



United States Department of the Interior



BUREAU OF LAND MANAGEMENT

Utah State Office

440 West 200 South, Suite 500

Salt Lake City, UT 84101-1434

<http://www.blm.gov/ut/st/en.html>

IN REPLY REFER TO:

3100 / 6840

(UT-933)

MAY 16 2016

<input type="checkbox"/> Concur No Effect Species:	<input checked="" type="checkbox"/> Concur Not Likely to Jeopardize Condor
<input checked="" type="checkbox"/> Concur Not Likely to Adversely Affect Species: <i>WYBCU</i>	
<input type="checkbox"/> No Comment	
<i>[Signature]</i>	
U.S. FWS Utah Field Supervisor	
Date: <i>5/16/2016</i>	

Memorandum

To: Larry Crist, Field Manager, U.S. Fish & Wildlife Service

From: Deputy State Director, Division of Lands and Minerals *[Signature]*

Subject: Informal Section 7 Consultation and Conference on May 2016 Oil and Gas Lease Sale

The Utah Bureau of Land Management (BLM) is preparing to conduct a quarterly oil and gas lease sale on May 17, 2016. It is anticipated that four lease parcels located in Sevier County on public lands administered by the Color Country District Office in the Richfield Field Office will be offered at the May lease sale.

Consultation History

The BLM previously consulted with US Fish and Wildlife Service (FWS) on the oil and gas lease sale program in 2004. This statewide consultation resulted in the development of specific lease notices for individual listed species. More recently, programmatic consultation occurred during the revision of six land use plans during which the lease notices were updated. The notices were included in the Biological Assessments as part of the committed mitigation that would accompany individual plan implementation. Additional updates and revisions on the lease notices continue to occur as necessary. The stipulations and notices associated with this lease sale are based on the decisions contained in the Richfield Resource Management Plan which was completed in October 2008.

The BLM field biologists and botanists have carefully reviewed the parcels being offered for the upcoming sale. The appropriate environmental analysis (EA) work has been completed including an evaluation of potential impacts to listed threatened and endangered species. The EA can be viewed on Utah BLM's public web site¹.

Listed species other than for which stipulations and notices have been added to the parcels occur in the three counties where the lease parcels are located. They are not discussed here because they do not occur within or near any of the parcels and BLM does not anticipate that they would be affected by the issuance and development of any of the leases. No parcels containing greater sage grouse habitat are being considered for this sale.

¹ http://www.blm.gov/ut/st/en/prog/energy/oil_and_gas/oil_and_gas_lease.html

The following lease notices have been added via errata dated 4/7/16 (Attachment 2)

Yellow-billed Cuckoo

Parcel number UT0516-024 near the Sevier River located in Sevier County on lands administered by the Richfield Field Office contains a yellow-billed cuckoo notice (See Attachment 1).

California Condor

It has been determined that California condor habitat could potentially be present in all lease parcels. Therefore all parcels anticipated to go onto the May 2016 lease sale contain a lease notice for California condor (see Attachment 1).

Summary

Based on the analysis contained in the Richfield Field Office Environmental Assessment completed for this lease sale and the implementation of the lease notices identified in this memorandum, BLM determined that the sale of the parcels discussed above would not exceed the may affect, not likely adversely affect the for the yellow billed cuckoo and will not jeopardized the California condor due to insignificant or discountable impacts that was determined in the programmatic consultations in 2004 and 2008 for the species discussed in this letter.

Maps showing all the locations of the potential lease sale parcels and the above referenced lease stipulations and notices are attached to this memorandum.

The BLM is now requesting concurrence on this final determination. Any questions or concerns should be directed to Robin Naeve at (801) 539-4254 rnaeve@blm.gov. Thank you your assistance in this effort.

