

United States Department of the Interior Bureau of Land Management

Determination of NEPA Adequacy DOI-BLM-UT-G010-2014-0019-DNA

March 2014

Vitruvian Proposed Lease Reinstatements

Location: Three Leases Located within the Vernal Field Office
UTU70248 (T. 13 S., R 25 E., Sec. 10, all; Sec. 13, all; Sec. 14, all;
and Sec. 15, all: containing 2,560.00 acres in SLB&M);
UTU72375 (T. 13 S., R 26 E., Sec. 6, all; and Sec. 18, all:
containing 444.64 acres in SLB&M); and
UTU73471 (T. 12 S., R 25 E., Sec. 25, Lots 1, 2, 5-7, 12: containing
307.20 acres in SLB&M) Uintah County, Southeast of Vernal, Utah)

Applicant/Address: Vitruvian Exploration, LLC
4 Waterway Court, Suite 400
The Woodlands, Texas

Utah State Office
440 West 200 South, Suite 500
Salt Lake City, Utah 84101-1345
Public Room Office (801) 539-4001
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Worksheet

Determination of NEPA Adequacy

U.S. Department of the Interior
Utah Bureau of Land Management

The signed CONCLUSION at the end of this worksheet is part of an interim step in the BLM's internal analysis process and does not constitute an appealable decision; however, it constitutes an administrative record to be provided as evidence in protest, appeals and legal procedures.

OFFICE: Utah State Office

TRACKING NUMBER: DOI-BLM-UT-9100-2014-0019-DNA

CASEFILE/PROJECT NUMBERS: Oil and Gas Leases UTU70248, UTU72375, and UTU73471.

PROPOSED ACTION TITLE/TYPE: Vitruvian Proposed Lease Reinstatements

LOCATION/LEGAL DESCRIPTION: The legal land descriptions, acreages and the corresponding stipulations and notices for three leases are contained in Table 1. The location of each lease is illustrated on the attached map (Figure 1).

APPLICANT: Vitruvian Exploration LLC, 4 Waterway Court, Suite 400, The Woodlands, Texas 77380.

A. Description of the Proposed Action and Any Applicable Mitigation Measures

Under the provisions of the Mineral Leasing Act of 1920, as amended, the Bureau of Land Management (BLM) received a petition for reinstatement from Vitruvian Exploration LLC for competitive oil and gas leases UTU72375 and UTU73471 and non-competitive lease UTU70248 for lands in Uintah County, Utah. The petition was filed on time and was accompanied by all the rentals due since the date the lease terminated under the law. The lease terminations occurred on October 1, 2012, for failure to pay annual rental on time. Pursuant to 30 U.S.C. 188 (d) (e), 43 CFR 3108.2-3, the authorized officer may, if the requirements of the section are met, reinstate the oil and gas leases which were terminated by operation of law for failure to pay rental timely.

The lessee has met all the conditions and requirements for reinstatement of the leases under the Federal Oil and Gas Royalty Management Act, including payment of back rental. The lessee has agreed to the amended lease terms for rental and royalty. The administrative fee for the leases has been paid. The rental for lease UTU70248 will increase to \$5.00 per acre and the royalty to 16 $\frac{2}{3}$ percent. The rental for UTU72375 and UTU73471 will increase to \$10.00 per acre and the royalty to 16 $\frac{2}{3}$ percent.

The public has 30 days after publication in the Federal Register to comment on the issuance of the Class II reinstatement. If no objections are received within that 30-day period, the BLM will issue a decision to the lessee reinstating the leases. As the lessee has met all the requirements for reinstatement of the leases as set out in Section 31(d) and (e) of the Mineral Leasing Act of 1920 (30 U.S.C. 188), the BLM is proposing to reinstate the leases, subject to a review of the lease terms and conditions as detailed within this Determination of NEPA Adequacy (DNA).

B. Land Use Plan (LUP) Conformance

Applicable Land Use Plan(s)

Vernal Field Office (VFO) ROD/RMP, October 2008 (as maintained).

The proposed action is in conformance with the applicable LUPs because it is specifically provided for in the following LUP decisions (as maintained):

MIN-10 – Min 13 (VFO ROD/RMP page 99). Approximately 750,131 acres will be open to leasing subject to the terms and conditions of the standard lease form. Approximately 890,280 acres will be open to leasing subject to moderate constraints, such as TLs and CSU.

Approximately 86,789 acres will be open to leasing subject to major constraints such as No Surface Occupancy (NSO) stipulations. Approximately 190,434 acres will be unavailable for leasing.

The proposed action is also consistent with the Vernal Field Office's ROD/RMP decisions and objectives as they relate to the management of the following resources (including but not limited to): air quality, wildlife, minerals, cultural, BLM Natural Areas and non-wilderness study area lands with wilderness characteristics.

C. Identify the applicable National Environmental Policy Act (NEPA) documents and other related documents that cover the proposed action.

List by name and date all applicable NEPA documents that cover the proposed action.

- VFO Proposed Resource Management Plan and Final Environmental Impact Statement, 8/2008.
- Record of Decision and Approved Resource Management plan, 10/2008.

List by name and date other documentation relevant to the proposed action (e.g. biological assessment, biological opinion, watershed assessment, allotment evaluation, and monitoring report). The BLM utilized the following records and guidance:

- Tribal and State Historic Preservation Office Consultation Documentation from the September 1992, August 1993 and August 1994, Oil and Gas Lease Sales.
- Resource Management Plan Appendix N October 2008
- Director's Protest Resolution Report Vernal Resource Management Plan (10/2008)
- Federal Register /Vol. 71, No. 57 / Friday, March 24, 2006 /Rules and Regulations 14821 (Oil and Gas Lease Acreage Limitation Exemptions and Reinstatement of Oil and Gas Leases)
- Oil and Gas Reinstatements - IM 2013-177

D. NEPA Adequacy Criteria

1. Is the new proposed action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document(s)? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document(s)? If there are differences, can you explain why they are not substantial?

- Yes.
 No.

Documentation of answer and explanation:

The RMP/Final EIS prepared for the Vernal FO, analyzed oil and gas leasing activities for development of mineral resources and specifically addressed impacts of leasing to resources and uses. This RMP covers the area included within the leases, and designates them as either open to standard stipulations or as open with timing and surface use stipulations.

2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the new proposed action (or existing proposed action), given current environmental concerns, interests, and resource values?

- Yes.
 No.

Documentation of answer and explanation:

The range of alternatives in the RMP/Final EIS is appropriate (ROD, page 4-14). Four alternatives, including a No Action Alternative, were analyzed in detail in the Vernal Field Office Draft RMP/EIS (2005). In October 2007, a Supplement to the Draft RMP/EIS (2007) analyzed a fifth alternative to further address Non-WSA Lands with Wilderness Characteristics. The Vernal Field Office Proposed RMP/FEIS (2008) combined all five alternatives into one document with the Proposed RMP (Alternative A, Preferred; Alternative B, Commodity; Alternative C, Protection; Alternative D, No Action and Alternative E, Environmentally Preferred). BLM also considered but eliminated from detailed analysis a No Grazing Alternative, a Livestock Grazing Adjustments Alternative, and a No Leasing Alternative (ROD, pages 14-17).

