



**DECISION RECORD,
FINDING OF NO SIGNIFICANT IMPACT,
and
ENVIRONMENTAL ASSESSMENT
for
THE QUANTUM ADOBE TOWN
2D GEOPHYSICAL PROJECT**

EA# WY-040-EA02-067

Sweetwater County, Wyoming

The Bureau of Land Management is responsible for the balanced management of the public lands and resources and their various values so that they are considered in a combination that will best serve the needs of the American people. Management is based upon the principles of multiple use and sustained yield; a combination of uses that take into account the long-term needs of future generations for renewable and nonrenewable resources. These resources include recreation, range, timber, minerals, watershed, fish and wildlife, wilderness, and natural, scenic, scientific, and cultural values.

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Introduction

Quantum Geophysical Inc., (Quantum) , on behalf of AEC Oil and Gas Inc. (lease holder), submitted a "Notice of Intent to Conduct Oil and Gas Geophysical Exploration Operations" to the Rock Springs Field Office on October 22 , 2001 to conduct a 2D geophysical operation on existing federal oil and gas leases within the Adobe Town Wilderness Study Area (WSA) located in southeastern Sweetwater County, Wyoming (Figure 1). The total length of seismic line is 6.82 miles long but shot holes would be drilled only on those public lands contained within the existing leases (5.90 miles).

The following federal and state sections are affected by the proposal:

T. 14 N., R. 98 W. Sections: 1
T. 15 N., R. 97 W. Sections: 8, 9, 16 (State of Wyoming), 17, 19, 20, 30
T. 15 N., R. 98 W. Sections: 36 (State of Wyoming)
T. 15 N., R. 97 W. Sections: 4

All public lands managed by the Bureau of Land Management, with the exception of sections 1 and 4, are contained in federal oil and gas leases. The three leases pre-date passage of the Federal Land Policy and Management Act which required BLM to consider lands for wilderness designation. These leases are recognized as valid, existing rights under the *Interim Management Policy and Guidelines for Lands Under Wilderness Review* (IMP 1995, pg 13).

| Lease Number | Date Issued | Acres |
|--------------|------------------|----------|
| WYW-017284 | January 17, 1969 | 1,840.00 |
| WYW-017282A | March 1, 1969 | 640.00 |
| WYW-017296 | January 17, 1969 | 2,547.72 |

Alternatives Considered

The attached *Quantum Adobe Town 2D Geophysical Exploration Project* Environmental Assessment (WY-040-02-067, EA) fully analyzed two alternatives and considered two others. Under the Proposed Action, Quantum proposed to conduct 2D geophysical operations along a 6.82 mile line. Shot holes would be drilled on lease using air-powered heliportable drills, placed in areas of sparse or no vegetation, to drill 3.5-inch holes to an 80-foot depth and hand-lay cable, geophones, and other equipment needed for recording operations along the entire line. Each shot hole would be packed with a 30-pound charge of 60 percent seis-gel explosive and then backfilled with the drill cuttings. Any left over drill cuttings would be removed or scattered. As the holes are

