FINDING OF NO SINGINIFICANT IMPACT

August 2012 Lease Parcels

Wind River / Bighorn Basin District

DOI-BLM-WY-050-EA12-17

Wind River/Bighorn Basin District, Wyoming

The BLM's multiple-use mission is to sustain the health and productivity of the public lands for the use and enjoyment of present and future generations. The Bureau accomplishes this by managing such activities as outdoor recreation, livestock grazing, mineral development, and energy production, and by conserving natural, historical, cultural, and other resources on public lands.

BLM/WY/PL-12/001+1310

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INTRODUCTION:

The Bureau of Land Management (BLM) has prepared an Environmental Assessment (EA) (DOI-BLM-WY-050-EA12-17), attached, to address the offering of oil and gas leases at the August 2012 BLM Wyoming Competitive Oil and Gas Lease Sale and subsequent lease issuance. Parcels evaluated in this EA are within the BLM's Wind River / Bighorn Basin District office.

Three alternatives were analyzed in the EA. Alternative 1 is the no action alternative, where none of the parcels would be offered for sale. Alternative 2 would offer for sale 295 nominated parcels covering approximately 526,469.19 acres. The agency's preferred alternative, Alternative 3, adds stipulations to address resource concerns or defers offering parcels for sale due to resource conflicts or protection measures not addressed in the approved Resource Management Plans (RMPs). Alternative 3 would offer for sale 32 nominated parcels covering approximately 32,270.05 acres and if sold, a lease issued.

FINDING OF NO SIGNIFICANT IMPACT:

Based upon a review of the EA and the supporting documents, 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 Cody, Lander, Grass Creek or Washakie RMPs/ Environmental Impact Statements (EISs). 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 Cody, Lander, and Worland field office boundaries and would have local impacts on the resources similar to and within the scope of those described and considered within the RMPs and their respective EISs. The project is a site-specific action on BLM administered land and/or 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.

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 RMPs and their respective EISs.

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

   The proposed action is to offer lease parcels for sale and defer other lands until the requisite land use planning can occur. 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 farm lands, wetlands, wilderness, wild and scenic rivers, or ecologically critical areas**.

   The agency preferred alternative would defer offering parcels within lands with wilderness characteristics (LWCs) until such time as the Bighorn Basin Resource Management Plan Revision Project (BB RMP) can fully evaluate LWCs. In addition, the agency preferred alternative defers leasing along historic trails until evaluation of differing stipulations can be completed in both the BB RMP and the Lander RMP Revision.

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

   While individual or groups of federal oil and gas leases have frequently been protested by a variety of non-governmental organizations based on perceived environmental impacts to the specific parcel, the overarching act of oil and gas leasing has not been highly controversial. 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.

   As the EA for the August 2012 Oil and Gas Lease Parcels concludes, impacts to the quality of the human environment from the offering, sale, and issuance of the August 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 Buffalo, Newcastle and Casper 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 area 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.

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 RMPs and associated EISs. 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**.

   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.

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 8/6/12