The alternatives were developed to address major planning issues and to provide direction for resource programs influencing land management. All alternatives incorporated the BLM Utah Standards for Rangeland Health and Guidelines for Grazing Management developed in conjunction with the Utah Resource Advisory Council (RAC) as base standards for assessing land health. All decisions under any of the alternatives would comply with federal laws, rules, regulations, and policies. Mitigation has been incorporated in the development of all alternatives.

3. Is existing analysis adequate in light of any new information or circumstances (such as, rangeland health standards assessment; recent endangered species listings, updated list of BLM sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new proposed action?

Yes.

No.

Documentation of answer and explanation:

The interdisciplinary team checklist (Attachment A) identifies all resources and issues that were considered by the BLM during the internal scoping process. In addition to internal scoping, public notification was initiated by entering the project information on the E Planning NEPA Website, on 12/13/2013. A corresponding Federal Register notice will be published initiating a 30 day public review and comment period on the proposed lease reinstatement. The public comments will be reviewed and considered in reaching the final decision.

The VFO ROD and Approved RMP is the culmination of several years of research, documentation, and discussion with environmental professionals, industry, and the public. Public participation involved in the preparation of the RMP remains adequate.

The existing analyses in the referenced NEPA documents are adequate to support oil and gas leasing, including the reinstatement of these leases. A description of the affected environment and environmental impacts are provided in the RMP/Final EIS (chapters 3 and 4). The resource values are described that could be affected by reinstating the subject leases. The existing documents identified in Section C were reviewed by the interdisciplinary team to determine if the analyses and/or content were still valid.

Minerals

The leases were originally processed for the September 1992 (lease UTU70248), August 1993 (lease UTU72375) and August 1994 (lease UTU73471) oil and gas lease sales, prior to the recent 2008 land use plan revision. As shown in Table 1, the lease stipulations and notices are based on the resource management decisions contained in the following land use plan (as maintained/amended), ID team checklist and supporting documentation:

- Book Cliff Resource Area RMP and ROD (1983)
- Book Cliff RA RMP and Final EIS (1985)
- Supplement to EA for Oil and Gas Leasing in the Book Cliffs RA UT-080-89-02 (1989)
- Environmental Assessment for Oil and Gas Leasing in the Book Cliffs RA UT-080-89-02 (1988)
- Environmental Assessment for Oil and Gas Development in the Stirrup/Horseshoe Bend Area 1987-46 (1987)
- Environmental Analysis Record, Oil and Gas Leasing Program, Vernal District (1976).

All three leases remain open for leasing under the ROD and Approved RMP. The majority of lease UTU70248 is open to leasing under standard stipulations with a portion open to leasing subject to timing and controlled surface use. Leases UTU72375 and UTU73471 are entirely within standard stipulations. The following stipulations and notices would need to be applied as directed by the Vernal RMP. (Table 1):

Table 1

Lease	Stipulations for Specific Leases	Lease Notices and T&E Stipulations for Specific Leases
UTU-70248		T&E-06 (Mexican Spotted Owl) UT-LN-57 (Public Water Reserve)
UTU-72375		T&E-06 (Mexican Spotted Owl)
UTU-73471		UT-LN-53 (Riparian Areas) UT-LN-83 (Site ROW)
	Lease Stipulations for all Leases	Lease Notices and T&E Stipulations for all Leases
UTU-70248 UTU-72375 UTU-73471	WO IM 2005-003 (Cultural Resources) WO IM 2002-174 (Endangered Species Act) UT-S-01 (Air Quality) UT-S-96 (Fragile soils/slopes <40%) UT-S-99 (Fragile soils/slopes) UT-S-100 (Fragile soils/slopes 21%-40%) UT-S-123 (Riparian, Floodplains, and Public Water Reserves) UT0-S-157 (Visual Resources) UT-S-230 (Crucial Deer and Elk Winter Range) UT-S-231 (Crucial Deer Winter Range) UT-S-261 (Raptor Timing and Buffers) UT-S-305 (Noxious Weeds) UT-S-317 (Unit Joiner) UT-S-322 (Cultural Resources)	T&E-05 (Listed Plant Species) UT-LN-44 (Raptors) UT-LN-49 (Sensitive Species) UT-LN-51 (Sensitive Plants not Federal Listed) UT-LN-68 (Cultural Resources) UT-LN-90 (Graham's Beardtongue) UT-LN-96 (Air Quality) UT-LN-99 (Ozone Control) UT-LN-102 (Air Quality Analysis) FCLAA (Federal Coal Leasing Amendments Act of 1976)

As per Washington Office (WO) Instruction Memorandum (IM), the standard cultural resources (WO IM 2005-003) and endangered species act (WO IM 2002-174) stipulations would be applied to each lease. The Coal Leasing Amendment Act of 1976 notice would also be attached to each lease. As shown in Table 2, the current RMP identifies applicable stipulations and notices and is hereby conditioning the reinstatement of the leases based on the lessee's agreement to accept the revised stipulations or notices. The full stipulation and notice language is contained in Attachment B.

The subject leases occur within the Displacement Point II Unit (Map 1). The unit agreement (UTU89378X) was approved with an effective date of April 29, 2013. The unit area includes 44,937.46 acres, more or less, of which 37,400.59 acres (83.23%) are Federal lands; 6,537.05 acres (14.55%) are State lands and 1,000.00 acres (2.22%) are Patented lands.

The following leases embrace lands included within the unit area:

UTU10184	UTU71654	UTU72739	UTU73928
UTU10186	UTU72039	UTU73189	UTU74430
UTU3716A	UTU72075	UTU73471*	UTU76739
UTU59005	UTU72375*	UTU73472	UTU77555
UTU70247	UTU72651	UTU73475	UTU81218
UTU70248*	UTU72652	UTU73715	UTU84270
UTU70905	UTU72653	UTU73927	UTU84271

* Indicates non-committed leases (terminated – pending reinstatement).

Upon approval of the Class II Reinstatements, the assignments and transfers from Vitruvian Exploration, LLC, into Foundation Energy Fund III-B Holding, LLC, must be resubmitted. Foundation Energy Fund III-B Holding, LLC, will be required to file joinders to commit the leases to the Displacement Point II Unit Agreement. The subject leases will be shown as non-committed until joinders are approved.

It is BLM policy and a best management practice that unleased land within a designated unit area be leased (Handbook 3180-1 (unitization - section M)).

