

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

**Finding of No Significant Impact
DOI-BLM-WY-040-EA11-213**

May 2012 Lease Parcels

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



FINDING OF NO SIGNIFICANT IMPACT

Environmental Assessment

DOI-BLM-WY-040-EA11-213

May 2012 Lease Parcels

INTRODUCTION:

The Bureau of Land Management (BLM) has conducted an Environmental Assessment (EA) (DOI-BLM-WY-040-EA11-213) to address offering certain lease parcels within the High Desert District in Albany, Carbon, Laramie, Lincoln, Sublette, Sweetwater, and Uinta Counties at the November 2011 BLM-Wyoming Competitive Oil and Gas Lease Sale. Under the proposed action the BLM would offer for sale 135 entire parcels, as well as portions of 6 additional parcels. Collectively, the parcels and partial parcels recommended to be offered at the May 2012 lease sale contain approximately 238,667.64 acres of federal minerals administered by the Kemmerer, Rawlins, and Rock Springs Field Offices (FOs). 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 Kemmerer, Rawlins, and Rock Springs FOs to address site specific concerns or new information not identified in the land use planning process.

Additionally, BLM would delete from offering nine entire parcels and thirteen partial parcels that fall within areas identified in the Rawlins and Green River Resource Management Plans (RMPs) as unavailable for oil and gas leasing. Collectively these deleted parcels/partial parcels contain approximately 22,258.34 acres.

Additionally, 84 whole parcels and 12 partial parcels (177,506.16 acres) would be deferred from the May 2012 Oil & Gas Lease Sale. Of those, 80 whole parcels and 11 partial parcels occur within sage grouse key habitat areas meeting the manageability criteria in BLM Wyoming Instruction Memorandum (IM) WY-2010-013 would be deferred from the May 2012 oil and gas lease sale under this alternative pending completion of the Greater sage-grouse RMP amendment. Four (4) parcels and 1 partial parcel would be deferred pending completion of the Little Mountain Ecosystem Master Leasing Plan through the Green River RMP revision. Portions of 8 additional parcels partially deleted and partially deferred. The net result is no portion of these nine parcels (WY-1205-079, 080, 086, 087, 090, 101, 105, and 111) would be available for offer under Alternative B. While the proposed action would delete certain parcels and would defer other parcels from being offered at the May 2012 Competitive Oil and Gas Lease Sale, it still meets the purpose and need through the parcels that are recommended to be offered (see the following excerpt from the EA):

“The BLM’s purpose for offering parcels and subsequent issuance of leases in the May 2012 lease sale is to 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. Wyoming is a major source of natural gas for heating and electrical energy production in the United States. The offering for sale and subsequent issuance of oil and gas leases is needed to meet the requirements of MLA, FLPMA, and the minerals management objectives in the Kemmerer, Rawlins, and Green River Resource Management Plans (RMP). Oil and gas leasing

provides oil and gas companies the opportunity to expand existing areas of production and to locate previously undiscovered oil and gas resources to help meet the public's energy demands.

Decisions to be made based on this analysis include which parcels would be offered for lease, which parcels would be deferred from the May 2012 lease sale, which parcels are not available for leasing, and what stipulations will be placed on the parcels that would be offered for lease.”

In addition to the Proposed Action, a No Action Alternative and a Maximum Parcels Offering Alternative were analyzed in the EA. The Environmental Assessment (DOI-BLM-WY-040-EA11-213) for the May 2012 lease parcels is attached.

FINDING OF NO SIGNIFICANT IMPACT:

Based upon a review of the EA and the supporting documents (i.e., the governing RMPs/FEISs), 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 Kemmerer, Rawlins, and Green River 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 Proposed Action would occur within the Kemmerer, Rawlins, and Rock Springs FO boundaries and would have local impacts on the resources similar to and within the scope of those described and considered within the Kemmerer, Rawlins, and Green River RMPs and their respective FEISs/Records of Decision (ROD). The project is an administrative action involving approximately 238,667.64 acres of BLM administered land and/or mineral estate. Aspects of the proposal have state-wide, regional, and national importance. Energy development has nationwide importance due to the existing and increasing demand and oil and gas is one component of the nation's energy portfolio. One hundred forty-four whole and partial lease parcels fall within key habitat for Greater sage grouse. Eighty whole and 11 partial parcels (this includes the 8 parcels that would be partially deleted and partially deferred) meet the criteria in IM WY-2010-013 and would be deferred from oil and gas leasing pending completion of the sage grouse amendment to the Kemmerer, Rawlins, and Rock Springs RMPs. Parcels WY-1205-045, 046, and 062-066 occur in the Adobe Town area which has received state-wide and region notoriety to citizen wilderness proposals; however the Rawlins RMP determined that the area other than the existing Adobe Town wilderness study area would not be managed for wilderness. The RMP made the area available for multiple-use management, including oil and gas leasing and development.

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 Kemmerer, Rawlins, and Green River RMPs and their respective FEISs/ROD.