Attachments (3)

- 1 – Lease List
- 2 – Errata
- 3 – Lease Notices
- 4 – Maps

cc: Richfield Field Office
UT-920
UT-933, Robin Naeve

MAY 2016 FINAL OIL & GAS SALE LIST

UTU91540

(UT0516 – 021)

T. 26 S., R. 4 W., Salt Lake

Sec. 1: Lot 4, NESW, S2SW, SE;

Secs. 10, 11 and 12: All.

2,239.32 Acres

Sevier County, Utah

Richfield Field Office

STIPULATIONS

UT-S-01: Air Quality

UT-S-102: CSU – Fragile Soils/Slopes 30 Percent or Greater

UT-S-233: TL – Crucial Mule Deer and Elk Winter Habitat

NOTICES

UT-LN-40: Golden Eagle Habitat

UT-LN-45: Migratory Bird

UT-LN-49: Utah Sensitive Species

UT-LN-52: Noxious Weeds

UT-LN-65: Old Spanish Trail

UT-LN-68: Notification and Consultation Regarding Cultural Resources

UT-LN-99: Regional Ozone Formation Controls

UT-LN-102: Air Quality Analysis

MAY 2016 FINAL OIL & GAS SALE LIST

UTU91541

(UT0516 – 023)

T. 26 S., R. 4 W., Salt Lake

Sec. 13: All;

Sec. 14: Lots 1, 5-12, NE, W2NW;

Sec. 15: Lots 1-3, E2, N2NW, SENW, E2SW.

1,712.70 Acres

Sevier County, Utah

Richfield Field Office

STIPULATIONS

UT-S-01: Air Quality

UT-S-102: CSU – Fragile Soils/Slopes 30 Percent or Greater

UT-S-233: TL – Crucial Mule Deer and Elk Winter Habitat

NOTICES

UT-LN-40: Golden Eagle Habitat

UT-LN-45: Migratory Bird

UT-LN-49: Utah Sensitive Species

UT-LN-52: Noxious Weeds

UT-LN-65: Old Spanish Trail

UT-LN-68: Notification and Consultation Regarding Cultural Resources

UT-LN-99: Regional Ozone Formation Controls

UT-LN-102: Air Quality Analysis

MAY 2016 FINAL OIL & GAS SALE LIST

UTU91542

(UT0516 – 024)

T. 26 S., R. 4 W., Salt Lake

Sec. 17: E2, E2W2;

Sec. 20: Lot 4, NE, NESE;

Sec. 21: Lots 2-4, 6-8, N2NW, SWNW, N2SW, NWSE.

1,045.42 Acres

Sevier County, Utah

Richfield Field Office

STIPULATIONS

UT-S-01: Air Quality

UT-S-102: CSU – Fragile Soils/Slopes 30 Percent or Greater

UT-S-121: NSO – Riparian and Wetland Areas

UT-S-161: CSU – VRM Class II Areas

UT-S-233: TL – Crucial Mule Deer and Elk Winter Habitat

NOTICES

UT-LN-40: Golden Eagle Habitat

UT-LN-45: Migratory Bird

UT-LN-49: Utah Sensitive Species

UT-LN-52: Noxious Weeds

UT-LN-68: Notification and Consultation Regarding Cultural Resources

UT-LN-99: Regional Ozone Formation Controls

UT-LN-102: Air Quality Analysis

MAY 2016 FINAL OIL & GAS SALE LIST

UTU91543

(UT0516 – 025)

T. 26 S., R. 4 W., Salt Lake

Sec. 21: Lots 1 and 5;

Sec. 22: Lots 1-3, 5, 6, NE, NENW, S2NW;

Secs. 23 and 24: All.

