

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

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**Determination of NEPA Adequacy (DNA)**

**WY-050-DNA14-47**

**Legacy Reserves Operating, L.P. Flower Unit No. 3-28H Office  
Trailer**

**BLM Federal Oil and Gas Lease WYW-129102  
Section 28, Township 33 North, Range 95 West**

**PREPARING OFFICE**

U.S. Department of the Interior  
Bureau of Land Management  
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**Prepared by  
U.S. Department of the Interior  
Bureau of Land Management  
BLM Lander Field Office  
Lander, Wyoming**

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# **Chapter 1. Determination of NEPA Adequacy (DNA)**

*Legacy Reserves Operating, L.P. Flower Unit No. 3-28H Office Trailer*

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OFFICE: BLM Lander Field Office

TRACKING NUMBER: WY-050-DNA14-47

CASEFILE/PROJECT NUMBER: WYW-129102

PROPOSED ACTION TITLE: Legacy Reserves Operating, L.P. Flower Unit No. 3-28H Office Trailer

LOCATION/LEGAL DESCRIPTION: Section 28, Township 33 North, Range 95 West

APPLICANT: Legacy Reserves Operating, L.P.

## **A. Description of Proposed Action:**

Legacy Reserves Operating, L.P. (Legacy) submitted a Sundry Notice with the BLM Lander Field Office on January 7, 2014 to place a 10-foot x 50-foot trailer on the existing Flower Unit No. 3-28H well pad on BLM surface to provide a place for field personnel to get out of their trucks and communicate with the home office. The existing well pad was approved in accordance with Environmental Assessment WY-036-EA5-027, dated March 28, 1995.

This Determination of NEPA Adequacy (DNA) approves the placement of a 10-foot x 50-foot office trailer on an existing well pad. No new surface disturbance will be required. The trailer will be a mobile non-permanent structure. No construction will be necessary. The site already has power at the location and the structure will be self-contained for plumbing purposes. Conditions of Approval (COA) are attached to the Sundry Notice as part of this approval, and will mitigate the potential adverse impacts associated with the project activities. As directed by WO IM No. 2004-194, should the Sundry Notice be approved, all applicable Best Management Practices (BMP) would be incorporated into the Proposed Action and/or will be included in the BLM applied Conditions of Approval.

## **B. Land Use Plan (LUP) Conformance:**

LUP Name:	<u>Lander Resource Management Plan (RMP) and Record of Decision (ROD)</u>	Date Approved:	<u>June 9, 1987</u>
Other Document	<u>Final Lander RMP/EIS</u>	Date Approved:	<u>July, 1986</u>

The Proposed Action is in conformance with the applicable LUP because it is specifically provided for in the Lander RMP. Current policies for development and land use decisions within this area are contained the Lander Resource Area Resource Management Plan (RMP) EIS (BLM, 1986) and the Lander Resource Area RMP Record of Decision (ROD) [BLM, 1987]. The Lander RMP allows for development of oil and gas on BLM lands subject to Controlled Surface Use Stipulations.

In addition, the Selected Alternative is consistent with the LFO Proposed RMP Final EIS (BLM, 2013), and the pending BLM LFO RMP Revision, which has not currently been authorized or accepted, but is anticipated to be signed in spring of 2014.

### **C. Applicable National Environmental Policy Act (NEPA) documents and Other Related Documents That Cover the Proposed Action:**

Environmental Assessment WY-036-EA5-027, dated March 28, 1995, is the original approval document for the Flower Unit No. 3-28H well location.

Cultural Report WY-036-95-019, dated March 22, 1995, provides the cultural and paleontological clearance for the Proposed Action. In addition, a Data Inventory Evaluation was completed by a BLM archeologist on January 31, 2014, to verify that no further cultural resource involvement would be required.

### **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, the new Proposed Action is essentially similar to the Proposed Action and within the same area analyzed in EA No. WY-036-EA5-027, dated March 28, 1995, which included the following:

*“It is my decision to authorize the Application for Permit to Drill (APD) submitted by Cenex Inc. for their Federal #3-28 well on Oil and Gas lease WYW-129102 located in the Lander Resource Area, Fremont County, Wyoming. Mitigation measures and procedures are included in the APD and the attached Conditions of Approval (COA).”*

*“The Proposed Action is in conformance with the Lander Resource Management Plan (RMP), approved on June 9, 1987.”*

The proposed office trailer will be placed on the existing Flower Unit No. 3-28H well pad approved in accordance with EA No. WY-036-EA5-027, dated March 28, 1995, which authorized the Flower Unit No. 3-28H oil well. No new surface disturbance will be required. The Proposed Action is covered under the original archeological clearances for the well location. In addition, the wildlife clearance under the EA for the well location would essentially be similar for this Proposed Action.

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

Yes. The alternatives analyzed in the existing NEPA documents are appropriate for the current Proposed Action. No new alternatives have been proposed to address additional issues or concerns. No new information has been identified that requires change or consideration of new alternatives.

**3. Is the existing analysis valid in light of any new information or circumstances (such as, rangeland health standard assessments, recent endangered species listings, updated lists 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. The Environmental Assessment WY-036-EA5-027, dated March 28, 1995, analyzes impacts to the appropriate affected environment for the Proposed Action. There is no new information or circumstance that would invalidate the existing analysis. Data reaffirm that the NEPA documentation identified all resource concerns for the affected environment. The Proposed Action will not adversely affect Public Land Health Standards.

