

**FINDING OF NO SIGNIFICANT IMPACT FOR THE
JUNE 2016 COMPETITIVE OIL AND GAS LEASE SALE
ENVIRONMENTAL ASSESSMENT
DOI-BLM-NV-B000-2016-0002-EA**

I have reviewed Environmental Assessment (EA) DOI-BLM-NV-B000-2016-0002-EA, dated June 13, 2016, which addresses offering and issuing certain lease parcels within the Battle Mountain District at the Bureau of Land Management (BLM) Nevada June 2016 Competitive Oil and Gas Lease Sale. After consideration of the environmental effects of the BLM's proposed action described in the EA and supporting documentation, I have determined that the proposed action with the lease stipulations and lease notices identified in the EA 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 described in 40 CFR 1508.27. Therefore, preparation of an Environmental Impact Statement is not required per section 102(2)(c) of the National Environmental Policy Act.

I have determined the proposed action is in conformance with the approved Tonopah RMP, approved on October 6, 1997, and the Shoshone Eureka RMP and associated Record of Decision (1986) and is consistent with the plans and policies of neighboring local, county, state, tribal and Federal agencies and governments. This finding and conclusion is based on my consideration of the Council on Environmental Quality's (CEQ's) criteria for significance (40 CFR 1508.27), both with regard to the context and the intensity of impacts described in the EA.

CONTEXT:

Interest was expressed in offering 64 oil and gas lease parcels for the June 2016 Competitive Oil and Gas Lease sale. The list of parcels was forwarded to the Battle Mountain District Office for an environmental analysis. This Environmental Assessment (EA) documents the review of the 64 parcels nominated. As a result of the analysis, 22 parcels have been identified for complete deferral due to specific resource concerns and land use conflicts.

The proposed action is to offer 42 parcels within the Battle Mountain District for competitive oil and gas leasing. The 42 parcels include approximately 74,701 acres of public land administered by the Battle Mountain District. Standard terms and conditions as well as lease stipulations and lease notices would apply. Lease stipulations (as required by Title 43 CFR 3131.3) would be added to the 42 parcels to address site specific concerns or new information not identified in the land use planning process.

Once the parcels are sold, the lessee has the right to use as much of the leased lands as is reasonably necessary to explore and drill for oil and gas within the lease boundaries, subject to the stipulations attached to the lease (Title 43 CFR 3101.1-2) and only after additional site-specific NEPA analysis is completed.

Drilling of wells on a lease is not permitted until the lease owner or operator secures approval of a drilling permit and a surface use plan specified under Onshore Oil and Gas Orders, Notice to Lessee's (NTL's) listed in Title 43 CFR 3162.

The 42 parcels have one or more of the following stipulations or notices associated with the lease, as shown in Appendix B of the EA:

Timing Limitation Stipulation (Migratory Birds)
Lease Notice (Threatened, Endangered, and Special Status Species)
Lease Notice (Greater Sage-Grouse)
Lease Notice (NDOT Mineral Pits)
Lease Notice (Saleable Minerals: Community Pits)
Lease Notice (Cultural Resources & Tribal Consultation)
Lease Notice (Fossils (PFYC-2))
Lease Notice (Fossils (PFYC3))
Lease Notice (Wild Horse and Burros)
Lease Notice (Mining Claims)
Lease Notice (Fire)

No additional mitigation measures are necessary at this time; however, if parcels are developed in the future, conditions of approval (COAs) may be added to eliminate or minimize environmental impacts.

INTENSITY:

1) *Impacts that may be both beneficial and adverse.*

The EA considered both beneficial and adverse impacts of the proposed action.

The proposed action does not include exploration, development, or production of oil and gas resources; however, these activities are associated with oil and gas leasing.

The proposed action may affect the following resources: air quality, cultural resources, noxious weeds and invasive non-native species, Native American cultural concerns, floodplains, threatened and endangered species, riparian and wetland areas, migratory birds, hazardous and solid waste, water quality, forestry, grazing management, land use authorizations, minerals, recreation, socio-economic values, soils, special status species, vegetation, visual resources, wild horse and burros and wildlife. These impacts, which are described in detail in Chapters 3 and 4 of the EA, would be minimized by the lease stipulations and notices outlined in Appendix B and by site-specific mitigation measures and BMPs which would be attached as Conditions of Approval (COAs) for each proposed activity.

None of the environmental impacts disclosed above and discussed in detail in Chapters 3 and 4 of the EA are considered significant.

2) *The degree to which the proposed action affects public health or safety.*

The proposed action does not affect public health or safety as the EA considers leasing of oil and gas parcels only.

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.*

There are no park lands, prime farmlands, wild and scenic rivers or ecologically critical areas present or affected by the proposed action. Any effects to historic or cultural resources, wetlands, of ecologically critical areas would be minimized by the lease stipulations and notices outlined in Appendix B and by site-specific mitigation measures and BMPs which would be attached as Conditions of Approval (COAs) for each proposed activity.

4) The degree to which the effects on the quality of the human environment are likely to be highly controversial.

The proposed action is not highly controversial, as courts have consistently specified that disagreement must be with respect to the character of the effects on the quality of the human environment in order to be considered to be “controversial” within the meaning of NEPA, rather than a mere matter of the unpopularity of a proposal. There is not a substantial dispute within federal agencies, the State of Nevada government agencies, or the scientific community as to the effects of oil and gas leasing and development in Nevada, specifically. Nevada’s oil and gas industry is different in numerous ways from other producing states and has not experienced any of the environmental issues that other states encounter.

5) The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.

At the leasing stage, there are no known direct effects of the proposed action identified in the EA that are considered uncertain or involve unique or unknown risks. The proposed action and reasonably foreseeable development do not involve highly uncertain, unique or unknown risks as demonstrated through the analysis in the EA. If and when specific exploration or development operations are proposed, additional site-specific environmental analysis would be conducted and impacts would be evaluated. If the evaluation indicates that environmental impacts would be unacceptable, either mitigation measures would be implemented as conditions of approval (COAs) to reduce the impact or the proposal could be denied to prevent unnecessary and undue degradation.

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 proposed action will not establish a precedent for future actions with significant effects or represent a decision about future consideration. Completion of the EA does not establish a precedent for other oil and gas competitive lease sales of similar size or scope. Any future leasing and associated lease operations within the project area will be analyzed on their own merits and implemented, or not, independent of the actions currently selected.

7) Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.

Past, present and reasonably foreseeable future actions have been considered in the cumulative impacts analysis within the EA. The cumulative impacts analysis examined all of the other appropriate actions and determined that the proposed action would not incrementally contribute to significant impacts. In addition, for any actions that might be proposed in the future, further environmental analysis, including assessment of cumulative impacts, would be required prior to authorizing surface disturbing activities.

