DECISION RECORD

Applicant: Long Shot Oil, LLC
Case File: WYW156604
ROW: WYW179401
Well: Miller Mtn 35-26N-115W
Location: Miller Mountain Sec. 35, T26N, R115W, 6th Principal Meridian
EA Number: WY-100-EA11-213
Prepared by: Pinedale Field Office, Pinedale, WY

Summary

Under Alternative 2, the proposed action, BLM would approve Long Shot Oil, LLC's (Long Shot) Application for Permit to Drill (APD) a drill a single wildcat natural gas well identified as the Miller Mtn #35-26N-115W in NWNE-S35, T26N, R115W, 6th Principal Meridian, Federal Lease WYW156604, Lincoln County, Wyoming, to a depth of 9,850 feet.

The proposed drilling and subsequent completion of the Miller Mtn #35-26N-115W well pad would result in a surface disturbance of 3.19 acres for the well pad and 0.13 acres each for the topsoil and spoil piles, for a total of 3.45 acres of disturbance. No new roads would be constructed for this project. The existing road would be improved to enhance safety and prevent erosion. Drilling would occur between August 1 and November 14 to comply with seasonal restrictions imposed to protect wildlife.

The action as proposed was evaluated and conforms to WY IM 2012-019 pertaining to management to management and protection of greater sage-grouse.

Decision

It is my decision hereby to approve Alternative 2, the proposed action, described above, with attached conditions of approval, because the affects to the environmental resources in the vicinity of the proposed action are within the range of acceptable effects as defined in the Pinedale RMP and there will be no significant impacts that would require an Environmental Impact Statement (EIS). The project will be conducted as proposed and in compliance with applicable lease terms, and conditions of approval as described in Appendix I.

1. **Compliance with applicable laws**: The Bureau of Land Management (BLM) is authorized to approve mineral development on BLM-administered public lands pursuant to the National Environmental Policy Act (NEPA), National Energy Policy Act of 2005, Mineral Leasing Act (MLA) of February 25, 1920, as amended; the Land Use Plan terms and conditions as required by 43 Code of Federal Regulations (CFR) 1610.5., Pinedale Resource Management Plan (Pinedale RMP); Endangered Species Act, National Historic Preservation Act, Clean Water Act, Clean Air Act, Wyoming Oil and Gas Commissions Regulations, Wyoming Department of Environmental Quality regulations, Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), and the Resource Conservation and Recovery Act of 1976 (RCRA). The proposed Action would allow the leaseholder to explore for oil and gas resources on their federal oil and gas lease WYW0156604.

2. **Selected Alternative**: The Proposed Action has been designed to avoid or minimize environmental impacts to the extent feasible. These design features, such as standard operating procedures, stipulations, best management practices are found in the Pinedale RMP ROD, and the Conditions of Approval attached to the APD.

The proposed action lies within the Upper Green River Ozone Non-attainment area, but involves emissions of ozone precursors which are well below the established de minimis thresholds required for a determination of Conformity per the Wyoming Air Quality Standards and Regulations. Nevertheless, it is the BLMs goal under these circumstances, to seek every reasonable opportunity to reduce emissions.

The BLM is cooperatively developing policy with the Wyoming Department of Environmental Quality (WDEQ). This policy will define what information and practices will be required for new and existing development and production activities within the Upper Green River Ozone Non-attainment area. Until that policy is completed, operators are strongly encouraged to seek and utilize best available control technologies (BACT) as are reasonably available to minimize emissions from their project, and to permit their emission sources with the WDEQ. During drilling, this would include the permitting of drilling rigs and the use of Tier 2 emission technology or better. Other opportunities for permitting and use of emission reduction technologies and methods are also available for completions and production, and operators are strongly encouraged to aggressively pursue these measures.

3. **FONSI**: I have determined that the proposed project is in conformance with the Pinedale RMP ROD (November 2008). I have reviewed this environmental assessment including the analysis of potentially significant environmental impacts. I have determined that the proposed action with the design features, mitigation measures, and conditions of approval as described in the EA will not have any significant impacts on the human environment, thus an EIS is not required. It is my decision to implement the proposed action. There are no limitations when the decision may be implemented.

4. **Public Involvement**. Intensive public scoping occurred during the development of the 2008 Pinedale RMP ROD. Public scoping on the proposed action was conducted from November 22, 2011 through December 20, 2011. The PFO received five responses from the public, which are attached as Appendix III of the EA. Issues identified during public scoping were addressed in the EA.