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

The proposed action is to offer lease parcels for sale. Parcels WY-1205-229, 230, 236 and 238 are located within 10,000 feet of the Bridger Airport runway near Lyman and Mountain View; however each of these parcels carry a controlled surface use stipulation that restricts or prohibits surface use or disturbance unless a satisfactory plan to mitigate the potential impacts to public safety is developed. No other aspect of the action alternatives (B and C) 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 farm lands, wetlands, wilderness, wild and scenic rivers, or ecologically critical areas.

There are no park lands, prime farm lands, Congressionally designated wilderness areas, or wild and scenic rivers in or within proximity to any of the parcels to be offered for lease through the proposed action. Unique characteristics present within the project area are primarily 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 Proposed Action/Alternatives would have an effect on cultural resources at the lease sale or lease issuance stage. If the leases enter into a development stage, cultural resources would be further addressed through site specific NEPA. Parcels WY-1205-249, 250, and 251 are in the vicinity of the south and/or west boundary of the Cokeville Meadows National Wildlife Refuge.

Parcel WY-1205-046 has a small piece that extends into the Adobe Town wilderness study area (WSA) that has been deleted. Parcels 045 and the remaining portion of 046 border the WSA, but are in areas the Rawlins RMP designated as available of oil and gas leasing. Other parcels occur in the vicinity of the Devil's Playground, Twin Buttes, and Oregon Buttes WSAs. All of the available parcels were evaluated for wilderness characteristics. As shown in Appendix D of the EA, individual parcels were either determined to not be in areas with wilderness characteristics.

Parcels WY-1205-243, 244, and 245 are within viewshed setting of the Bridger Antelope Trap in the Kemmerer Field Office. Numerous parcels contain, adjoin, and/or are within the viewshed setting of one or more historic trails. Anticipated impacts to these resources are mitigated through a controlled surface use stipulation that restricts or prohibits surface use or disturbance unless a satisfactory plan to mitigate the potential impacts to public safety is developed.

A number of parcels do contain streams and riparian areas (wetlands), which would be protected through Lease Notice 1, which is attached to all parcels.

Parcels 179, 181, 196, and 199-202 fall within the sensitive plant ACEC in the Rock Springs Field Office. Impacts would be mitigated by a no surface occupancy and/or controlled surface use stipulation attached to each of these parcels.

While certain parcels proposed to be offered at the May 2012 oil and gas lease sale do occur within areas with sensitive or important resources values, none have been determined to be within an ecologically critical area. Additionally, mitigation in the form of lease stipulations has been applied to all parcels.

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 a demonstrated discrepancy in the level or nature of the effects – not political controversy or expressions of opposition to the action or preference among the alternatives analyzed within the EA. Individual or groups of federal oil and gas leases have frequently been protested by a variety of non-governmental organizations based on their perceived environmental impacts associated the specific parcel, which may be correlated to some level of public controversy. The BLM received 18 letters or emails from the providing comments on the previous leasing EA (i.e., the November 2011 lease parcel EA) prepared by the High Desert District. Comments varied issue the all of the leases, to implement Alternative B, to implement Alternative B with modifications, to the EA is inadequate. This shows a varying level of concern or controversy, but does not demonstrate a high level of controversy in the context described above. As the EA for the May 2012 Oil and Gas Lease Parcels concludes, impacts to the quality of the human environment from the offering, sale, and issuance of the May 2012 lease parcels are not expected to be significant. Further, the lease parcels identified for offer under Alternative B are within areas designated by the Kemmerer, Rawlins, and Green River RMPs as available for oil and gas leasing with the designated stipulations/mitigation. Those RMP decisions were made through an open, public process. Site specific NEPA will be conducted that addresses specific effects on resources at the time of development.

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. Oil and gas leasing and post-lease development have been ongoing in the United States, including portions of the High Desert District for more than a century. 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. Again, oil and gas leasing and post-lease development have been ongoing in the United States, including portions of the High Desert District for more than a century.

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 EA did not reveal any cumulative effects beyond those already analyzed in the Kemmerer, Rawlins, and Green River 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 other objects listed in or eligible for listing in the National Register of Historic Places (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 analysis. Known sites occurring in any the parcels that would be offered for sale are protected by either a controlled use or no surface occupancy stipulation. Refer to item 3 for additional discussion.

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.

Refer to the individual parcel descriptions and to the sensitive species controlled surface use stipulations in Appendix B of the EA for a listing of the various sensitive species with the various parcels. Parcels 222, 223, 247, and 248 potentially contain Canada lynx habitat. 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.

Parcels 179, 181, 196, and 199-202 fall within the Rock Springs Field Office's sensitive plant ACEC. Impacts would be mitigated by NSO and CSU stipulations.

Parcels 9-18, 25-28, 38, 43, 157, 159, 181, 196, and 200 contain conservation population and/or potential population expansion habitat for Colorado River cutthroat trout. Lease

Notice No. 1 restricts surface disturbance on slopes over 25 percent and within 500 feet of surface water and/or riparian areas.

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.

Authorized Officer

Date