4. Are the direct, indirect, and cumulative effects that would result from implementation of the new proposed action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?

- Yes.
 No.

Documentation of answer and explanation:

The methodology and approach used in the RMP/Final EIS remains adequate for reinstating the leases. The RMP/Final EISs evaluated the direct, indirect and cumulative impacts of oil and gas leasing and development.

The analysis remains appropriate because the methods of extraction, land requirements for exploration and development, and potential impacts have not substantially changed.

Vernal FO has prepared the Greater Uinta Basin Oil and Gas Cumulative Impacts Technical Support Document (2012)¹ which clarifies the assumptions for oil and gas surface disturbance in an area slightly larger than the Vernal planning area.

5. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action?

- Yes.
 No.

Documentation of answer and explanation:

The consultation, public involvement and interagency review procedures and findings are summarized in the ROD and Approved RMP at sections G and J, respectively. The planning

¹ The VFO technical support document is located online at:
http://www.blm.gov/pgdata/etc/medialib/blm/ut/vernal_fo.Par.57849.File.dat/GCW%20Cums%20TSD%2003-22-12%20final.pdf.

process provided extensive public and other agency involvement opportunities during the scoping process (March 12, 2001 – December 31, 2001). Scoping meetings were held in Duchesne, Vernal, Salt Lake City, Manila and Green River, Utah.

The Draft RMP/EIS and Notice of Availability (NOA) were published in January 2005. Public comments on the land use planning process were received and incorporated. BLM also conducted separate comment periods on the Areas of Critical Environmental Concern (December 2005) and non-wilderness study area lands with wilderness characteristics (October 2007). BLM received and processed substantive public comments.

The results of the Proposed RMP and Final EIS are summarized in the ROD and Approved RMP at pages 17-18. Detailed information on the protest response are contained in the Director’s Protest Resolution Report prepared for the Vernal RMP (October 2008).²

The public involvement and interagency review procedures and findings made through the development of the NEPA documents identified in Sections B & C are adequate for this lease reinstatement. Additional information is contained in the ID team checklist.

In addition to the RMP planning process, BLM also posted this DNA to the E-Planning NEPA website. As stated in Section A and D.3, the public has 30 days after publication in the Federal Register to comment on the issuance of the Class II reinstatement, including the subject leases.

E. Persons/Agencies/BLM Staff Consulted:

Name	Title	Resource Represented
Justin Abernathy	Fluid Minerals Leasing Coordinator	Proposed Action
Judy Nordstrom	Land Law Examiner	Adjudication
Robin Naeve	Wildlife Biologist	Wildlife & Section 7 Consultation
Jamie Palmer	Archeologist	NHPA Consultation
Pam Schuller	Environmental Coordinator	NEPA Compliance
Melissa Wardle	Natural Resource Specialist	Air Quality & Greenhouse Gas Emissions, Environmental Justice, Farmlands, Socio Economics, Wasts
Katie White Bull	Land Law Examiner	Lands/Access
Jason West	Recreation Management Specialist	BLM Natural Areas, Areas of Critical Environmental Concern, Wild and Scenic Rivers, Wilderness Study Areas, Lands with Wilderness Characteristics, Visual Resources
Jimmie Mckenzie	Archeologist	Archaeological Resources, Native American Religious Concerns,
Blaine Tarbell	Natural Resource Specialist (Fire)	Fuels/Fire Management
Betty Gamber	Geologist	Geology/Minerals/Energy Production, Paleontology, Groundwater Quality
Maggie Marston	Botanist	Endangered, Proposed, Candidate,

² Director’s Protest Resolution Report is located online at:
http://www.blm.gov/wo/st/en/prog/planning/planning_overview/protest_resolution/protestreports.html

		Threatened, BLM Sensitive, Invasive, Riparian Plants
James Hereford II	Hydrologist	Floodplains, Hydrologic Conditions, Surface Water Quality, Waters of the U.S.
Dusty Carpenter	Range Management Specialist	Livestock Grazing Rangeland Health Standards, Wild Horses
Dixie Sadler	Wildlife Biologist	Wildlife
Stephanie Howard	Environmental Coordinator	NEPA Compliance

CONCLUSION

Plan Conformance:

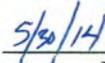
- This proposal conforms to the applicable land use plan.
- This proposal does not conform to the applicable land use plan

Determination of NEPA Adequacy:

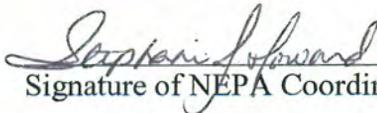
- Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the NEPA documentation fully covers the proposed action and constitutes BLM's compliance with the requirements of the NEPA.
- The existing NEPA documentation does not fully cover the proposed action. Additional NEPA documentation is needed if the project is to be further considered.



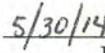
Signature of Project Lead



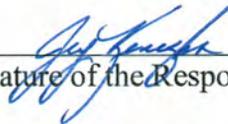
Date



Signature of NEPA Coordinator



Date



Signature of the Responsible Official



Date

Note: The signed Conclusion on this Worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision. However, the lease, permit, or other authorization based on this DNA is subject to protest or appeal under 43 CFR Part 4 and the program-specific regulations.

Attachment:

