United States Department of the Interior

Bureau of Land Management

Finding of No Significant Impact

WY-070-EA12-157

June 2012

High Plains District Portions of the February 2013 Lease Sale

High Plains District Office

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Introduction

The Bureau of Land Management (BLM) has conducted an Environmental Assessment (EA) (WY-070-EA12-157) to address offering certain lease parcels within the High Plains District at the February 2013 BLM-Wyoming Competitive Oil and Gas Lease Sale. The Selected Alternative, Alternative B, would be a recommendation to the Wyoming State Director to offer for sale 79 parcels and 7 partial parcels containing approximately 44,383 acres of federal minerals 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 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 High Plains District Interdisciplinary Teams, to address site specific concerns or new information not identified in the land use planning process.

Additionally, there would be a recommendation to the State Director to defer 15 parcels and 7 partial parcels containing approximately 16,148 acres due to resource conflicts or protection measures not addressed in the land use plans.

The Lease Parcel Review EA (WY-070-EA12-157) is attached. An Offer All Parcels For Sale alternative (Alternative C) and No Action alternative (Alternative A) were analyzed in the EA in addition to the Proposed Action.

Finding of No Significant Impact

I have reviewed Environmental Assessment (EA) WY-070-EA12-157, July 2011. Based upon a review of the EA and the supporting documents, I have determined that Alternative B, 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 Buffalo, Casper and Newcastle 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 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/Records of Decision (ROD).

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/ROD.

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 offering phase. If the leases enter into a development stage, cultural resources would be further addressed through site specific NEPA. Although it is not identified as an ecologically critical area, none of the parcels fall within Multiple Use Lands with Wilderness Characteristics.

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 NEPA will be conducted 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), 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 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.

_____ _____

Authorized Officer Date