

**UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
BAKERSFIELD FIELD OFFICE
ENVIRONMENTAL ASSESSMENT**

**Aera:
SUNDRY- Install a new WEMCO on the Metson Lease
DOI-BLM-CA-C060-2016-0010-EA
Project #819**

Chapter 1. Purpose and Need

PURPOSE AND NEED

Aera the Operator/Lessee submitted one Sundry Notice of Intent to install a new WEMCO along with associated pipes, power poles, and cement pads on their federal Metson lease (CALA076208) in the Midway-Sunset Oil Field, in Section 24; T11N; 23W. This project is to remove the vegetation from the pipe line corridor to the WEMCO pad, connecting the new flow line pipe to an existing pipe line. A total of 0.029 acers of habitat is expected to be disturbed as part of this project.

CONFORMANCE WITH BLM LAND USE PLANS

The proposed action falls within the Valley Management Area of the Bakersfield Resource Management Plan (RMP) approved on December 2014. This plan has been reviewed, and it has been determined that the proposed action conforms with the land use plan, terms, and conditions as required by 43 CFR 1610.5. The proposed action and modifications were specifically provided for in the following land use plan decision:

“Facilitate reasonable, economical, and environmentally sound exploration and development of leasable minerals while minimizing impacts to resources.”

Relationship to Statutes, Regulations and Other Plans

Oil and Gas Laws and Regulations

The BLM manages lands that contain a number of extractable minerals including oil and gas. These minerals are managed accordance with the *Mineral Leasing Act* of 1920, as amended; the *Mining and Minerals Policy Act* of 1970; the *Federal Onshore Oil and Gas Leasing Reform Act* of 1987; 43 CFR, Onshore Orders 1-8, NEPA; the *Energy Policy Act* of 2005; and other laws, regulations, orders, and also in accordance with all applicable state, county, and local laws and ordinances. BLM requires existing lessees to strictly adhere to all laws, regulations, and policies that govern oil and gas leases, while at the same time recognizing that existing leases grant the lessee certain rights. No additional requirements can be placed on an existing lessee that conflicts with the rights already granted to the lessee.

Onshore Order No. 1 identifies the requirements necessary for approving proposed oil and gas exploration, development, and servicing wells on all Federal and Indian oil and gas leases. This includes all components required for the management of fluid minerals including: completed Form 3160-3, well plat, drilling plan, surface use plan, bonding, operator certificate, onsite inspection, processing, reclamation, and Sundries. Onshore Order No.1 also identifies processing timelines and valid period of approvals.

Endangered Species Act

The Endangered Species Act of 1973 (ESA) requires federal agencies to complete formal consultation with the United States Fish and Wildlife Service (FWS) for any action that “may affect” federally listed species or critical habitat. The ESA also requires federal agencies to use their authorities to carry out programs for the conservation of endangered and threatened species.

BLM completed formal consultation with the FWS for the Bakersfield RMP; the proposed action is in accordance with provisions of the Bakersfield RMP Biological Opinion. Furthermore, if it is determined that a specific oil and gas project “may affect” listed species in Kern or Kings County, California, the action may be covered by the 2001 Oil and Gas Programmatic Biological Opinion (1-1-01-F-0063).

An applicant may choose or be required to complete separate formal consultation if a project is deemed out of scope with the 2001 Oil and Gas Programmatic Biological Opinion. This project will result in temporary disturbance to potential San Joaquin kit fox habitat and is therefore eligible for coverage under the 2001 Oil and Gas Programmatic Biological Opinion.

Clean Air Act

The San Joaquin Valley Unified Air Pollution Control District has state air quality jurisdiction over the project area. Section 176(c) of the Clean Air Act (CAA), as amended (42 U.S.C. 7401 et seq.) and regulations under 40 CFR part 93, subpart W, with respect to conformity of general Federal actions to the applicable State Implementation Plan (SIP) apply to projects within nonattainment and maintenance areas. Under those authorities “no department, agency or instrumentality of the Federal Government shall engage in, support in any way or provide financial assistance for, license or permit, or approve any activity which does not conform to an applicable implementation plan.” Under CAA 176(c) and 40 CFR part 93 subpart W, a Federal agency must make a determination that a Federal action conforms to the applicable implementation plan before the action is taken.