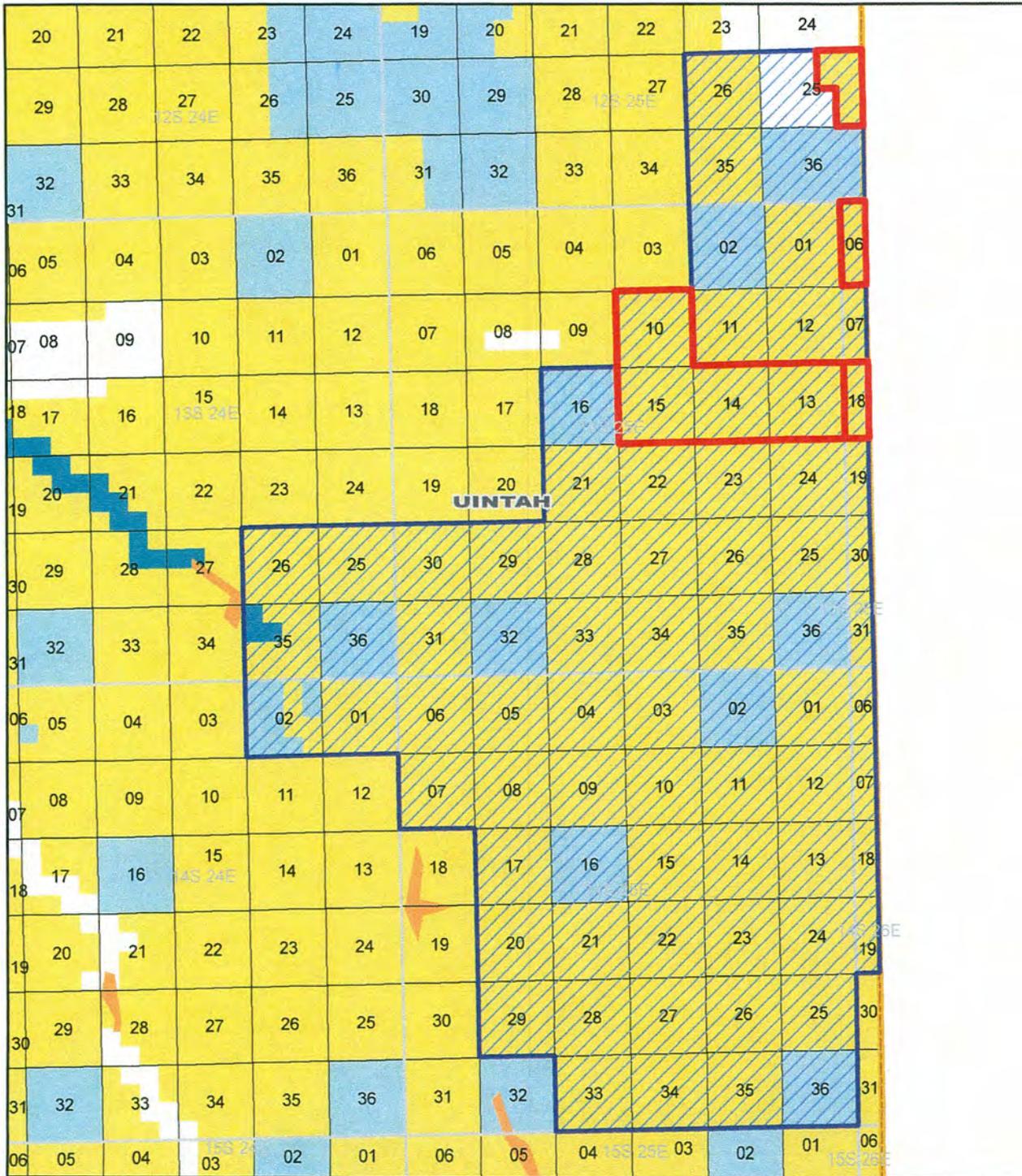
- A. Figure 1 Map of the Leases
- B. Interdisciplinary Team Checklist
- C. Stipulations and Notices

Figure 1

Vitruvian Proposed Lease Reinstatements Within Unit 89378X

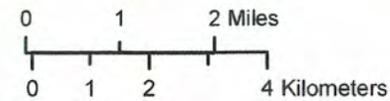
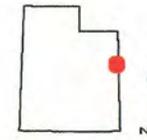
R 24E

R 25E



Legend

-  Vitruvian Leases
-  Unit 89378X



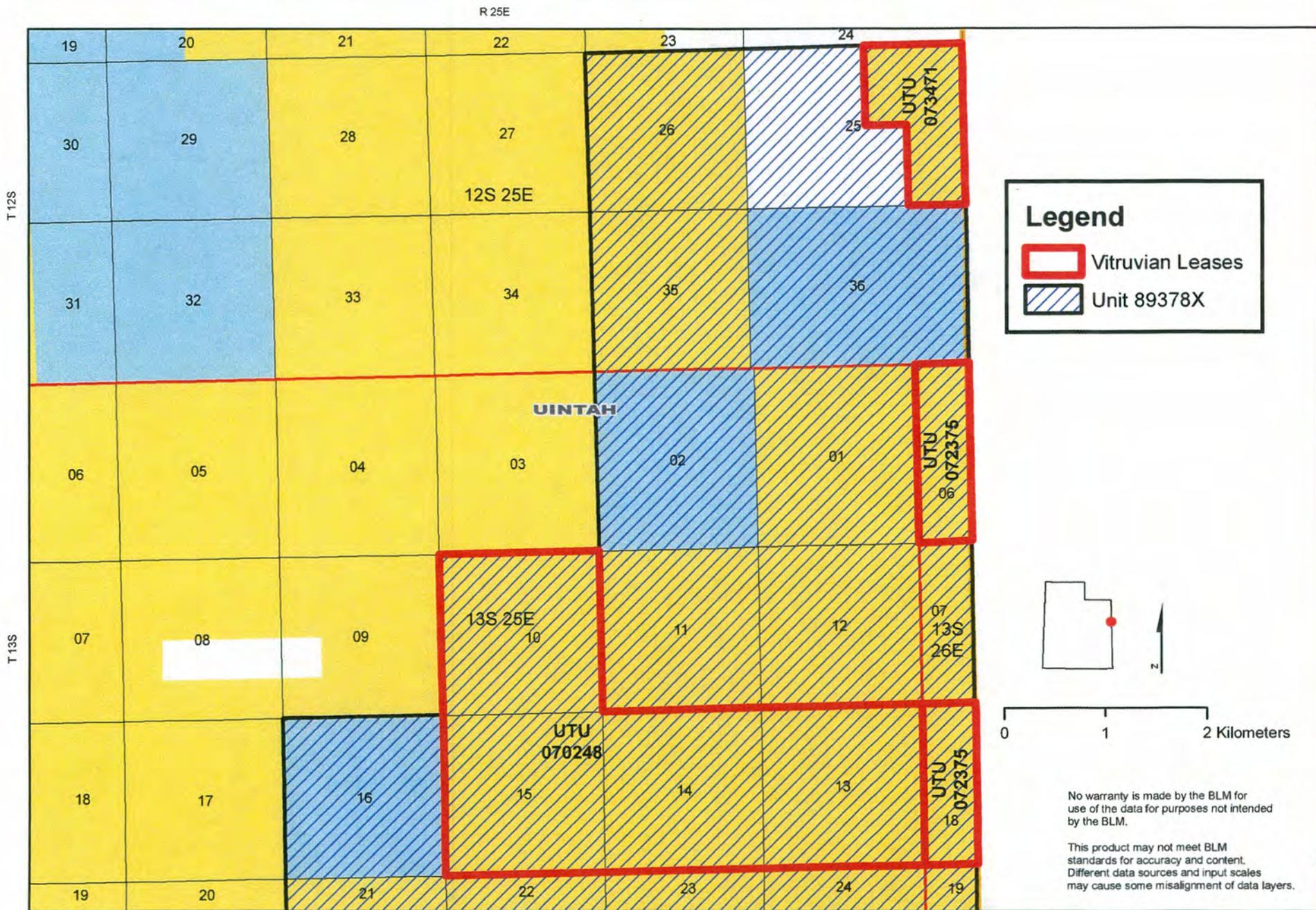
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BLM