1,745.31 Acres

Sevier County, Utah

Richfield Field Office

STIPULATIONS

UT-S-01: Air Quality

UT-S-102: CSU – Fragile Soils/Slopes 30 Percent or Greater

UT-S-233: TL – Crucial Mule Deer and Elk Winter Habitat

NOTICES

UT-LN-40: Golden Eagle Habitat

UT-LN-45: Migratory Bird

UT-LN-49: Utah Sensitive Species

UT-LN-52: Noxious Weeds

UT-LN-65: Old Spanish Trail

UT-LN-68: Notification and Consultation Regarding Cultural Resources

UT-LN-99: Regional Ozone Formation Controls

UT-LN-102: Air Quality Analysis



United States Department of the Interior



BUREAU OF LAND MANAGEMENT

Utah State Office

440 West 200 South, Suite 500

Salt Lake City, UT 84101

<http://www.blm.gov/ut/st/en.html>

IN REPLY REFER TO:
3120 / UT922

April 7, 2016

ERRATA SHEET

This Errata Sheet amends the Notice of Competitive Lease Sale (NCLS) posted on February 11, 2016, for the Bureau of Land Management (BLM) competitive oil and gas lease auction to be held at the Salt Lake City Public Library, 210 East 400 South, Salt Lake City, Utah 84111, on May 17, 2016.

1. Lease notice UT-LN-113, as described below, has been applied to the following parcel:

UTU91542 (UT0516 – 024)

UT-LN-113	<p style="text-align: center;">WESTERN YELLOW-BILLED CUCKOO</p> <p>The Lessee/Operator is given notice that the lands in or adjacent to this parcel contain potentially suitable habitat that falls within the range for western yellow-billed cuckoo, a federally listed species. Avoidance or use restrictions may be placed on portions of the lease. Application of appropriate measures will depend upon whether the action is temporary or permanent, and whether it occurs within or outside the breeding and nesting season. A temporary action is completed prior to the following breeding season leaving no permanent structures and resulting in no permanent habitat loss. A permanent action could continue for more than one breeding season and/or cause a loss of habitat or displace western yellow-billed cuckoos through disturbances. The following avoidance and minimization measures have been designed to ensure activities carried out on the lease are in compliance with the Endangered Species Act. Integration of, and adherence to, these measures will facilitate review and analysis of any submitted permits under the authority of this lease. Following these measures could reduce the scope of Endangered Species Act, Section 7 consultation at the permit stage. Avoidance and minimization measures include the following:</p> <ol style="list-style-type: none"> 1. Habitat suitability within the parcel and/or within a 0.25 mile buffer of the parcel will be identified prior to lease development to identify potential survey needs. 2. Protocol Breeding Season Surveys will be required in suitable habitats prior to operations unless species occupancy and distribution information is complete and available. All Surveys must be conducted by permitted
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individual(s), and be conducted according to protocol.

3. For all temporary actions that may impact cuckoo or suitable habitat:
 - a. If action occurs entirely outside of the cuckoo breeding season (June 1 – Aug 31), and leaves no structure or habitat disturbance, action can proceed without a presence/absence survey.
 - b. If action is proposed between June 1 and August 31, presence/absence surveys for cuckoo will be conducted prior to commencing activity. If cuckoo are detected, activity should be delayed until September 1.
 - c. Eliminate access routes created by the project through such means as raking out scars, revegetation, gating access points, etc.
4. For all permanent actions that may impact cuckoo or suitable habitat:
 - a. Protocol level surveys by permitted individuals will be conducted prior to commencing activities.
 - b. If cuckoos are detected, no activity will occur within 0.25 mile of occupied habitat.
 - c. Avoid drilling and permanent structures within 0.25 mile of suitable habitat unless absence is determined according to protocol level surveys conducted by permitted individual(s).
 - d. Ensure noise levels at 0.25 mile from suitable habitat do not exceed baseline conditions. Placement of permanent noise-generating facilities should be determined by a noise analysis to ensure noise does not encroach upon a 0.25 mile buffer for suitable habitat.
5. Temporary or permanent actions will require monitoring throughout the duration of the project to ensure that western yellow-billed cuckoo or its habitat is not affected in a manner or to an extent not previously considered. Avoidance and minimization measures will be evaluated throughout the duration of the project.
6. Water produced as a by-product of drilling or pumping will be managed to ensure maintenance or enhancement of riparian habitat.
7. Where technically and economically feasible, use directional drilling or multiple wells from the same pad to reduce surface disturbance and eliminate drilling in suitable habitat. Ensure that such directional drilling does not intercept or degrade alluvial aquifers.
8. Ensure that water extraction or disposal practices do not result in change of hydrologic regime that would result in loss or degradation of riparian habitat.
9. Re-vegetate with native species all areas of surface disturbance within riparian areas and/or adjacent uplands.