Quantum Adobe Town Geophysical Project

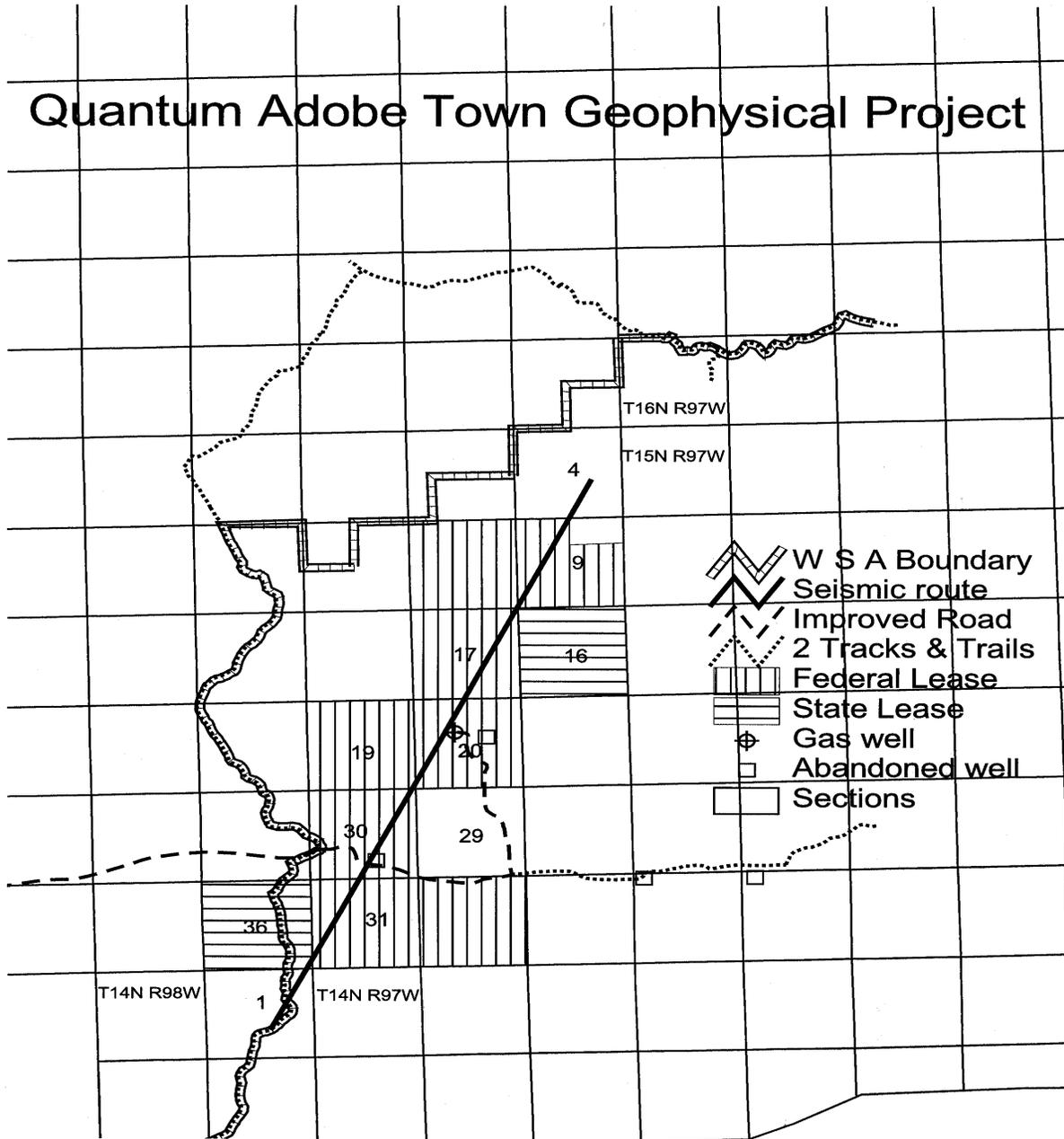


Figure 1. Area Map - Adobe Town 2D Seismic Project.

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drilled and refilled, geophones lines (receivers) would be hand-laid on the ground to record the sound waves as the explosive charges are discharged. All personnel and equipment would be moved by foot, helicopter, or existing roads.

The No Action Alternative analyzed the consequences of denying Quantum's proposal. Two other alternatives brought forth during public scoping were considered but dropped from detailed analysis. One of these alternatives consisted of exchanging minerals and the other was application of a no surface occupancy stipulation to the existing lease should any drilling for hydrocarbons be proposed. The attached EA provides the rationale for not analyzing these two alternatives.

Decision

Based upon the analysis contained in the aforementioned EA, the BLM approves Quantum's proposed action. Quantum may proceed with geophysical operations on existing leases in the Adobe Town WSA once the Notice of Intent is approved. Geophysical operations will be subject to the following list of measures in addition to the standard measures contained in the approved Notice of Intent.

1. Vehicular traffic will be limited to BLM-approved existing routes. Vehicles will travel at slow speeds to limit disturbance to wildlife. All off-road project-related activities within the Adobe Town WSA would occur by foot travel or by helicopter.
2. Explosive charges will not be detonated within 500 feet of springs, flowing wells, or stock water wells.
3. No drilling would occur and no explosive charges would be detonated within 0.5 mile (1.0 mile for ferruginous hawks) of an active raptor nest during the mating/nesting season (February 1 through July 31) unless approved by BLM. Quantum has requested an exception to the seasonal restriction. Any exceptions approved will be in accordance with the procedures found in Appendix 7, Green River Resource Management Plan. Appendix A provides criteria for exception approval. A raptor survey was conducted April, 2002. No active raptor nests were found along the project line.
4. No drilling will occur and no explosive charges would be detonated within greater sage-grouse nesting habitat (suitable habitat within 2.0 mile of an active lek) during the breeding and nesting season of February 1 - July 31, or on important wintering areas as determined by BLM (Appendix A). No sage grouse leks are known to occur within 2 miles of the line.
5. Employees and contractors will not harass wildlife, leave trash in unauthorized locations, travel off-road in vehicles, and will not collect plants or cultural artifacts.
6. Seismic Line (2-D) activities, if conducted in suitable mountain plover habitat will be preceded by mountain plover surveys. These mountain plover field surveys will be conducted within mountain plover habitat along the project line and a 1/4 mile buffer on either side of the project corridor. U.S. Fish and Wildlife Service Mountain Plover Survey Guidelines (March 2002) recognizes that short-term, linear projects where actions move through an area within a day, result in no permanent habitat alteration, and no permanent project-related above ground features. Per the U.S. Fish and Wildlife Service mountain plover survey guidelines (March 2002), mountain plover surveys will be conducted 1 to 3 days before project activities begin. If an active nest is found, planned activity will be