National Historic Preservation Act of 1966, as amended

Section 106 of the National Historic Preservation Act (NHPA) requires agencies to make a reasonable and good faith effort to identify historic properties that may be affected by an agency’s undertakings and take those effects into account in making decisions. The BLM process for implementing this NHPA requirement is set forth in the *State Protocol Agreement Among the California State Director of the Bureau of Land Management and the California State Preservation Officer and the Nevada State Historic Preservation Officer (2014)*.

Clean Water Act

The Clean Water Act of 1977 establishes authority to regulate any action where pollutants may be discharged into waters of the United States.

Resource Conservation and Recovery Act

The Resource Conservation and Recovery Act of 1976 establish a regulatory structure for the management and disposal of solid and hazardous wastes.

ISSUES AND SCOPING

Scoping was initiated internally with the Bakersfield Field Office staff. In addition, the project was listed on the BLM Bakersfield NEPA projects web list on November 9, 2015. As required, a BLM Onsite Inspection was completed on November 5, 2015 by Dave Faires, Natural Resource Specialist. A cultural resources inventory was conducted for all locations that could be directly or indirectly affected by the proposed project and no historic properties were discovered within the project area of potential effect.

Chapter 2. Proposed Action and Alternatives

ALTERNATIVE 1: PROPOSED ACTION

The BLM proposes to authorize Aera to install a new WEMCO alone with associated pipes, power poles, and cement pads in the Midway-Sunset Oil Field as described in the Sundry Notice of Intent.

The project will be conducted in a manner that meets proper specifications for oil and gas production. The project will begin upon approval of Sundry Notice of Intent and is estimated to take 1 to 2 weeks to complete.

Project Design Features

The following design features were derived from stipulations/notices on the oil and gas lease, the Bakersfield RMP, the Surface Operating Standards and Guidelines for Oil and Gas Exploration and Development, best management practices, and the *Sensitive Species Review Form* submitted with the Sundry Notice of Intent.

1. A worker education orientation for endangered species awareness is required for all projects with the potential to impact habitat for listed species.

2. The biological monitor will be present on-site during initial ground breaking and on-call thereafter for the duration of the project.
3. All construction equipment, staging areas, materials and personnel shall be restricted to the project site or previously disturbed off-site areas that are not habitat for listed species. Impacts to vegetation should be minimized.
4. Solid wastes should be contained and removed regularly from project site.
5. No off-road driving is allowed without a biological pre-activity survey and BLM approval.
6. Utilize existing roads only.
7. Any take of wildlife must be reported immediately to the Area Environmental Health & Safety Advisor.
8. Risk of man-caused fires should be minimized by following the fire preventative procedures.
9. Follow BLM's General Guidelines for Conserving Habitat and Minimizing Project Impacts.
10. Minimize disturbance to shrubs and other native vegetation.
11. Topsoil must be conserved at any areas that disturb habitat. The preserved topsoil must be spread onto areas of the project that will not be utilized for operation of the project. In the event of inadvertent discovery of cultural resources during project implementation, the BLM Field Office Cultural Staff (661-391-6000) and the BLM Field Office Manager (661-391-6000) shall be immediately notified by personnel responsible for the project. All work shall cease at the site of discovery and all other work which may damage the cultural resource shall also cease until written approval by the BLM.

ALTERNATIVE 2: NO ACTION

BLM would not approve the Sundry Notice of Intent to install a new WEMCO alone with associated pipes, power poles, and cement pads.

Chapter 3. Environment Analysis

This chapter presents both the affected environment and environmental consequences, by resource, for each alternative.