Vitruvian Proposed Lease Reinstatements



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Attachment A

Interdisciplinary Team Checklist

Attachment B

Stipulations and Notices

<p>Memoranda Number</p>	<p>WASHINGTON OFFICE INSTRUCTION MEMORANDA</p>
<p>WO IM 2002-174</p>	<p>Threatened, Endangered, & Special Status Species The lease area may now or hereafter contain plants, animals, or their habitats determined to be threatened, endangered, or other special status species. BLM may recommend modifications to exploration and development proposals to further its conservation and management objective to avoid BLM-approved activity that will contribute to a need to list such a species or their habitat. BLM may require modifications to or disapprove proposed activity that is likely to result in jeopardy to the continued existence of a proposed or listed threatened or endangered species or result in the destruction or adverse modifications of a designated or proposed critical habitat. BLM will not approve any ground-disturbing activity that may affect any such species or critical habitat until it completes its obligations under applicable requirements of the Endangered Species Act, 16 USC § 1531 <i>et seq.</i>, as amended, including completion of any required procedure for conference or consultation.</p>
<p>WO IM 2005-003</p>	<p>Cultural Resources and Tribal Consultation for Fluid Minerals Leasing This lease may be found to contain historic properties and/or resources protected under the National Historic Preservation Act (NHPA), American Indian Religious Freedom Act, Native American Graves Protection and Repatriation Act, E.O. 13007, or other statutes and executive orders. The BLM will not approve any ground disturbing activities that may affect any such properties or resources until it completes its obligations under applicable requirements of the NHPA and other authorities. The BLM may require modification to exploration or development proposals to protect such properties, or disapprove any activity that is likely to result in adverse effects that cannot be successfully avoided, minimized or mitigated.</p>

Stipulation Number	UTAH LEASE STIPULATIONS
UT-S-01	<p style="text-align: center;">AIR QUALITY</p> <p>All new and replacement internal combustion gas field engines of less than or equal to 300 design-rated horsepower shall not emit more than 2 grams of NO_x per horsepower-hour. Exception: This requirement does not apply to gas field engines of less than or equal to 40 design-rated horsepower. Modification: None Waiver: None</p> <p>AND</p> <p>All new and replacement internal combustion gas field engines of greater than 300 design rated horsepower must not emit more than 1.0 gram of NO_x per horsepower-hour. Exception: None Modification: None Waiver: None</p>
UT-S-96	<p style="text-align: center;">NO SURFACE OCCUPANCY – FRAGILE SOILS/SLOPES FOR SLOPES GREATER THAN 40%</p> <p>No surface occupancy for slopes greater than 40 percent. Exception: If after an environment analysis the authorized officer determines that it would cause undue or unnecessary degradation to pursue other placement alternatives; surface occupancy in the NSO area may be authorized. Additionally a plan shall be submitted by the operator and approved by BLM prior to construction and maintenance and include:</p> <ul style="list-style-type: none"> • An erosion control strategy, • GIS modeling, and • Proper survey and design by a certified engineer. <p>Modification: Modifications also may be granted if a more detailed analysis, i.e. Order I, soil survey conducted by a qualified soil scientist finds that surface disturbance activities could occur on slopes greater than 40% while adequately protecting the area from accelerated erosion. Waiver: None</p>
UT-S-99	<p style="text-align: center;">CONTROLLED SURFACE USE – FRAGILE SOILS/SLOPES</p> <p>The surface operating standards for oil and gas exploration and development (Gold Book) shall be used as a guide for surface-disturbing proposals on steep slopes/hillsides. Exception: None Modification: None Waiver: None</p>
UT-S-100	<p style="text-align: center;">CONTROLLED SURFACE USE – FRAGILE SOILS/SLOPES (21%-40%)</p> <p>If surface-disturbing activities cannot be avoided on slopes from 21-40% a plan will be required. The plan will approved by BLM prior to construction and maintenance and include:</p> <ul style="list-style-type: none"> • An erosion control strategy, • GIS modeling, • Proper survey and design by a certified engineer. <p>Exception: None Modification: None Waiver: None</p>
UT-S-123	<p style="text-align: center;">NO SURFACE OCCUPANCY – RIPARIAN, FLOODPLAINS, AND PUBLIC WATER RESERVES</p> <p>No new surface-disturbing activities are allowed within active flood plains, wetlands, public water reserves, or 100 meters of riparian areas. Keep construction of new stream crossings to a minimum. Exception: An exception could be authorized if: (a) there are no practical alternatives (b) impacts could be fully mitigated, or (c) the action is designed to enhance the riparian resources. Modification: None</p>

Number	UTAH'S THREATENED & ENDANGERD SPECIES NOTICES
<p>T&E-05</p>	<p style="text-align: center;">LISTED PLANT SPECIES</p> <p>The Lessee/Operator is given notice that the lands in this parcel contain suitable habitat for federally listed plant species under the Endangered Species Act. The following avoidance and minimization measures have been developed to facilitate review and analysis of any submitted permits under the authority of this lease</p> <ol style="list-style-type: none"> 1. Site inventories: <ol style="list-style-type: none"> a. Must be conducted to determine habitat suitability, b. Are required in known or potential habitat for all areas proposed for surface disturbance prior to initiation of project activities, at a time when the plant can be detected, and during appropriate flowering periods, c. Documentation should include, but not be limited to individual plant locations and suitable habitat distributions, and d. All surveys must be conducted by qualified individuals. 2. Lease activities will require monitoring throughout the duration of the project. To ensure desired results are being achieved, minimization measures will be evaluated and, if necessary, Section 7 consultation reinitiated. 3. Project activities must be designed to avoid direct disturbance to populations and to individual plants: <ol style="list-style-type: none"> a. Designs will avoid concentrating water flows or sediments into plant occupied habitat. b. Construction will occur down slope of plants and populations where feasible; if well pads and roads must be sited upslope, buffers of 300 feet minimum between surface disturbances and plants and populations will be incorporated. c. Where populations occur within 300 ft. of well pads, establish a buffer or fence the individuals or groups of individuals during and post-construction. d. Areas for avoidance will be visually identifiable in the field, e.g., flagging, temporary fencing, rebar, etc. e. For surface pipelines, use a 10 foot buffer from any plant locations: <ol style="list-style-type: none"> i. If on a slope, use stabilizing construction techniques to ensure the pipelines don't move towards the population. 4. For riparian/wetland-associated species, e.g. Ute ladies-tresses, avoid loss or disturbance of riparian habitats. 5. Ensure that water extraction or disposal practices do not result in change of hydrologic regime. 6. Limit disturbances to and within suitable habitat by staying on designated routes. 7. Limit new access routes created by the project. 8. Place signing to limit ATV travel in sensitive areas. 9. Implement dust abatement practices near occupied plant habitat. 10. All disturbed areas will be re-vegetated with native species comprised of species indigenous to the area. 11. Post construction monitoring for invasive species will be required. 12. Where technically and economically feasible, use directional drilling or multiple wells from the same pad to reduce surface disturbance and eliminate drilling in plant habitat. Ensure that such directional drilling does not intercept or degrade alluvial aquifers. 13. Lease activities will require monitoring throughout the duration of the project. To ensure desired results are being achieved, minimization measures will be evaluated and, if necessary, Section 7 consultation reinitiated. <p><i>Additional measures to avoid or minimize effects to the species may be developed and implemented in consultation with the U.S. Fish and Wildlife Service between the lease sale stage and lease development stage to ensure continued compliance with the Endangered Species Act.</i></p>
	<p style="text-align: center;">MEXICAN SPOTTED OWL</p> <p>The Lessee/Operator is given notice that the lands in this parcel contain suitable</p>