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delayed 37 days or 7 days post-hatching. If a brood of flightless mountain plover chicks is observed, project activities will be delayed at least 7 days.

7. Investigations for BLM-sensitive species or their habitat would be conducted prior to any disturbance in areas determined by the BLM to contain potential habitat for such species (BLM Manual 6840). These areas would be avoided to the extent possible.
8. Any cultural resources discovered during operations will be reported immediately to BLM. Work will be halted in an area large enough to maintain integrity of the site and the site will be evaluated for significance. Evaluation may consist of, but not limited to, avoidance, testing, excavations, mapping, and/or further archival documentation. All evaluation efforts will be developed in cooperation or concurrence with the BLM and SHPO.
9. Quantum will be responsible for clean up of any diesel or hydraulic fluid spills, including contaminated soils. All spill-related material shall be hauled to a Wyoming Department of Environmental Quality (DEQ) approved disposal site.
10. As directed by the Authorized Officer, Quantum shall be responsible for redeeming areas disturbed by the geophysical operations on public lands managed by BLM. All trash, flagging, lath, etc. will be removed and disposed of in an authorized location.
11. Quantum will not conduct any vehicle operations during periods of saturated ground conditions when surface rutting would occur. Surface ruts deeper than 3 inches will be cause for the operations to cease.
12. Location of shot points have been located to avoid cultural sites 48SW14104, 48SW14105, and 48SW14106. Receiver points (cable and/or geophones) will be hand-laid over these sites. No artifacts will be removed.
13. Optimizing seismic operations at one time will reduce the amount of fugitive dust generated over the life of the project. No open burning of garbage or refuse is allowed in association with seismic activities.
14. Shot holes will be properly backfilled. They will also be inspected for subsidence within one field season and prior to release of the bond liability.

Mitigation measures for paleontology will require: (a) avoidance of known localities, (b) worker education of the significance of fossil remains and the restriction on collection of paleontologic resources without a permit, and (c) provision for accidental discovery of fossil remains will reduce potential significant impacts.

The proponent is responsible for informing all persons associated with this project that they shall be subject to prosecution for damaging, altering, excavating or removing any vertebrate fossil objects on site. If vertebrate fossil materials are discovered, the operator is to suspend all operations that further disturb such materials and immediately contact the Authorized Officer. Operations are not to resume until written authorization to proceed is issued by the Authorized Officer.

Within five (5) working days, the Authorized Officer will evaluate the discovery and inform the operator of actions that will be necessary to prevent loss of significant paleontologic

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resources.

The operator is responsible for the cost of any mitigation required by the Authorized Officer. The Authorized Officer will provide technical and procedural guidelines for the conduct of mitigation. Upon verification from the Authorized Officer that the required mitigation has been completed, the operator will be allowed to resume operations.

15. Placement of portable drills on steep slopes (greater than 25%) will be avoided.
16. In order to minimize impacts to big game winter/yearlong range, patches of tall sagebrush will be avoided by seismic operations where practical.
17. BLM will be notified if personnel working for Quantum observe any unauthorized disturbance (i.e., 2-track trails) found in the Adobe Town Wilderness Study Area during seismic operations.