GENERAL SETTING

The project site is located on an existing well pads and roadways. It is located within private land in the Midway-Sunset Oil Field and is currently developed as an active oil field. The vegetation must be removed to install a new WEMCO along with associated pipes, power poles, and cement pads. Portions of the project site and adjacent areas are vegetated with non-native annual grasses and ruderal disturbed vegetative species including fiddleneck, ranchers fireweed, Mt. Diablo locoweed, saltbush, wild oat, black mustard, red brome, rip-gut brome, field bindweed, redstem filaree, broadleaf filaree, shiny peppergrass, common mallow, pineapple-weed, horehound, Mediterranean grass, common groundsel, perennial sowthistle, spiny sowthistle, and annual sowthistle. Common wildlife species observed at the project site include common raven, western meadowlark, black-tailed jackrabbit, desert cottontail, and common side-blotched lizard.

Biological Resources

The project is proposed on private surface that occurs in high impact “Green” habitat.

The *Sensitive Species Review Form* (SSRF) submitted by consulting biologist Jim Jones indicates that a project-specific field survey was conducted. Due to the timing of this survey’s in relation to project activities, it was not possible to coincide with all plant and wildlife species known to occur in the region. Therefore, the purpose of the field survey was to determine the likelihood of occurrence of any special status plant and animal species based on species observed, presence/absence of suitable habitat, and natural history of the species.

The SSRF’s indicates that the project-specific field survey was not conducted during the appropriate season for recognition of all listed plant species. However, San Joaquin woolly-threads (*Monolopia congdonii*), California jewelflower (*Caulanthus californica*), and Bakersfield cactus (*Opuntia basilaris*) are not known to occur in the general project area; this determination is based on the *Recovery Plan for Upland Species of the San Joaquin Valley, California* (Recovery Plan; U.S. Fish & Wildlife Service, 1998), the California Natural Diversity Database (CNDDB), and nearby 2011 plant surveys by Quad Knopf. The project site is within a Hoover’s woolly-star site and will be monitored through the project to protect any potential impacts.

No giant kangaroo rat (*Dipodomys ingens*) were present on the site.

San Joaquin kit fox (*Vulpes macrotis mutica*) and San Joaquin antelope squirrel (*Ammospermophilus nelsoni*) are known to occur in the area, though no individuals or signs of these species were observed during the field survey. One potential San Joaquin kit fox dens was identified within a 200-foot buffer area during the field survey. This potential den will be monitored.

Blunt-nosed leopard lizard (*Gambelia sila*) has a low potential to occur within the project area. It is believed that blunt-nosed leopard lizard inhabits the project location periodically, but it is unlikely to be found in this area following consecutive years of drought. Given the successive

years of below-average precipitation, this species is not expected to be on the project site this year. One potential kit fox den was identified in the survey and will be monitored.

Plant species observed during the field survey conducted by Jim Jones found no sensitive species present.

This project “may affect” protected species due to the disturbance from driving into and out of the work site and removing vegetation. Therefore, the project will be conducted under the 2001 Oil and Gas Programmatic Biological Opinion (1-1-01-F-0063) #819. Compliance with the Project Specific Provisions is required.

RESOURCE OR ENVIRONMENTAL ELEMENTS CONSIDERED BUT NOT ANALYZED:

The following elements of the human environment were considered but determined to be either not present or unaffected by the alternatives and will therefore not be addressed further in this analysis:

<i>Environmental Element:</i>	<i>Reason not addressed:</i>
<i>Air and Atmospheric Values</i>	PM-10 emissions will increase temporarily during construction activities and along unpaved roadways during ingress/egress to the project area.
<i>Area of Critical Environmental Concern (ACEC)</i>	There are no ACECs within the vicinity of the project.
<i>Cultural Resources</i>	Cultural resource survey was completed for the project area and no historic properties are located within the area of potential effect (BLM Cultural Resource Inventory Report # CA-160-C/V-805).
<i>Environmental Justice</i>	There are no Environmental Justice populations on or near the project site.
<i>Essential Fish Habitat</i>	There is no essential fish habitat designated on or downstream of the project site.
<i>Farmlands, Prime or Unique</i>	Soils within the project site are classified as Prime or Unique Farmlands. No portion of this project would impact soils there will be no impacts to the farmland.
<i>Floodplains</i>	There are no Floodplains within this proposed project site.
<i>Invasive, Non-native Species</i>	No new invasive or non-native species were found on the proposed project site.