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 ESA.

2. Lease notice T&E-11, as described below, has been applied to the following parcels:

UTU91540 (UT0516 – 021)

UTU91541 (UT0516 – 023)

UTU91542 (UT0516 – 024)

UTU91543 (UT0516 – 025)

<p>T&E-11</p>	<p style="text-align: center;">CALIFORNIA CONDOR</p> <p>The Lessee/Operator is given notice that the lands located in this parcel contain potential habitat for the California Condor, a federally listed species. Avoidance or use restrictions may be placed on portions of the lease if the area is known or suspected to be used by condors. Application of appropriate measures will depend on whether the action is temporary or permanent, and whether it occurs within or outside potential habitat. A <u>temporary</u> action is completed prior to the following important season of use, leaving no permanent structures and resulting in no permanent habitat loss. This would include consideration for habitat functionality. A <u>permanent</u> action continues for more than one season of habitat use, and/or causes a loss of condor habitat function or displaces condors through continued disturbance (i.e. creation of a permanent structure requiring repetitious maintenance, or emits disruptive levels of noise).</p> <p>The following avoidance and minimization measures have been designed to ensure activities carried out on the lease are in compliance with the Endangered Species Act. Integration of, and adherence to these measures will facilitate review and analysis of any submitted permits under the authority of this lease. Following these measures could reduce the scope of Endangered Species Act, Section 7 consultation at the permit stage. Current avoidance and minimization measures include the following:</p> <ol style="list-style-type: none">1. Surveys will be required prior to operations unless species occupancy and distribution information is complete and available. All Surveys must be conducted by qualified individual(s) approved by the BLM, and must be conducted according to approved protocol.2. If surveys result in positive identification of condor use, all lease activities will require monitoring throughout the duration of the project to ensure desired results of applied mitigation and protection. Minimization measures will be evaluated during development and, if necessary, Section 7 consultation may be reinitiated.3. Temporary activities within 1.0 mile of nest sites will not occur during the breeding season.4. Temporary activities within 0.5 miles of established roosting sites or areas will not occur during the season of use, August 1 to November 31, unless the area has been surveyed according to protocol and determined to be unoccupied.5. No permanent infrastructure will be placed within 1.0 mile of nest sites.6. No permanent infrastructure will be placed within 0.5 miles of established roosting sites or areas.7. Remove big game carrion 100 feet from lease roadways occurring within foraging range.8. Where technically and economically feasible, use directional drilling or multiple wells from the same pad to reduce surface disturbance and eliminate drilling in suitable habitat. Utilize directional drilling to avoid direct impacts
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	<p>to large cottonwood gallery riparian habitats. Ensure that such directional drilling does not intercept or degrade alluvial aquifers.</p> <p>9. Re-initiation of section 7 consultation with the Service will be sought immediately if mortality or disturbance to California condors is anticipated as a result of project activities. Additional site-specific measures may also be employed to avoid or minimize effects to the species. These additional measures will be developed and implemented in consultation with the U.S. Fish and Wildlife Service to ensure continued compliance with the ESA.</p> <p>Additional measures may also be employed to avoid or minimize effects to the species between the lease sale and lease development stages. These additional measures will be developed and implemented in consultation with the U.S. Fish and Wildlife Service to ensure continued compliance with the Endangered Species Act.</p>
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3. The wording of UT-LN-65, OLD SPANISH TRAIL is being changed to the following:

