Environment Assessment

Finding of No Significant Impact
May 2013 Lease Parcels
WY-040-EA12-238

May 2013

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.

BLM/WY/PL-12/026+1310

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FINDING OF NO SIGNIFICANT IMPACT
Environmental Assessment

May 2013 Lease Parcels

INTRODUCTION:

The Bureau of Land Management (BLM) has conducted an Environmental Assessment (EA) (WY-040-EA12-238) to address offering certain lease parcels within the High Desert District in Carbon, Lincoln, Sublette, and Sweetwater counties at the May 2013 BLM Wyoming Competitive Oil and Gas Lease Sale. Under the proposed action the BLM would offer for sale seventy four (74) entire parcels, as well as portions of seven (7) additional parcels. Collectively, the parcels and partial parcels recommended to be offered at the May 2013 lease sale contain approximately 91,352.310 acres of Federal minerals administered by the Kemmerer, Rawlins, Pinedale, 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, Pinedale, and Rock Springs FOs to address site specific concerns or new information not identified in the land use planning process.

Fourteen (14) whole parcels and portions of five (5) parcels (25,367.940 acres), in Greater Sage-Grouse core habitat that meet the manageability criteria in Instruction Memorandum (IM) WY-2012-019 would be deferred from the May 2013 Oil & Gas Lease Sale. In addition, the State Director has used his discretion to temporarily defer offering approximately 5,128.360 acres from parcels 0513-1, 48, 67, 68, 69, 70 and 71 in the interest of conservation of the Greater Sage Grouse; deferral is pending completion of the ongoing Greater Sage Grouse RMP amendment process in the Rock Springs, Kemmerer, Pinedale, and Rawlins field offices. Parcel 0513-069 is deferred in whole, while the remaining parcels are partially deferred.

While the proposed action would defer some parcels from being offered at the May 2013 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 2013 lease sale is to provide for exploration and development of additional oil and gas resources to help meet the nation's need for energy sources, while protecting other resource values in accordance with guiding laws, regulations, and Land Use Planning decisions. 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, Pinedale, Rawlins, and Green River Resource Management Plans (RMP). Oil and gas leasing provides 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, which parcels are not available for leasing, and what stipulations will be placed on the parcels that would be offered for lease at the May 2013 lease sale."

In addition to the Proposed Action, a No Action Alternative was analyzed in the EA, and other Alternatives were considered and eliminated from detailed analysis. The Environmental Assessment for the May 2013 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, Pinedale and Green River RMPs/Final Environmental Impact Statements (FEISs). Therefore, an EIS is not required.

This finding is based on the context and intensity of the project as described:

Context:

The Proposed Action would occur within the Kemmerer, Rawlins, Pinedale, 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, Pinedale, and Green River RMPs and their respective FEISs/Records of Decision (ROD). The project is an administrative action involving approximately 91,352.310 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 developments have state-wide, regional, and national importance.

In accordance with WY-2012-019 and discretion of the State Director, fifteen (15) whole and eight (8) partial parcels in manageable Greater Sage-Grouse core habitat would be deferred from oil and gas leasing pending completion of the Greater Sage-Grouse amendments to the Kemmerer, Rawlins, Pinedale, and Green River RMPs..

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 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, Pinedale, and Green River RMPs 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. Several parcels contain lands with private surface overlying federal minerals (i.e., split-estate), as identified in Table 3.1 of the EA. The private surface lands have the potential for development of 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 alternative 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 addressed by following lease stipulations and health and safety regulations, and through site specific analysis as required.

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.

   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 May 2013 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.

No parcels are located within a Wilderness Study Area.

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 14 letters or emails providing comments on the May 2013 lease parcel EA prepared by the High Desert District.

   Further, the lease parcels identified for offer under Alternative B are within areas designated by the Kemmerer, Rawlins, Pinedale, and Green River RMPs as available for oil and gas leasing with the designated stipulations. Those RMP decisions were made through an open, public process. Site specific evaluation will be conducted to address specific effects on resources and their mitigation 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 lease sale is not unique or unusual. Oil and gas leasing and post-lease development has 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 considered in the corresponding RMPs/FEISs/RODs. Gas exploration and drilling operations are regulated for health and safety through other agencies of local, State and Federal government. Should there be discovered risks, these agencies would act accordingly. 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. A decision to lease for the May 2013 sale would not limit later resource management decisions for areas open to development proposals, many of which have extensive existing leaseholds. Significant contributions to cumulative effects are not expected from the May 2013 Lease Sale.

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.

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 found in various parcels. Although listed species may occupy habitat within a parcel, it has been determined that they will not be adversely affected because surface use restrictions, including timing limitation stipulations (TLS), no surface occupancy (NSO) stipulations, and controlled surface use (CSU) stipulations, 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)), would be encumbered by TLS and CSU restrictions as applied, and through project-specific environmental clearance.

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