5. **Rationale for Alternative Selected**. The chosen alternative, the proposed action, was selected by evaluation against the national environmental policy, in Section 101 of NEPA and implemented through regulations, policies and guidelines issued by the Council on Environmental Quality at 40 CFR 1500. The proposed action was selected over the no action alternative because there were no significant impacts to overrule the decision and because of the lessee's right under the MLA to their existing oil and gas lease. The actions required to be evaluated by WY IM 2012-019 have been evaluated and meet all requirements set forth in the IM.

6. **Appeal Procedures.**
This decision is subject to administrative review under BLM regulation in accordance with 43 Code of Federal Regulations (CFR) 3165. Any request for administrative review of this decision must include the information required under 43 CFR 3165.3(b), including all supporting documentation. Such a request must be filed in writing with the State Director (920), Bureau of Land Management, P.O. Box 1828, Cheyenne, Wyoming 82003, within 20 business days of the date such notice of decision was received or considered to have been received. This decision will be considered to have been received seven (7) business days from the date it is mailed. The decision of the State Director may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR 3165.4. Each adverse party to any such appeal must be provided with all documentation in accordance with 43 CFR 4.413.

Standards for Obtaining a Stay Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:
1. The relative harm to the parties if the stay is granted or denied,
2. The likelihood of the appellant's success on the merits,
3. The likelihood of immediate and irreparable harm if the stay is not granted, and
4. Whether the public interest favors granting a stay.

For Shane DeForest
Field Manager
Pinedale Field Office

7/3/12
Date

FINDING OF NO SIGNIFICANT IMPACT

Environmental Assessment

Applicant: Long Shot Oil LLC

Case File: WYW156604

ROW: WYW179401

Wells: Miller Mtn #35-26N-115W

Location: NWNE-S35, T26N, R115W, 6th Principal Meridian

EA Number: WY-100-EA11-213

Introduction

The purpose of the proposed action is to provide Long Shot Oil, LLC the opportunity to develop their oil and gas lease on federal mineral estate in the proposed project area. The need for the proposed action is established by BLM's responsibility under the Mineral Leasing Act of 1920 (MLA) and the Federal Land Policy Management Act (FLPMA) to respond to the APD filed by Long Shot Oil LLC for permit to drill the natural gas well identified above in their valid oil and gas lease WYW0156604.

Summary of Proposed Action

Long Shot Oil LLC has submitted an APD to drill the well listed above from a new pad in NWNE-S35, T26N, R115W, 6th Principal Meridian, Federal Lease WYW156604, Lincoln County, Wyoming. The north side of the pad and topsoil pile would extend slightly into the SWSE-S26, T26N, R115W.

The proposed drilling and subsequent completion of the aforementioned well would result in a surface disturbance of 3.19 acres for the well pad, 0.18 acres for the access road and 0.13 acres each for the topsoil and spoil piles, for a total of 3.72 acres of new disturbance.

A closed loop mud system (no reserve pit) is proposed for drilling this natural gas well. The 35'x160'x12' pit shown on the well pad diagram will be for the purpose of burying the cuttings.

Produced water would be disposed of in a Department of Environmental Quality/Environmental Protection Agency (DEQ/EPA) approved facility.

Water for drilling will be obtained from a water source on private land and trucked into the location.

Rationale

The proposed action lies within an area designated for oil and gas leasing. Long Shot Oil, LLC has a valid lease.

Conditions of Approval are in place to mitigate wildlife and visual resource concerns in the area. The proposed action has been reviewed with consideration to WY-IM-2012-019 policy direction.

Effect of Selected Alternative

There will be effects from the selected alternative, but they are within the scope of those already analyzed in the Pinedale RMP.

Context and Intensity of Selected Alternative

Context

The proposed locations are located within the area addressed in the Pinedale Field Office Resource Management Plan (RMP). This analysis tiers to the RMP Final Environmental Impact Statement (FEIS). These documents are included in the analysis by reference.

Intensity

I have considered the potential intensity/severity of the impacts anticipated from the Proposed Action Alternative decision relative to the area suggested for consideration by the CEQ:

1. Impacts that may be both beneficial and adverse: The proposed action would impact resources as described in the EA. Those analyzed resources were: lands with wilderness characteristics, air quality; global climate change; hazardous materials; livestock grazing; noise and odor; recreation; soils; vegetation, threatened and endangered plant species, and noxious & invasive weeds; visual resources; water quality; wildlife, threatened and endangered wildlife and fish species and migratory birds; and socioeconomics. These resources and other resources not mentioned, were analyzed in detail through the Pinedale RMP.

The proposed action lies within the Upper Green River Ozone non-attainment area, but involves emissions of ozone precursors which are well below the established de minimis thresholds required for a determination of conformity per the Wyoming Air Quality Standards and Regulations. Nevertheless, it is the BLMs goal under these circumstances, to seek every reasonable opportunity to reduce emissions.