Rationale for the Decision

My decision to approve the proposed action is based upon the following:

- The Proposed Action is in conformance with the land use plan which allows for geophysical operations.
- The Proposed Action is consistent with management objectives and actions for the Monument Valley Management Area which specifies the area as open to mineral exploration provided mitigation can be applied to retain the resource values. The measures identified under the section entitled *Decision* assure that the resource values found in the management area remain protected.
- The Proposed Action, specifically use of helicopters to transport personnel and equipment into the Adobe Town WSA, use of portable drills to drill shot holes on existing leases, and the hand-laying of geophones to record seismic waves meet the non-impairment criteria for interim management of wilderness study areas (see *Interim Management Policy and Guidelines for Lands Under Wilderness Review*, 1995). In addition, the interim management policy recognizes valid existing rights. The leases involved pre-date the Federal Land Policy and Management Act which directed BLM to inventory certain lands for study for wilderness designation.
- Public participation, consultation, and coordination has occurred. BLM issued a scoping document on December 6, 2001, informing the public of the Proposed Action to conduct geophysical operations on pre-FLPMA leases within the Adobe Town WSA. Nine response letters were received during the scoping process. Eight of the nine comment letters supported the project and/or identified specific resource impact concerns that should be analyzed in the EA. The other letter was in opposition to the project and brought forth two alternatives and other issues they felt should be addressed. The issues brought forth in this letter have been considered to the extent that the resource value or issue is or may be applicable to the project or the project area.
- Since no listed or proposed for listing species are anticipated to be affected by this action, formal consultation with the U.S. Fish and Wildlife Service is not necessary. Mountain

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plover, a candidate species, is protected in that seismic activities will follow U.S. Fish and Wildlife guidelines for survey and protection of mountain plover. The action is not expected to jeopardize the existence of this species. Other sensitive plant and animal species should not be negatively impacted since the action is short-term in duration (7 days). Therefore, all species of concern (listed, proposed for listing, candidate, sensitive, and other species of concern) have been considered and/or protected.

Finding of No Significant Impact

Based upon the review of the EA, the BLM has determined that the Proposed Action with implementation of the mitigation measures identified above is in conformance with the Green River Resource Management Plan. Implementation of this decision will not have a significant impact on the human environment. Therefore, an EIS is not required.

Appeal

This decision is effective upon the date the decision or approval by the authorized officer. The decision or approval may be appealed to the appropriate office of the Interior Board of Land Appeals in accordance with regulations contained in 43 CFR 3150.2. If an appeal is filed, a copy of the notice of appeal must be filed in this office (Rock Springs Field Office, 280 Highway 191 North, Rock Springs, Wyoming 82901) within 30 days of receipt of the decision. Allowing 5 days mailing time, the appeal period ends 35 days from the date of this decision. The appellant has the burden of showing the decision or approval appealed from is in error.

If you wish to file a petition for stay pursuant to 43 CFR 3150.2(b), the petition for stay should accompany your notice of appeal and 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 irreparable harm to the appellant or resources if the stay is not granted, and
4. Whether the public interest favors granting a stay.

Each adverse party to an appeal must be provided copies of all documentation. Adverse parties for this action include:

Quantum Geophysical Inc.
One Riverway, Suite 2100
Houston, TX 77056

AEC Oil and Gas
950 17th Street, Suite 2600
Denver, CO 80202

Field Manager

May 13, 2002
Date

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Appendix A Criteria to Consider for Exceptions to Seasonal Restrictions for Raptors/Sage Grouse

| | | |
|--|-------------------|-----------------|
| REQUESTER: _____ DATE OF REQUEST: _____ | | |
| PROJECT NAME: _____ | | |
| REQUESTED DATE(S) OF EXCEPTION: _____ | | |
| ACTIVITY PROPOSED: _____ | | |
| LAST DATE OF FIELD EXAM: _____ GIS/ARCVIEW MAP REVIEWED: <u>YES</u> <u>NO</u> | | |
| General Considerations - Requests for Exceptions | | Comments |
| Are factors leading to inclusion of the sage grouse/raptor seasonal restriction still valid? | | |
| What action is the request for an exception for? | | |
| Dates of the proposed exception? | | |
| Criteria for Lek or Nesting Habitat/Location/Topography | | Comments |
| Birds and type | present or absent | |
| Wintering Areas | yes, no | |
| Nest or lek location | | |
| Topographical features | | |
| Nest or Lek Active | yes, no, unknown | |
| Nest chronology of species | | |
| Timing | | Comments |
| Early or late in breeding/nesting season | | |
| Kind of and length of disruptive activity | | |

RECOMMENDED ACTION: Based on the above analysis, I recommend the exception be:

Approved: _____

Denied: _____

Wildlife Biologist

Date: _____

The exception is: Approved: _____

Denied: _____

Authorized Officer

Date: _____