the parcels be developed, monitoring may be required and would be analyzed under future National Environmental Policy Act (NEPA) documentation.

Terms/Conditions/Stipulations:

All parcels are subject to standard lease notices 1-3 and the Special Lease Stipulation for cultural resources. They are also subject to the Washington Office: Threatened and Endangered and Sensitive Species Stipulation (included within Instruction Memorandum No. 2002-174); the Migratory Bird Species-Interim Management Guidance Policy (included within Instruction Memorandum (IM) No. 2008-050). Individual parcels are subject to parcel specific stipulations for Visual Resource Management (VRM), wildlife resources, airports, historic trails, and conflicting use protection, such as coal mining. Refer to Tables 4.1a, Parts 1 and 2b; and Appendix B in the EA for the actual stipulations and lease notices applied to a given parcel.

Plan Conformance And Consistency:

The proposed action and alternatives have been reviewed and found to be in conformance with the following Bureau of Land Management (BLM) Resource Management Plans (RMP) and the associated decision(s):

- Kemmerer Proposed RMP/Final Environmental Impact Statements (FEIS), Aug. 8, 2008;
- Kemmerer Approved RMP/Record of Decision (ROD), May 25, 2010;
- Pinedale Proposed RMP and FEIS, August 22, 2008

- Pinedale Proposed RMP and ROD, November 26, 2008
- Rawlins Proposed RMP/FEIS, December 27, 2007;
- Rawlins Approved RMP/ROD, December 24, 2008;
- Rock Springs Proposed RMP/FEIS, April 1996
- Rock Springs Approved RMP/ROD, August 8, 1997

Pursuant to 40 Code of Federal Regulations (CFR) 1508.28 and 1502.21, this EA tiers to and incorporates by reference the information and analysis contained in the Rawlins and Kemmerer RODs, RMPs, and FEISs.

Alternatives Considered:

Alternative A: No Action -- Under the No Action alternative, the BLM would withhold all 122 parcels from being offered for lease at the November 2011 sale. 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 would offer for sale eighty-one (81) whole parcels and portions of ten (10) additional parcels covering 105,754.46 acres of federal minerals administered by the BLM determined to be administratively available under the Kemmerer, Pinedale, Rawlins, and Green River RMPs/RODs. Standard terms and conditions as well as special stipulations would apply. Lease stipulations (as required by 43 CFR 3131.3) were added to each parcel as identified by the Kemmerer, Pinedale, Rawlins, and Rock Springs Field Offices (FOs) to address site specific concerns or new information not identified in the land use planning process.

Additionally, thirty-one (31) whole and ten (10) partial parcels containing 68,970.69 acres falling within sage grouse key habitat areas meeting the manageability criteria in BLM Wyoming Instruction Memorandum WY-2010-013; needing field inventory to determine if they meet the land with wilderness characteristics (LWC) criteria; requiring Native American consultation, and/or containing deficiencies in the Expressions of Interest (EOIO) are deferred from being offered at the November 2011 lease sale.

Alternative C: Maximum Parcel Offering -- Alternative C would offer all the parcels recommended for leasing under Alternative B, plus it would offer all parcels recommended for deferral under Alternative B. This alternative would make approximately 174,725.15 acres available for leasing. All other aspects of this alternative are the same as the proposed action.

Rationale for Decision:

The decision to approve the proposed action, as modified by the additional deferrals, 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 and economic issues; 5) application of measures to avoid or minimize environmental impacts; 6) meeting the purposes and need for the project, and 7) application of resource protection mitigation (i.e., lease stipulations). Alternative B, as modified, was chosen as being the most environmentally sound alternative of the parcels that meets the purpose and need. Parcels have been deferred pending amendments to Sage Grouse RMPs in accordance with WY IM 2010-012 and 13; pending a

consistency review with proposed Nation BLM Sage-Grouse management policy; in areas needing field inventory for wilderness characteristics; in areas needing Native American consultation; and/or with EOI deficiencies.

1. This decision is in conformance with the Kemmerer, Pinedale, Rawlins, and Green River RMPs.
2. It is the policy of the BLM as derived from various laws, including the Mineral Leasing Act (MLA) of 1920, as amended [30 U.S.C. 181 *et seq.*] and the Federal Land Policy and Management Act of 1976 (FLPMA), 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. Economic benefits derived from implementation of the proposed action considered important and have been analyzed in the EA.
5. Standard terms and conditions as well as special stipulations would apply. Lease stipulations (as required by 43 CFR 3131.3) were added to each parcel as identified by the Kemmerer, Pinedale, Rawlins, and Rock Spring Field Offices to address site specific concerns or new information not identified in the land use planning process.
6. Alternative B, as modified by the additional deferrals, provide areas for the potential exploration and development of additional oil and gas resources to help meet the nation's current and expanding need for energy sources without creating the impacts associated with offering lease in sage-grouse core areas; within areas potential containing wilderness values
7. Alternative B, as modified by the additional deferrals, meets the purpose and needs identified in the EA.

Appeal Information:

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 within 30 days from your receipt of this Decision. The protestor has the burden of showing that the Decision appealed from is in error.

If you wish to file a petition 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 on the attached document. Copies of the notice of appeal and petition for a stay must be submitted to the Interior Board of Land Appeals and the appropriate Office of the Solicitor (see 43 CFR §4.413) at the same time the original documents are filed with this office. Copy of the notice of appeal and petition for a stay must also be submitted to each adversely affected party named in this decision 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 regulations, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

- (1) The relative harm to parties if the stay is granted or denied,
- (2) The likelihood of the protesters' success on the merits,
- (3) The likelihood of the immediate and irreparable harm if the stay is not granted, and

(4) Whether the public interest favors granting the stay.



Wyoming State Director

Date 10/30/11

Attachments: None.