<i>Environmental Element:</i>	<i>Reason not addressed:</i>
<i>Lands With Wilderness Characteristics</i>	Based on the Bakersfield Field Office Proposed RMP/FEIS, Map 2.8; the project area does not contain lands possessing or proposed to be managed for the protection of wilderness characteristics.
<i>National Landscape Conservation Systems Units: National Monuments, National Trails, Wilderness, Wild and Scenic Rivers</i>	The project vicinity does not contain these NLCS units.
<i>Native American Values</i>	Certified letters containing a description of potential oil field project activities within an area that includes the location of the proposed project was mailed to affiliated Native American tribes. No places of traditional importance or cultural values which could be affected by this development were identified.
<i>Recreation</i>	The proposed project is on federal land and therefor is open to recreation. However, it is within heavily developed oil field and would not be anticipated for recreational use.
<i>Soils</i>	No new soil disturbance will occur.
<i>Water Quality</i>	No rivers, lakes or streams are located near this proposed site.
<i>Wetlands/Riparian Zones</i>	There are no wetlands or riparian zones in the project site or buffer area.
<i>Wild Horses and Burros</i>	No wild horse and burro management units occur in the project area.
<i>Waste, Hazardous or Solid</i>	No hazardous materials are expected to be removed as part of this proposed project.
<i>Grazing</i>	This project is within grazing allotment. However, there is no new permanent disturbance with this project and therefore, no impacts the grazing allotment.

Chapter 4. Environmental Impacts

Biological Resources

Proposed Action:

No Hoover's woolly-star or Kern mallow individuals were observed during the Jim Jones surveys. With seasonal/annual variability, it can be difficult to tell if the site actually contains the target species. Annual populations move around in time and space, are mostly present as seeds in the seed bank, and may only be evident in good years. Because of this and in light consecutive

drought years, there is a possibility that these species are present within the project area and may be impacted by the proposed development. Nevertheless, if extant populations are observed during pre-activity surveys and cannot be avoided, surface disturbance will be scheduled after seed set and prior to germination unless (a) the number of plants lost is cumulatively less than 3 percent of the impacted population and disturbance is temporary, or (b) the amount of habitat lost is cumulatively less than 3 percent of the occupied habitat for the impacted population. Additionally, if either of these species are observed in the project area, Aera would be required to compensate for habitat disturbance with lands that contain these species. Regardless of whether or not an observation occurs, the use of topsoil for on-site reclamation would help preserve the seed bank of any special status species present and provide for future reestablishment of these species during interim and final reclamation.

San Joaquin kit fox has potential to occur within the vicinity of the project location. No San Joaquin kit fox dens were identified within a 200-foot buffer area during the field survey. Direct impacts to San Joaquin kit fox are not likely because Aera would comply with the Project Specific Provisions and the “Avoidance and Mitigation Actions” recommended by consulting biologist Jim Jones, including a 20 mph speed limit, an Environmental Awareness Training program for all project personnel, USFWS’s *Standardized Recommendations For Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance* (USFWS 2011), and other measures. Any potential kit fox dens near the project area would be flagged for avoidance or blocked or excavated following three nights of monitoring.

San Joaquin antelope squirrel (California threatened species) is known to occur in the general vicinity of the proposed pad sites. The operator is responsible for ensuring that direct take of San Joaquin antelope squirrel is avoided unless authorized under their California Department of Fish and Wildlife Incidental Take Permit (ITP). Most of the above measures for minimizing the potential for direct impacts to San Joaquin kit fox would also prevent direct impacts to San Joaquin antelope squirrel.

Oil and chemical spills are unlikely to impact special status species within the vicinity of the project area. All spills would be promptly cleaned up in accordance with Aera’s spill contingency plan, 43 CFR 3160, the Oil and Gas Onshore Orders, and the Project Specific Provisions of the 2001 Oil and Gas Programmatic Biological Opinion.

