

Environment Assessment

Finding of No Significant Impact November 2012 Lease Parcels WY-040-EA12-130

June 2012

BLM

High Desert District Office



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.

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WY-040-EA12-130

FINDING OF NO SIGNIFICANT IMPACT
Environmental Assessment
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November 2012 Lease Parcels

INTRODUCTION:

The Bureau of Land Management (BLM) has conducted an Environmental Assessment (EA) (WY-040-EA12-130) 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 54 entire parcels, as well as portions of 11 additional parcels. Collectively, the parcels and partial parcels recommended to be offered at the November 2012 lease sale contain approximately 80,905.61 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 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, the BLM would delete from offering one entire parcel and two partial parcels that fall within areas identified in the Pinedale and Green River Resource Management Plans (RMPs) as unavailable for oil and gas leasing. Collectively these deleted parcels/partial parcels contain approximately 2753.79 acres.

Additionally, 21 whole parcels and 11 portions of parcels (34,432.59 acres) would be deferred from the November 2012 Oil & Gas Lease Sale. Nine whole and 11 partially deferred parcels are in sage-grouse key habitat (core area) that meets the manageability criteria in Instruction Memorandum (IM) WY-2012-109. Two whole parcels are located in the Greater Little Mountain Area and are deferred pending master leasing plan (MLP) evaluation in the Green River RMP revision in accordance with the December 2009 letter from the BLM State Director to the Governor of Wyoming. Eight additional parcels are co-located in Greater Sage-Grouse key habitat (core area) and the Greater Little Mountain MLP area. All 8 of these co-located parcels would be deferred pending completion of the Little Mountain Ecosystem Master Leasing Plan through the Green River RMP revision. Portions of parcel WY-2012-082 are located within sage-grouse core and in the Haystack Coal Lease by Application WYW159423 and are being deferred.

While the proposed action would delete certain parcels and would defer other parcels from being offered at the November 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 November 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 November 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-EA12-130) for the November 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 land use plans), 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), including the Jack Morrow Hills Coordinated Activity Plan (JMH CAP) FEIS. 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 61,545.06 acres of BLM administered land and/or mineral estate. Certain aspects associated with the proposed lease parcels, such as Greater Sage-Grouse, lands with wilderness characteristics, and energy development have state-wide, regional, and national importance. Forty-eight whole and partial lease parcels fall within key habitat for Greater Sage-Grouse. In accordance with IMs 2012-044 and WY-2012-019, 21 whole and 11 partial parcels are in Greater Sage-Grouse key habitat and/or the Greater Little Mountain MLP evaluation area and would be deferred from oil and gas leasing pending completion of the sage-grouse amendment to the Kemmerer, Rawlins, and Green River RMPs and MLP evaluation in the Green River RMP revision. Portions of 12 parcels would be located with 0.6 miles of occupied leks in sage-grouse key habitat and would be deferred. .

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, see Table 4.1 and Appendix B of the EA. None of the environmental effects associated with offering the proposed lease parcels for sale, as discussed in detail in the EA were determined to be significant, nor do the effects exceed those described in the Kemmerer, Rawlins, and Green River RMPs and JMH CAP and their respective FEISs/RODs.

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 1, 2, 9-11, 49-51, 54, 59, 79, and 80 contain land with private surface overlying federal minerals (i.e., split-estate). The private surface lands have or have the potential to contain private residences and associate facilities such as domestic water supply wells. Residences near active drilling and completion operations would likely experience increased traffic and noise, as well as night lighting. Traffic and drilling operations in close proximity to residences would increase the potential for collisions with the residents, pets, and livestock, as well as an increased potential for fire, hydrocarbon release, and explosion from well blow-out during drilling operations. Lease Notice No. 1 is applied to all parcels and restricts or prohibits within ¼ mile of occupied dwellings for public safety.

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 019 and 021 border the WSA, but are in areas the Rawlins RMP designated as available of oil and gas leasing. All of the available parcels were evaluated for wilderness characteristics. As shown in Appendix D of the EA, individual parcels were evaluated for wilderness characteristics.

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.

While certain parcels proposed to be offered at the November 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 9 letters or emails providing comments on the November 2012 leasing EA lease parcel EA prepared by the High Desert District. Comments pertained to a variety of issues including: implementation of Alternative B, implementation of Alternative B with modifications and that the EA is inadequate. This shows a varying level of concern or controversy, but does not demonstrate a high level of controversy. As the EA for the November 2012 Oil and Gas Lease Parcels concludes, impacts to the quality of the human environment from the offering, sale, and issuance of the November 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 well as the JMH CAP, as available for oil and gas leasing with the designated stipulations/mitigation. Those RMP and CAP 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 and JMH CAP. 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 or in the JMH CAP. 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 the BLM 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. 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 (i.e., 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