**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. Direct, indirect and cumulative impacts of the current Proposed Action are not different from those identified in the existing NEPA documents (except for the fact that this action requires no new surface disturbance), and the Proposed Action would not substantially change the cumulative impact analysis.

**5. Are there public involvement and interagency reviews associated with existing NEPA document(s) adequate for the current Proposed Action?**

Yes. Public outreach through scoping and involvement of the public and other agencies occurred in the development of existing NEPA documents. No new, interested parties have been identified from the previous public outreach.

**E. Interdisciplinary Analysis:**

**Table 1.1. List of Preparers**

<b>Name</b>	<b>Discipline</b>	<b>Role</b>
Andrew Gibbs	Natural Resource Specialist	Author
Tim Vosburgh	Wildlife Biologist	Wildlife and T&E
Craig Bromley	Archeologist	Cultural and Paleontological
Ben Kniola	Assistant Field Manager	Review

**Note:** See EA No. WY-036-EA5-027 for a complete list of the team members participating in the preparation of the original NEPA documents.

**F. Conclusion:**

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 requirement of NEPA.

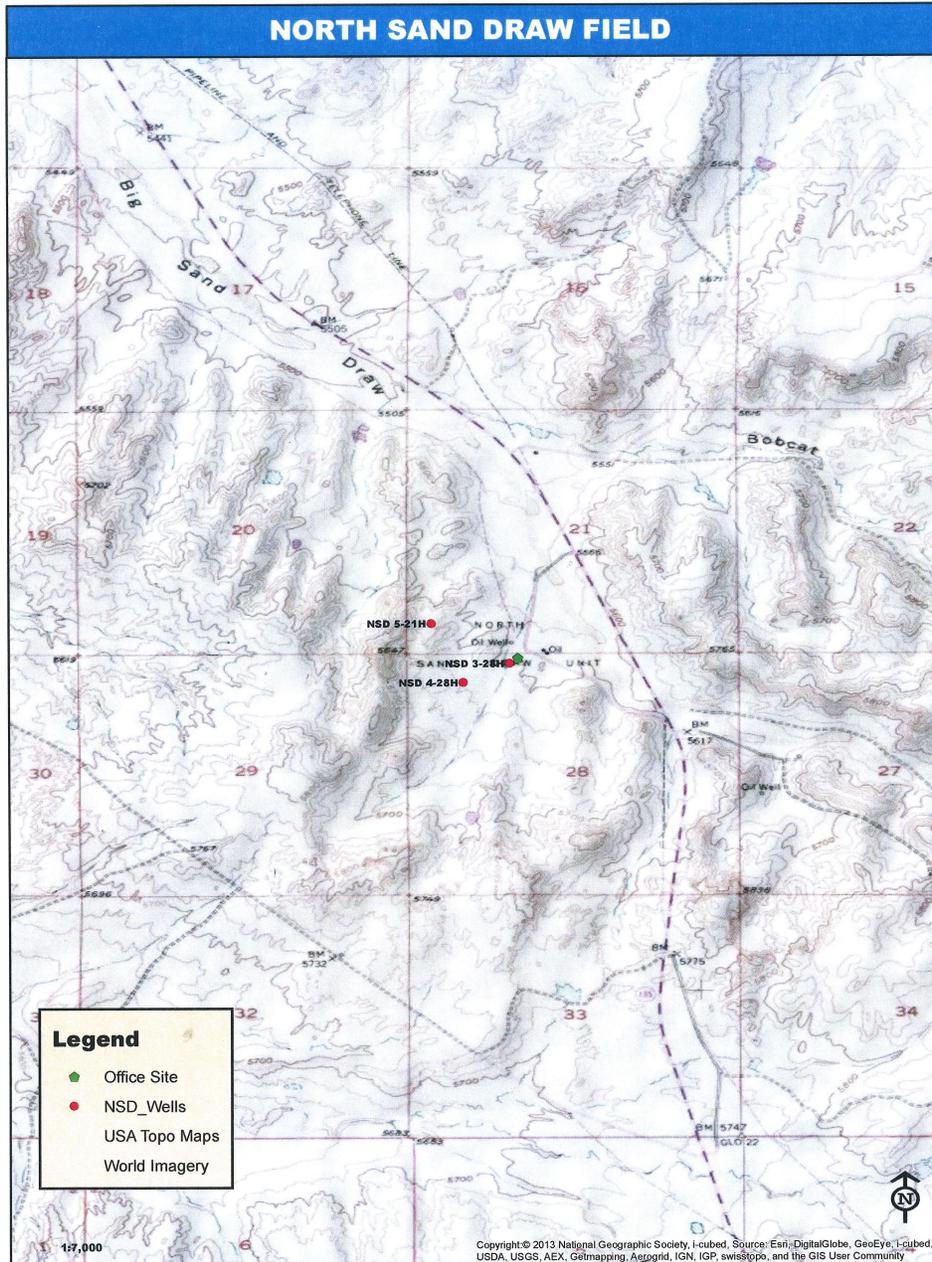
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Field Manager, Lander Field Office, Richard VanderVoet Date

**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.

# Appendix A. : Map of Project Area



Appendix A : Map of Project Area