Lease Notice Number	UTAH LEASE NOTICES
<p>UT-LN-44</p>	<p style="text-align: center;">RAPTORS</p> <p>Appropriate seasonal and spatial buffers shall be placed on all known raptor nests in accordance with Utah Field Office Guidelines for Raptor Protection from Human and Land use Disturbances (USFWS 2002) and Best Management Practices for Raptors and their Associated Habitats in Utah (BLM 2006). All construction related activities will not occur within these buffers if pre-construction monitoring indicates the nests are active, unless a site specific evaluation for active nests is completed prior to construction and if a BLM wildlife biologist, in consultation with USFWS and UDWR, recommends that activities may be permitted within the buffer. The BLM will coordinate with the USFWS and UDWR and have a recommendation within 3-5 days of notification. Any construction activities authorized within a protective (spatial and seasonal) buffer for raptors will require an on-site monitor. Any indication that activities are adversely affecting the raptor and/or its' young the on-site monitor will suspend activities and contact the BLM Authorized Officer immediately. Construction may occur within the buffers of inactive nests. Construction activities may commence once monitoring of the active nest site determines that fledglings have left the nest and are no longer dependent on the nest site. Modifications to the Surface Use Plan of Operations may be required in accordance with section 6 of the lease terms and 43CFR3101.1-2.</p>
<p>UT-LN-49</p>	<p style="text-align: center;">UTAH SENSITIVE SPECIES</p> <p>The lessee/operator is given notice that no surface use or otherwise disruptive activity would be allowed that would result in direct disturbance to populations or individual special status plant and animal species, including those listed on the BLM sensitive species list and the Utah sensitive species list. The lessee/operator is also given notice that lands in this parcel have been identified as containing potential habitat for species on the Utah Sensitive Species List. Modifications to the Surface Use Plan of Operations may be required in order to protect these resources from surface disturbing activities in accordance with Section 6 of the lease terms, Endangered Species Act, Migratory Bird Treaty Act and 43 CFR 3101.1-2.</p>
<p>UT-LN-51</p>	<p style="text-align: center;">SPECIAL STATUS PLANTS: NOT FEDERALLY LISTED</p> <p>The lessee/operator is given notice that lands in this lease have been identified as containing special status plants, not federally listed, and their habitats. Modifications to the Surface Use Plan of Operations may be required in order to protect the special status plants and/or habitat from surface disturbing activities in accordance with Section 6 of the lease terms, Endangered Species Act, and 43 CFR 3101.1-2.</p>
<p>UT-LN-53</p>	<p style="text-align: center;">RIPARIAN AREAS</p> <p>The lessee/operator is given notice that this lease has been identified as containing riparian areas. No surface use or otherwise disruptive activity allowed within 100 meters of riparian areas unless it can be shown that (1) there is no practicable alternative; (2) that all long-term impacts are fully mitigated; or (3) that the construction is an enhancement to the riparian areas. Modifications to the Surface Use Plan of Operations may be required in accordance with section 6 of the lease terms and 43CFR3101.1-2.</p>
<p>UT-LN-57</p>	<p style="text-align: center;">PUBLIC WATER RESERVE</p> <p>The lessee/operator is given notice that lands in this lease have been identified as a designated Public Water Reserve. Surface occupancy or use is subject to the Public Water Reserve Executive Order No. 107. Modification to the Surface Use Plan of Operations may be required for the protection of the reserve up to and including no surface occupancy or use. Protection of a designated public water reserve as discussed in Public Water Reserve Executive Order No. 107. This limitation does not apply to operations and maintenance of producing wells.</p>

Interdisciplinary Team Checklist

Prepared by
U.S. Department of the Interior
Bureau of Land Management

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Chapter 1. Interdisciplinary Team Checklist

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Project Title: Vitruvian Reinstatement of Terminated Oil and Gas Leases

NEPA Log Number: DOI-BLM-UT-G010-2014-019-DNA

File/Serial Number: UTU70248, UTU72375, and UTU73471

Project Leader: Justin Abernathy and Melissa Wardle

DETERMINATION OF STAFF: (Choose one of the following abbreviated options for the left column)

NP = not present in the area impacted by the proposed or alternative actions

NI = present, but not affected to a degree that detailed analysis is required

PI = present with potential for relevant impact that need to be analyzed in detail in the EA

NC = (DNAs only) actions and impacts not changed from those disclosed in the existing NEPA documents cited in Section D of the DNA form. The Rationale column may include NI and NP discussions.

Determina-tion	Resource/Issue	Rationale for Determination	Signature	Date
RESOURCES AND ISSUES CONSIDERED (INCLUDES SUPPLEMENTAL AUTHORITIES APPENDIX 1 H-1790-1)				
NC	Air Quality & Greenhouse Gas Emissions	Application of stipulation UT-S-01 (Air Quality) and lease notices UT-LN-96, UT-LN-99, and UT-LN-102, are warranted on all three leases. Reinstating the leases would have minimal impact Air Quality SOPs, BMPs and design features based on a site-specific analysis would be applied at the APD level, as COAs which would address air quality related issues specific to the project.	Melissa Wardle	11/1/2013
NP	BLM Natural Areas	Non Present as per BLM GIS layer and RMP review	Jason West	11/06/2013