UT-LN-65	<p style="text-align: center;">OLD SPANISH TRAIL</p> <p>The lessee/operator is given notice that lands in this lease are crossed by the Old Spanish Trail National Historic Trail [Old Spanish Trail Recognition Act of 2002, (Old Spanish Trail PLO 107-325)]. Modifications to the Surface Use Plan of Operations may be required to protect the historic integrity of the Trail, its resources, its values - such as landscape view sheds, and outdoor recreational opportunities associated with the foregoing.</p>
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Lease notice UT-LN-65 applies to parcels: UTU91540 (UT0516 – 021), UTU91541 (UT0516 – 023) and UTU91543 (UT0516 – 025).

Please direct any questions regarding this Errata Sheet to Sheri Wysong, Fluid Minerals Leasing Coordinator, at 801-539-4067.

/s/ Kent Hoffman

Kent Hoffman
Deputy State Director
Division of Lands & Minerals

bcc: May 2016 Sale Book
UT-920 Reading File

LWilcken:lw:03/25/16

Attachment 2

WESTERN YELLOW-BILLED CUCKOO

The Lessee/Operator is given notice that the lands in or adjacent to this parcel contain potentially suitable habitat that falls within the range for western yellow-billed cuckoo, a federally listed species. Avoidance or use restrictions may be placed on portions of the lease. Application of appropriate measures will depend upon whether the action is temporary or permanent, and whether it occurs within or outside the breeding and nesting season. A temporary action is completed prior to the following breeding season leaving no permanent structures and resulting in no permanent habitat loss. A permanent action could continue for more than one breeding season and/or cause a loss of habitat or displace western yellow-billed cuckoos through disturbances. The following avoidance and minimization measures have been designed to ensure activities carried out on the lease are in compliance with the Endangered Species Act. Integration of, and adherence to, these measures will facilitate review and analysis of any submitted permits under the authority of this lease. Following these measures could reduce the scope of Endangered Species Act, Section 7 consultation at the permit stage. Avoidance and minimization measures include the following:

1. Habitat suitability within the parcel and/or within a 0.25 mile buffer of the parcel will be identified prior to lease development to identify potential survey needs.
2. Protocol Breeding Season Surveys will be required in suitable habitats prior to operations unless species occupancy and distribution information is complete and available. All Surveys must be conducted by permitted individual(s), and be conducted according to protocol.
3. For all temporary actions that may impact cuckoo or suitable habitat:
 - a. If action occurs entirely outside of the cuckoo breeding season (June 1 – Aug 31), and leaves no structure or habitat disturbance, action can proceed without a presence/absence survey.
 - b. If action is proposed between June 1 and August 31, presence/absence surveys for cuckoo will be conducted prior to commencing activity. If cuckoo are detected, activity should be delayed until September 1.
 - c. Eliminate access routes created by the project through such means as raking out scars, revegetation, gating access points, etc.
4. For all permanent actions that may impact cuckoo or suitable habitat:
 - a. Protocol level surveys by permitted individuals will be conducted prior to commencing activities.
 - b. If cuckoos are detected, no activity will occur within 0.25 mile of occupied habitat.
 - c. Avoid drilling and permanent structures within 0.25 mile of suitable habitat unless absence is determined according to protocol level

surveys conducted by permitted individual(s).

