United States Department of the Interior
Bureau of Land Management

Finding of No Significant Impact
WY-070-EA11-249

February 6, 2012

February 2012 Competitive Oil and Gas Lease Sale
High Plains District

Wyoming State Office
5353 Yellowstone Dr.
Cheyenne, Wyoming 82009

Finding of No Significant Impact (FONSI)
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Introduction

The Bureau of Land Management (BLM) has prepared an Environmental Assessment (EA) (WY-070-EA11-249) to address offering and issuing certain lease parcels within the High Plains District at the February 7, 2012 BLM-Wyoming Competitive Oil and Gas Lease Sale. The decision, selecting elements from a combination of alternatives (see the Decision Record, which has been prepared concurrently with this FONSI), would offer 172 lease parcels (160 entire, 12 partial) comprised of 159,088.36 acres of Federal fluid mineral estate administered by the High Plains 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 described in the EA and Sale Notice. Lease stipulations were added to each parcel as identified by the High Plains District Interdisciplinary Teams, to address site-specific concerns.

The decision also would defer 89 entire parcels and portions of 12 parcels for the reasons described in the Environmental Assessment (EA) and the Decision Record (DR).

The Lease Parcel Review EA (WY-070-EA11-249) is attached. A "No Action" alternative (Alternative A) and "Offer All Parcels for Sale" alternative (Alternative C) were analyzed in the EA in addition to the Proposed Action.

Finding of No Significant Impact

I have reviewed Environmental Assessment (EA) WY-070-EA11-249. Based upon a review of the EA and the supporting documents, I have determined that my decision 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 approved Buffalo, Casper and Newcastle Resource Management Plans' Final Environmental Impact Statements (FEISs) and Records of Decision (RODs), as amended or maintained, and to which the EA is tiered. 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 High Plains District Office boundaries and would have local impacts on the resources similar to and within the scope of those described and considered within the Buffalo, Casper and Newcastle RMPs and their respective FEISs and Records of Decision (RODs).

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 Buffalo, Casper and Newcastle RMPs and their respective FEISs and RODs.

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

The proposed action 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 proposed action is designed to offer lease parcels for sale. No aspect of the Action/Alternatives would have an effect on cultural resources at the lease offering/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 controversial.

Effects on the quality of the human environment are not expected to be significant or highly controversial. Site-specific documentation of NEPA compliance will be prepared 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 teams 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 Buffalo, Casper and Newcastle RMPs/FEISs. The interdisciplinary teams 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 controlled surface use (CSU) stipulations, no surface occupancy (NSO) stipulations and timing limitation stipulations (TLS), will be applied to the lease parcels and any necessary consultation with the U.S. Fish and Wildlife Service will facilitate protection of listed species. Furthermore, post-lease actions/authorizations (e.g., Application for Permit to Drill (APDs), road/pipeline Right-of-Ways (ROWs)), could be encumbered by seasonal and surface use restrictions on a case-by-case basis, as required through project-specific NEPA analysis or other environmental review, and consistent with our regulations (see 43 CFR 3101.1-2).

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.

Ronald A. Rizzi

Wyoming State Director

2/6/12

Date