Determination	Resource/Issue	Rationale for Determination	Signature	Date
NC	Cultural: Archaeological Resources	<p>Consultation under EO 13175 is not warranted for Class II Reinstatements. Tribal and SHPO consultation was conducted as part of the 1985 planning process for the Book Cliffs Resource Management Plan before the leases were issued in 1992, 1993 and 1994. Consultation was conducted as documented in the existing BLM environmental analysis projects of record. Consultation was completed on the Vernal FO RMP (October 2008).</p> <p>The standard Cultural Resources stipulation (WO IM 2005-003) will be applied to all 3 parcels. Cultural resources are known to be in these lease parcels, so Class III cultural resource inventories will be required for individual undertakings. Application of UT-LN-68 is warranted.</p>	Jimmie Mckennzie	12/03/2013
NI	Cultural: Native American Religious Concerns	<p>Consultation remains as documented when the lease was originally issued and as documented in the Vernal RMP. Impacts to Native American religious concerns are not expected to occur as a result of lease reinstatement because Native American access will not be restricted.</p>	Jimmie Mckennzie	12/03/2013
NP	Designated Areas: Areas of Critical Environmental Concern	Non Present as per BLM GIS layer and RMP review	Jason West	11/06/2013
NP	Designated Areas: Wild and Scenic Rivers	Non Present as per BLM GIS layer and RMP review	Jason West	11/06/2013
NP	Designated Areas: Wilderness Study Areas	Non Present as per BLM GIS layer and RMP review	Jason West	11/06/2013
NI	Environmental Justice	No minority or economically disadvantaged communities or populations would be disproportionately adversely affected by the Proposed Action or alternatives since there are none in the project area.	Melissa Wardle	11/11/2013
NP	Farmlands (prime/unique)	No prime or unique farmlands as identified by the NRCS exist in the project area.	Melissa Wardle	11/11/2013

Determination	Resource/Issue	Rationale for Determination	Signature	Date
NI	Fuels/Fire Management	The implementation of appropriate reclamation standards at the APD stage would prevent an increase of hazardous fuels. Impacts to fire or fuels management are not expected to occur as a result of reinstating the leases.	Blaine Tarbell	11/12/2013
NI	Geology/Minerals/ Energy Production	<p>Natural gas, oil, gilsonite, oil shale, and tar sand are the only mineral resources that could be impacted by the project. Production of natural gas or oil would deplete reserves, but the proposed project allows for the recovery of natural gas and oil per 43 CFR 3162.1(a), under the existing Federal lease. Compliance with "Onshore Oil and Gas Order No. 2, Drilling Operations" will assure that the project will not adversely affect gilsonite, oil shale, or tar sand deposits. Due to the state-of-the-art drilling and well completion techniques, the possibility of adverse degradation of tar sand or oil shale deposits by the proposed action will be negligible.</p> <p>Well completion must be accomplished in compliance with "Onshore Oil and Gas Order No. 2, Drilling Operations". These guidelines specify the following: <i>... proposed casing and cementing programs shall be conducted as approved to protect and/or isolate all usable water zones, potentially productive zones, lost circulation zones, abnormally pressured zones, and any prospectively valuable deposits of minerals. Any isolating medium other than cement shall receive approval prior to use.</i></p>	Betty Gamber	11/4/2013
NI	Invasive Plants/ Noxious Weeds, Soils & Vegetation	Invasive species may be present within the subject leases. Surface disturbing activities could introduce or spread invasive/non-native species. Lessees would be required to control invasive/non-native species on roads, pads and ROWs. A PUP and PAR would be required before and after all chemical treatments. If treatment occurs as part of regular operations, BMPs, SOPs and design features would be applied at the APD stage as COAs. Negligible impacts would be expected as a result of reinstating the leases. Application of Stipulation UT-S-305 is warranted. Slopes of 20–40% and >40% occur in all 3 leases. Application of Stipulations UT-S-96, UT-S-99, and UT-S-100 is warranted.	Maggie Marston	12/5/2013

Determination	Resource/Issue	Rationale for Determination	Signature	Date
NI	Lands/Access	<p>Coordination with existing ROW holders and application of SOPs, BMPs and design features at the APD stage, would ensure protection of existing rights. A public water reserve occurs within lease UTU70248. Application of UT-S-123 and Lease Notice UT-LN-57 is warranted on this lease. A utility corridor intersects lease UTU73471 application of Lease Notice UT-LN-83 is warranted. There are no other withdrawals, right of way avoidance or, right of way exclusion areas. Reinstating the leases would not affect access to public land.</p>	Katie White Bull	11/05/2013
NP	Lands with Wilderness Characteristics (LWC)	<p>None Present as per Vernal BLM 2008 RMP and GIS layer review</p> <p>None of the leases intersect BLM Natural Areas. All of leases UTU70248 and UTU72375 occur within the Dragon Canyon unit. Lease UTU73471 occurs within Evacuation Creek/Missouri Creek and Dragon Canyon units. Neither of these units were carried forward for preservation. Where leases intersect non-WSA lands with wilderness characteristics, BLM found they did not to possess wilderness character. Additional information is contained in the following documents:</p> <ul style="list-style-type: none"> ● 1999 Utah Wilderness Inventory ● 1999 Utah Wilderness Inventory Revision Document for the Vernal Field Office ● 1999 Utah Wilderness Inventory Case Files for the Vernal Field Office ● Reasonable Probability Determinations for the Vernal Field Office ● Documentation of Wilderness Characteristics Review for the Vernal Field Office <p>The BLM has not received new WC submissions that intersect these leases. BLM's most recent review of the units took place in 2011 and is current.</p>	Jason West	11/06/2013

Determination	Resource/Issue	Rationale for Determination	Signature	Date
NI	Livestock Grazing & Rangeland Health Standards	The western portion of lease UTU70248 occurs within Atchee Ridge allotment. The remaining portion of lease UTU70248 and leases UTU72375 and UTU73471 do not occur within an allotment. SOPs, BMPs and design features would be applied at the APD stage as COAs. Impacts to livestock grazing management are not expected to occur as a result of reinstating the leases. The allotment is operated under a summer grazing season permit and rangeland health evaluations are scheduled for the summer of 2014.	Dusty Carpenter	11/15/2013
NI	Paleontology	BMPs, SOPs and design features would be applied at the APD stage as COAs. Negligible impacts would be expected as a result of reinstating the leases.	Betty Gamber	11/4/2013

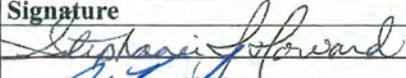
Determination	Resource/Issue	Rationale for Determination	Signature	Date
NI	Plants: BLM Sensitive	Several BLM sensitive endemic species may be present in all three lease parcels, especially on Green River Shale habitats. A lease stipulation has been included for BLM Sensitive Species. Survey requirements, BMP's SOP's and design features would be applied at the APD stage as COA's to mitigate potential impacts. Application of lease notice UT-LN-49 and UT-LN-51 is warranted. Therefore, impacts to BLM sensitive species would not occur as a result at the lease reinstatement level.	Maggie Marston	12/5/2013
NI	Plants: Threatened, Endangered, Proposed, or Candidate	Graham's Penstemon (<i>Penstemon grahamii</i>), White River Penstemon, (<i>Penstemon scariosus</i> var. <i>albifluvis</i>) and possibly for Ute ladies'-tresses (<i>Spiranthes diluvialis</i>) may be present. In accordance with WO IM 2002-174 stipulations for Vernal Field Office for the above involved species, or others as applicable, all leases would be subject to the Endangered Species Act Section 7 Consultation Stipulation. Surveys, SOPs, BMPs and design features would be applied at the APD stage as COAs. Application of Lease Notice T&E 05 and UT-LN-90 is warranted. Therefore, impacts to T&E and candidate plant or animal species would not occur as a result at the lease reinstatement level. Application of the standard Endangered Species Act stipulation as per WO IM 2002-174, is warranted on all parcels.	Maggie Marston	12/5/2013
NI	Plants: Wetland/Riparian	Riparian habitat is found in lease UTU-073471. Lease Stipulation UT-S-123 prevents any surface use within 100 meters of Riparian land. SOPs, BMPs and site specific design features applied at the APD stage as conditions of approval would address resource issues not already analyzed in the FEIS prepared for the RMP. Application of Lease Notice UT-LN-53 is warranted on this lease.	Melissa Wardle	11/11/2013
NI	Recreation	The leases are located in an area (Extensive Recreation Management Area) where recreation opportunities and problems are limited and explicit recreation management is not required. The leases are located in a limited OHV use category. Lease reinstatement would have minimal impact on dispersed recreation in the ERMA. The Dragon Canyon trail has been proposed as an OHV/Jeep and equestrian route, and is currently under review for potential inclusion within the Comprehensive Transportation and Travel Management Plan.	Jason West	11/06/2013