- d. Ensure noise levels at 0.25 mile from suitable habitat do not exceed baseline conditions. Placement of permanent noise-generating facilities should be determined by a noise analysis to ensure noise does not encroach upon a 0.25 mile buffer for suitable habitat.
5. Temporary or permanent actions will require monitoring throughout the duration of the project to ensure that western yellow-billed cuckoo or its habitat is not affected in a manner or to an extent not previously considered. Avoidance and minimization measures will be evaluated throughout the duration of the project.
6. Water produced as a by-product of drilling or pumping will be managed to ensure maintenance or enhancement of riparian habitat.
7. Where technically and economically feasible, use directional drilling or multiple wells from the same pad to reduce surface disturbance and eliminate drilling in suitable habitat. Ensure that such directional drilling does not intercept or degrade alluvial aquifers.
8. Ensure that water extraction or disposal practices do not result in change of hydrologic regime that would result in loss or degradation of riparian habitat.
9. Re-vegetate with native species all areas of surface disturbance within riparian areas and/or adjacent uplands.

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 ESA.

CALIFORNIA CONDOR

The Lessee/Operator is given notice that the lands located in this parcel contain potential habitat for the California Condor, a federally listed species. Avoidance or use restrictions may be placed on portions of the lease if the area is known or suspected to be used by condors. Application of appropriate measures will depend on whether the action is temporary or permanent, and whether it occurs within or outside potential habitat. A temporary action is completed prior to the following important season of use, leaving no permanent structures and resulting in no permanent habitat loss. This would include consideration for habitat functionality. A permanent action continues for more than one season of habitat use, and/or causes a loss of condor habitat function or displaces condors through continued disturbance (i.e. creation of a permanent structure requiring repetitious maintenance, or emits disruptive levels of noise).

The following avoidance and minimization measures have been designed to ensure activities carried out on the lease are in compliance with the Endangered Species Act. Integration of, and adherence to these measures will facilitate review and analysis of any submitted permits under the authority of this lease.

Following these measures could reduce the scope of Endangered Species Act, Section 7 consultation at the permit stage. Current avoidance and minimization measures include the following:

