

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

Finding of No Significant Impact

DOI-BLM-WY-R010-2016-0004-EA

December 2015

PREPARING OFFICE

U.S. Department of the Interior
Bureau of Land Management
Worland Field Office



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Chapter 1. Finding of No Significant Impact

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Koch Exploration Company, LLC Access Road, Construction Area and Fritz Federal State 16-44H Well Pad Rights-of-way

DOI-BLM-WY-R010-2016-0004-EA

WYW-141807, WYW-141807-01, WYW-165339

1.1. INTRODUCTION:

The Bureau of Land Management (BLM) has conducted an environmental analysis (DOI-BLM-WY-R010-2016-0004-EA) for a proposed action to address three rights-of-way (ROW) applications in Big Horn County. This EA incorporates the rights-of-way applications to amend the existing access road to serve Fritz Federal State 16-44H well pad ROW, serial number WYW-141807, construction ROW, serial number WYW-141807-01, and Fritz Federal State 16-44H well pad, serial number WYW-165339, located in the Worland Field, Big Horn County, Wyoming.

The proposed action is to amend their existing access road to ensure safety for the rigs and vehicles moving onto the location by expanding the ROW to a 60 foot width, crown and ditch, with a 14' – 16' running surface to allow for safe travel of equipment during construction on Federal surface and drilling to State minerals. During operations, all equipment and vehicles will be confined to the access road right-of-way.

The requested amendment ROW is 24,288 feet in length, 30 feet in width involving a total of 16.72 acres more or less, new/upgrade existing access road, 2,348 feet in length, 60 feet in width involving a total of 3.23 acres more or less, and acquired easement of 3,005.64 feet in length, 60 feet in width involving a total of 4.14 acres more or less (WYW-141807), construction area, four envelopes involving a total of 9.24 acres more or less (WYW-141807-01), and Fritz Federal State 16-44H well pad, 350 feet in length 450 feet in width involving a total of 3.62 acres more or less, (WYW-165339) resulting in the total rights-of-way on BLM surface lands of 36.95 acres.

The proposed activities would occur on lands administered by the BLM, Worland Field Office. Construction activities are planned for the Fall of 2015, or as soon as required approvals are obtained.

The underlying need for the proposal would be met while accomplishing the following objectives:

1. BLM's responsibility under Title V of the Federal Land Policy and Management Act of 1976 (FLPMA) to respond to requests for right-of-way (ROW) grants.

2. The proposed action conforms to the Record of Decision and Approved Resource Management Plan for the Worland Field Office dated September 21, 2015, which provides general management direction and allocation of uses and resources on public lands in the area. The Worland RMP (pgs 107-109) delineates right-of-way corridors, right-of-way avoidance areas, right-of-way exclusion area, and areas available for right-of-way. The Worland RMP states that the BLM would manage public lands to meet transportation and ROW needs by providing opportunities to meet ROW demands while protecting important resources.

The project area is located: 6th PM, Big Horn County, Wyoming, T. 50 N., R. 95 W., sections 3, 9, 10, and 16; T. 51 N., R. 95 W., sections 33 and 34.

DOI-BLM-WY-R010-2016-0004-EA is attached to this Finding of No Significant Impact (FONSI). A No Action Alternative and Proposed Action alternative with incorporated design features were analyzed in the EA.

1.2. FINDING OF NO SIGNIFICANT IMPACT:

Based upon a review of the EA and the supporting documents, I have determined that the project is not a major federal action and will not significantly affect the quality of the human environment, individually or cumulatively with other actions in the general area. No environmental effects meet the definition of significance in context or intensity as defined in 40 CFR 1508.27 and do not exceed those effects described in the Worland RMP/FEIS. Therefore, an environmental impact statement is not needed.

This finding is based on the context and intensity of the project as described:

1.3. Context:

The project is a site-specific action directly involving approximately 36.95 acres of BLM administered land that by itself does not have international, national, regional, or state-wide importance.

1.4. Intensity:

The following discussion is organized around the Ten Significance Criteria described in 40 CFR 1508.27 and incorporated into resources and issues considered (includes supplemental authorities Appendix 1 H-1790-1) and supplemental Instruction Memorandum, Acts, regulations and Executive Orders.

The following have been considered in evaluating intensity for this proposal:

- 1. Impacts that may be both beneficial and adverse.** The proposed action would impact resources as described in the EA. Mitigating measures to reduce impacts to resource values were incorporated in the design of the Proposed Action alternative. None of the environmental effects discussed in detail in the EA and associated appendices are considered significant, nor do the effects exceed those described in the Worland FEIS.
- 2. The degree to which the proposed action affects public health or safety.** The proposed action is designed to mitigate for public health and safety. The Proposed Action with incorporated design features achieves the balance of resource protection and beneficial uses of the human environment.
- 3. Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.** The historic and cultural resources of the area have been inventoried and potential impacts mitigated in the design of the Proposed Action alternative. The following components of the Human Environment and Resource Issues are not affected because they are not present in the project area: park lands, prime farm lands, wetlands, Wilderness, Wild and Scenic Rivers, or ecologically critical areas.

4. The degree to which the effects on the quality of the human environment are likely to be controversial. There is no scientific controversy over the nature of the impacts.

5. The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks. The project is not unique or unusual. The BLM has experience implementing similar actions in similar areas. The environmental effects to the human environment are fully analyzed in the EA. There are no predicted effects on the human environment that are considered to be highly uncertain or involve unique or unknown risks.

6. The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration. The preferred alternative neither establishes a precedent for future BLM actions with significant effects nor represents a decision in principle about a future consideration.

7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. The interdisciplinary team evaluated the possible actions in context of past, present and reasonably foreseeable actions. Significant cumulative effects are not predicted. A complete disclosure of the effects of the project is contained in Chapter 3 of the EA.

8. The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the NRHP or may cause loss or destruction of significant scientific, cultural, or historical resources. The project will not adversely affect district, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places, nor will it cause loss or destruction of significant scientific, cultural, or historic resources. A class III cultural resource inventory (BLM cultural project #010-2015-067, and #010-2015-067a) identified no historic properties. Surface disturbance resulting from the proposed action will have no effect on known historic properties. Unknown cultural resources may be affected by surface disturbing activities. For the protection of unknown cultural resources the standard cultural stipulations apply and are incorporated in the design of the Proposed Action alternative. Consultation occurred with the State Historic Preservation Office (SHPO) under the Wyoming State Protocol Agreement between the BLM and the SHPO (State Protocol).

9. The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the ESA of 1973. Mitigating measures to reduce impacts to wildlife have been incorporated into the design of the Proposed Action alternative. Although raptors and mountain plover are within the project boundary, it has been determined that they will not be affected because timing stipulations will be incorporated into the Terms and Conditions. There are no other Threatened and Endangered, BLM Special Status Plant Species, known to occur in the project area.

10. Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment. The project does not violate any known federal, state, local or tribal law or requirement imposed for the protection of the environment.

1.5. Signed:

/s/Amelia Pennington (Acting Field Office Manager)	12/2/2015
Michael J. Phillips, Field Manager	Date