NI	Socio-Economics	There would be minor social or economic impacts from this project. The leases are located in rural areas with no commercial and residential development. Impacts to socio-economics are not expected to occur as a result of lease reinstatement.	Melissa Wardle	11/11/2013
NI	Visual Resources	The leases are located within Visual Resource Management Class III area. A Visual Recourse inventory was completed in 2011 and identified the baseline for the area as a "B" overall. Any development in this area would require Best Management Practices and should include visual screening, topographic shielding, low-profile tanks etc. A contrast rating worksheet should be completed for all sites within the VRM class III. This allows for the level of change to the characteristic of the landscape to be moderate to high. The objectives are to provide for management activities which require moderate to major modification of the existing character of the landscape. Lifting the suspensions will not exceed the Visual Resource Management Class III objectives	Jason West	11/06/2013
NI	Wastes (hazardous/solid)	SOPs, BMPs and design features would be applied at the APD stage as COAs and these would sufficiently manage hazardous or solid wastes. The creation or storage of wastes is not expected to occur as a result lease reinstatement.	Melissa Wardle	11/11/2013
NC	Water: Floodplains	There are 100 year floodplains within the project area. (UTU-73471 and UTU-72375) However, it is expected that no wells will be placed directly in these floodplains from reinstatement of the leases. If the company developed those leases and disturb soils and the topography, they have the potential to affect floodplains. Lease Stipulation UT-S-123 prevents any surface use within 100 year flood plains. If the company plans on drilling wells in floodplains, supplemental NEPA, and additional mitigation measures will be required.	James Hereford II	12/4/2013

NI	Water: Groundwater Quality	Compliance with "Onshore Oil and Gas Order No. 1, will assure that the project will not adversely affect groundwater quality. Due to the state-of-the-art drilling and wells completion techniques, the possibility of adverse degradation of groundwater quality or prospectively valuable mineral deposits by the proposed action will be negligible	Betty Gamber	11/4/2013
NI	Water: Hydrologic Conditions (stormwater)	Hydrologic conditions exist within the proposed area. The area has many dry ephemeral washes, springs, seeps, intermittent streams, and also perennial waters downgradient of the leased area. These conditions should be maintained through the implementation of the companies storm water control plans after leasing is final and company submits APDs. This should address how the company plans on controlling flows during runoff events. However, no concerns are present from just leasing the area.	James Hereford II	12/04/2013
NI	Water: Surface Water Quality	The area has surface waters down-gradient of the proposed lease area. The act of reissuing the leases will not affect the surface water quality in the area, however, if company develops those leases and disturbs soils, this could potentially affect surface water. SOPs, BMPs and site-specific design features (e.g., casing design and cementing program, no new disturbance will be allowed within the 100-year floodplain, or within 100 meters on either side of the center line of any stream, stream reach, or riparian area) would minimize the potential for adverse impacts. At the time of development, drilling operations will conform to the provisions of the operational regulations, Utah Ground Water IM UT 2010-055, and Onshore Oil & Gas Order Number 2, which require the protection and isolation of all useable quality waters. After lease reinstatement, no impacts to water resources are expected to occur from oil and gas drilling and operations.	James Hereford II	12/04/2013

NI	Water: Waters of the U.S.	Waters of the U.S. (Evacuation Creek) are present within the project area. The act of reinstating the leases will not affect waters of the U.S. If the plans on developing those leases and disturbed soils, that has the potential to affect waster of the U.S., the company must adopt a SPCC plan and storm water control plan to control any potential constituents from reaching the White River and/or Green River at the site specific APD stage. If the company plans on affecting these waters directly, a Stream Alteration Permit would be required, and would also require additional NEPA to look at those changes.	James Hereford II	12/04/2013
NA	Wild Horses	No herd areas or herd management areas are present as per GIS review. However, dozens of feral and/or tribal horses are present throughout the area and fall within the jurisdiction of Uintah County Animal Control Services.	Dusty Carpenter	11/15/2013
NC	Wildlife: Migratory Birds (including raptors)	Reinstatement of the leases would not affect migratory bird species. Leases do occur within possible raptor habitat. Application of Stipulation UT-S-261 and Lease Notice UT-LN-44 is warranted.	Dixie Sadlier	12/4/2013
NI	Wildlife: Non-USFWS Designated	Crucial mule deer winter range occurs on all of leases Crucial elk summer range occurs on lease UTU72375, and UTU70248. Crucial elk winter range occurs on UTU73471 and also on UTU72375. Crucial deer summer range occurs on lease UTU70248. DNR has identified year-long crucial habitat for Rocky Mountain Big Horn Sheep on lease UTU73471. Application of Stipulations UT-S-230 and UT-S-231 is warranted.	Dixie Sadlier	12/4/2013

NI	Wildlife: Threatened, Endangered, Proposed or Candidate	None of the leases occur within greater sage-grouse habitats (March 2012 UDWR brooding, winter or occupied habitat data layers). The proposed action is consistent with the guidelines established in Utah IM-2012-043. Potential Mexican spotted owl nesting habitat present within Leases UTU-70248 and UTU-72375 but lease reinstatement would not affect spotted owls. Application of Least Notice T&E-06 is warranted.	Dixie Sadler	12/4/2013
NI	Woodlands and Forestry	Woodland and Forest vegetation are present in the lease area. Impacts would be consistent with the impacts to vegetation in general at the site specific APD stage. If development occurs in areas where forest and woodland vegetation is present a reasonable effort should be made to utilize any forest products that are removed.	David Palmer	1/3/2013

FINAL REVIEW:			
Reviewer Title	Signature	Date	Comments
Environmental Coordinator		5/30/14	
Authorized Officer		5/30/2014	