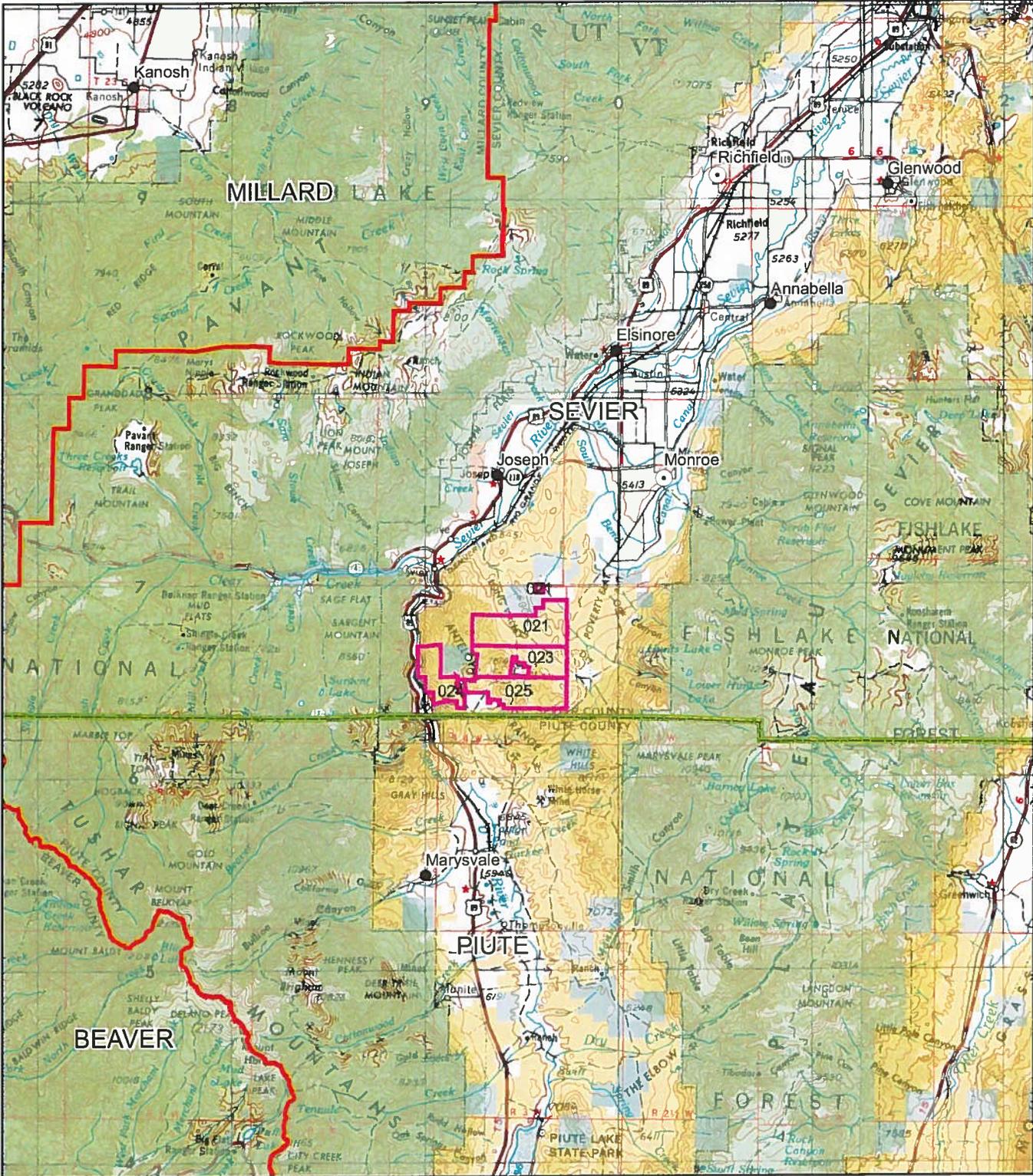
1. Surveys will be required prior to operations unless species occupancy and distribution information is complete and available. All Surveys must be conducted by qualified individual(s) approved by the BLM, and must be conducted according to approved protocol.
2. If surveys result in positive identification of condor use, all lease activities will require monitoring throughout the duration of the project to ensure desired results of applied mitigation and protection. Minimization measures will be evaluated during development and, if necessary, Section 7 consultation may be reinitiated.
3. Temporary activities within 1.0 mile of nest sites will not occur during the breeding season.
4. Temporary activities within 0.5 miles of established roosting sites or areas will not occur during the season of use, August 1 to November 31, unless the area has been surveyed according to protocol and determined to be unoccupied.
5. No permanent infrastructure will be placed within 1.0 mile of nest sites.
6. No permanent infrastructure will be placed within 0.5 miles of established roosting sites or areas.
7. Remove big game carrion 100 feet from lease roadways occurring within foraging range.
8. Where technically and economically feasible, use directional drilling or multiple wells from the same pad to reduce surface disturbance and eliminate drilling in suitable habitat. Utilize directional drilling to avoid direct impacts to large cottonwood gallery riparian habitats. Ensure that such directional drilling does not intercept or degrade alluvial aquifers.
9. Re-initiation of section 7 consultation with the Service will be sought immediately if mortality or disturbance to California condors is anticipated as a result of project activities. Additional site-specific measures may also be employed to avoid or minimize effects to the species. These additional measures will be developed and implemented in consultation with the U.S. Fish and Wildlife Service to ensure continued compliance with the ESA.

Additional measures may also be employed to avoid or minimize effects to the species between the lease sale and lease development stages. These additional measures will be developed and implemented in consultation with the U.S. Fish and Wildlife Service to ensure continued compliance with the Endangered Species Act.

May 2016 Oil & Gas Lease Sale Parcels

3/2/2016

BLM



- Public Land
- State Land
- National Forest
- Private Land
- National Park



1:300,000

- May 2016 Oil & Gas Lease Parcels
- Field Office Boundaries
- County Boundary

No warranty is made by the BLM for use of the data for purposes not intended by the BLM.

This product may not meet BLM standards for accuracy and content. Different data sources and input scales may cause some misalignment of data layers.