The BLM is cooperatively developing policy with the Wyoming Department of Environmental Quality (WDEQ). This policy will define what information and practices will be required for new and existing development and production activities within the Upper Green River Ozone Non-attainment area. Until that policy is completed, operators are strongly encouraged to seek and utilize best available control technologies (BACT) as are reasonably available to minimize emissions from their project, and to permit their emission sources with the WDEQ. During drilling, this would include the permitting of drilling rigs and the use of Tier 2 emission technology or better. Other opportunities for permitting and use of emission reduction technologies and methods are also available for completions and production, and operators are strongly encouraged to aggressively pursue these measures.

2. The degree to which the proposed action affects public health and safety: The proposed action is designed to have minimum impact; or improvement on public health and safety. Transportation of equipment to the project location will be in conformance with state and federal laws.

3. Unique characteristics of the geographic area such as proximity of historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas: The proposed action would not cause any adverse effects to any National Register eligible historic properties. The following Critical Elements of the Human Environment and Other Resource Issues are not present in the project area and are not affected: areas of critical environmental concern, environmental justice, farmlands (prime or unique), fires and fuels, flood plains, forests, Native American religious concerns, wilderness, wild and scenic rivers.

4. The degree to which the effects on the quality of the human environment are likely to be highly controversial: No anticipated project specific effects are likely to be considered highly controversial.

5. The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks: Implementation of the proposed action would not pose highly uncertain, unique or unknown risks to the human environment. Project Design Features have been built into the proposed action to reduce or avoid any adverse effects to area resources. The project is similar to many others previously completed without significant consequences; thus, the proposed project and its impacts are not considered unique or uncertain.

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 action would not establish a precedent for future actions with significant effects or represent a decision in principle about a future consideration. Any future actions would be subject to the NEPA process.

7. Whether the action is related to other actions with individually insignificant but cumulatively significant impact: The effects to Greater sage-grouse and air quality are individually insignificant but cumulatively significant. These were analyzed and mitigated through the Pinedale RMP. Air quality emission standards would be enforced by and permits issued under the jurisdiction of the Wyoming Department of Environmental Quality (DEQ). No new impacts would result from the proposed action.

8. The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historic resource: The proposed action would not adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places. The proposed action would not cause loss or destruction of significant scientific, cultural, or historic resources.

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. Threatened, endangered, and candidate wildlife, fish and plant species that may occur within the project area: As analyzed in the Environmental Analysis document for this project, the proposed action would not adversely affect any threatened, endangered or candidate species or their habitat.

10. ***Whether the action threatens a violation of federal, state, or local law or requirements imposed for the protection of the environment.***
The implementation of the proposed action alternative would not threaten a violation of federal, state, or local law or requirements imposed for the protection of the environment.

Resource review and analyses have been coordinated with other federal and state agencies. Environmental protection measures are incorporated into the proposed action. Resources determined to be potentially impacted were analyzed in the EA specific to the proposed action. These resources are lands with wilderness characteristics, air quality; global climate change; hazardous materials; livestock grazing; noise and odor; recreation; soils; vegetation, threatened and endangered plant species, and noxious & invasive weeds; visual resources; water quality; wildlife, threatened and endangered wildlife and fish species and migratory birds; and socioeconomics..

Finding of No Significant Impact

Based on the analysis of potential environmental impacts detailed in the attached EA, and in accordance with the National Environmental Policy Act (NEPA) and the Pinedale Resource Management Plan Record of Decision (November 2008); I have determined that the impacts of the Proposed Action, when coupled with mitigation measures and environmental protection measures presented and detailed in the EA and accompanying Record of Decision, are not significant per the definition of significance in 40 CFR 1508.27 and grant implementation of the proposed action. Therefore, preparation of an environmental impact statement is not required.

for Shane DeForest
Field Manager
Pinedale Field Office

7/3/12
Date

This decision is subject to administrative review under BLM regulation in accordance with 43 Code of Federal Regulations (CFR) 3165.3. Any request for administrative review of this decision must include the information required under 43 CFR 3165.3(b), including all supporting documentation. Such a request must be filed in writing with the State Director (920), Bureau of Land Management, P.O. Box 1828, Cheyenne, Wyoming 82003, within 20 business days of the date such notice of decision was received or considered to have been received. This decision will be considered to have been received seven (7) business days from the date it is mailed. This decision shall take effect immediately upon the date it is signed and shall remain in effect while any appeal is pending unless the State Director or the Interior Board of Land Appeals issues a stay.

The decision of the State Director may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR 3165.4.

A petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

- The relative harm to the parties if the stay is granted or denied,
- The likelihood of the appellant's success on the merits,
- The likelihood of immediate and irreparable harm if the stay is not granted, and
- Whether the public interest favors granting a stay.