There is a possibility of indirect impacts to San Joaquin kit fox as a result of habitat destruction for project activities. Therefore, a “may affect” determination has been made for San Joaquin kit fox. Since an endangered species may be affected by the proposed action and the project is in Kern County, the project is eligible for coverage under the 2001 Oil and Gas Programmatic Biological Opinion. Compliance with the Project Specific Provisions of this Opinion would be required. The project would permanently disturb 0.029 acres of potential San Joaquin kit fox habitat; this habitat loss would be compensated for by Aera’s purchase of conservation lands held under conservation easements for the management of endangered species habitat. This would result in a net gain of San Joaquin kit fox habitat in the southern San Joaquin Valley.

A preliminary estimate of compensation acres is 0.041 acres (0.003 permanent acres compensated at 3:1 = 0.009 + 0.029 temp. acres at 1:1.1 = 0.029 + 0.003 replacement acres = 0.041 compensation acres). In accordance with the O&G Programmatic Biological Opinion, BLM requires the compensation be provided within six months of project completion.

No Action:

There would be no impacts to vegetation or wildlife within the project area as a result of the no action alternative. However, the rejection of the Sundry would not alter the trajectory of listed species populations relative to Sundry approval because the amount of disturbance is inconsequential on a regional scale. Also, under the no action alternative, there would be no off-site conservation of listed species habitat in perpetuity, and the impacts to habitat may only be postponed until the next APD or Sundry is approved for the development of the mineral lease.

CUMULATIVE IMPACTS

Biological Resources

Since no direct impacts to threatened and/or endangered species are expected, compliance with the Project Specific Provisions of the 2001 Oil and Gas Programmatic Biological Opinion will effectively compensate for indirect effects to San Joaquin kit fox. These measures are approved by the USFWS and are consistent with and contribute to the recovery strategy for kit fox and other listed species (San Joaquin antelope squirrels) in the San Joaquin Valley. Cumulative impacts from habitat disturbance would be minimized by purchasing off-site mitigation acreage for federal oil and gas projects, ensuring that lands identified as core areas, linkages, or corridors be conserved as habitat.

Chapter 5. Consultation and Public Involvement

PERSONS, GROUPS, AND AGENCIES CONSULTED

LIST OF PREPARERS

Name	Title	Organization
Dave Faires	Natural Resource Specialist	BLM
Tamara Whitley	Archaeologist	BLM

List groups, Tribes, individuals, agencies contacted

Recipients of Native American Notification Letters

Mr. Ryan Garfield, Chairperson, Tule River Reservation
Ms. Kerri Vera, Environmental Specialist, Tule River Reservation
Ms. GloriaMorgan, Chairperson, Tejon Indian Tribe
Mr. Ruben Barrios, Chairperson, Santa Rosa Rancheria
Mr. Hector Lalo Franco, Wukchumni Tribal Council Representative, Santa Rosa Rancheria Cultural Specialist

ID Team Member	Title	Organization
Dave Faires	Natural Resource Specialist	BLM
Denis Kearns	Botanist	BLM
Tamara Whitley	Archaeologist	BLM
John Hodge	Assistant Field Manager-Minerals	BLM
Bud Hensley	Project Manager	Aera

Chapter 6. References

BLM Cultural Resource Inventory Report # LLCAC06000-805 On file in the Southern San Joaquin Valley Information Center and the BLM Bakersfield Field Office.

Bakersfield Resource Management Plan, December 2014.

San Joaquin Valley Air Pollution Control District (SJVAPCD) (online). 2010. Current District Rules and Regulations. Available at: <http://www.valleyair.org/rules/1ruleslist.htm>

U.S. Department of Agriculture, National Resources Conservation Services, 2007. Soil Survey of Kern County, California, Northeastern Part and Southeastern Part of Tulare County, California. Prepared by Soil Conservation Service in cooperation with the regents of the University of California. U.S. Government Printing Office, 2007.

U.S. Department of the Interior, Bureau of Land Management (BLM), 2014. Bakersfield Resource Management Plan. U.S. Government Printing Office, December 2014.

U.S. Environmental Protection Agency (EPA), 2004. Guidance Document Reasonable and Prudent Practices for Stabilization (RAPPS) of Oil and Gas Construction Sites. Prepared by Horizon Environmental Services, Inc. April 2004.

U.S. Fish and Wildlife Service (USFWS). 1998. Recovery Plan for Upland Species of the San Joaquin Valley, California.

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