



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
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DECISION RECORD FOR June 2016 COMPETITIVE OIL AND GAS LEASE SALE

BLM EA Number: DOI-BLM-NV-B000-2016-0002-EA

INTRODUCTION

The purpose of the action is to offer 42 of the 64 nominated parcels for competitive oil and gas leasing on public lands administered by the Battle Mountain District (BMD), Nevada, for the June 2016 Competitive Oil and Gas Lease Sale.

The Bureau of Land Management (BLM) received nominations for the June 2016 Sale until September 18, 2015. The parcels located within the BMD were screened by the Nevada State Office (NVSO) in accordance with the Nevada and Northeast California Greater Sage-Grouse Approved Resource Management Plan Amendment (ARMPA) which requires the BLM to locate lease sales outside of Priority Habitat Management Area (PHMA) and General Habitat Management Area (GHMA). The remaining parcels or portions of parcels were then forwarded for review by the appropriate field offices and District Office, including interdisciplinary review, field visits to nominated parcels (where appropriate), review of conformance with the Resource Management Plan (RMP) decisions for each planning area, and preparation of an Environmental Assessment (EA) documenting National Environmental Policy Act (NEPA) compliance.

The sale of oil and gas leases is needed to allow continued exploration for additional petroleum reserves which would help the United States meet its growing energy needs and to enable the United States to become less dependent on foreign oil sources. This action by BLM implements the requirements of Executive Order 13212 and the Energy Policy Act of 2005 (Pub.L. 109-58).

DECISION

The proposed action is to include 42 parcels in the June 2016 Competitive Oil and Gas Lease Sale as described and analyzed in the EA (DOI-BLM-NV-B000-2016-0002-EA). A no action alternative was considered; however, since it would not meet the Bureau of Land Management's (BLM) purpose and need and would not be consistent with the objectives of the Tonopah RMP and Record of Decision (1997) or the Shoshone Eureka RMP and associated Record of Decision (1986), it was not selected.

The BMD staff considered leasing all 64 parcels that were originally nominated for leasing. However, during scoping, it was determined that there were specific resource and land use conflicts that would require deferring specific parcels or portions of parcels. On this basis, this alternative was eliminated from further analysis.

As a result of the analysis presented in the EA, it is my decision to select the proposed action which is to offer (and subsequently issue, should a successful bid be received by the BLM) 42 nominated parcels for competitive oil and gas leasing. This decision is issued under the Federal Land Policy and Management Act of 1976, the Onshore Orders for Oil and Gas, as amended, and Part 3100 of Title 43 of the Code of Federal Regulations, and is effective immediately upon signing of this Decision Record.

A Finding of No Significant Impact (FONSI) supports this decision. The FONSI was prepared separately and accompanies this Decision Record. The proposed action coupled with lease stipulations and lease notices detailed in the EA and FONSI have led to my decision that all practicable means to avoid or minimize environmental harm have been adopted and that unnecessary or undue degradation of the public lands will not result. This decision is consistent with the Tonopah Resource Management Plan (RMP) and Record of Decision (1997) and the Shoshone Eureka RMP and associated Record of Decision (1986).

All resource values impacted by the proposed action have been evaluated for cumulative impacts. It has been determined that cumulative impacts would be insignificant for all resources.

CONFORMANCE

BLM has determined that the proposed action is in conformance with the approved land use plans and is consistent with the applicable plans and policies of county, state, tribal and federal agencies. The proposed project is in compliance with the Federal Land Policy and Management Act (FLPMA) of 1976, the Tonopah Resource RMP and Record of Decision (1997) and the Shoshone Eureka RMP and associated Record of Decision (1986), the Endangered Species Act and the National Historic Preservation Act. It is also in conformance with the ARMPA and associated Record of Decision (2015).

PUBLIC INVOLVEMENT

Interested public letters were sent to the BMD mailing list outlining that the preliminary nominated parcel list, along with a map of nominated parcels, was available for review at the BLM National ePlanning website, for a 15-day scoping period which ended November 30, 2015. The BLM issued a press release the same day providing a link to the documents and instructions on how to comment. A total of five scoping comments were received.

A copy of the EA was posted on the BLM National ePlanning website on January 13, 2015 and remained accessible to the public for a 24-day comment period. As of the signing of this

Decision Record, approximately seven individual comment letters were received. The majority of the commenters expressed concerns with regard to site-specific impacts to wildlife, water usage, resource damage caused by hydraulic fracturing, potential ground and surface water contamination associated with exploration and development activities and a host of other concerns regarding impacts to natural resources.

Substantive comments were evaluated and considered by the BLM during the decision making process. However, the BLM reviewed and considered these comments and determined that they did not identify or present any significant new information or changed circumstances that would warrant additional NEPA analysis. Minor corrections or updates to the EA were made as a result of these substantive comments. Responses to substantive comments are provided in Appendix H of the EA. Included in some of the responses to comments, the commenters were reminded that the BLM is mandated by the FLPMA to prevent unnecessary and undue degradation of the public lands and the Department of the Interior's regulations at 43 CFR§ 3160 defines a wide array of rules which govern the conduct of Onshore Oil and Gas operations. Adherence to these laws and regulations would prevent or minimize the impacts of concern.

An additional project and site-specific environmental evaluation would be conducted for each oil and gas exploration and development proposal submitted by industry. 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.

CONSULTATION AND COORDINATION

Native American consultation letters for the June 2016 Lease Sale were sent to the Duckwater Shoshone Tribe, Yomba Shoshone Tribe and a group of the Te-Moak Shoshone Tribe known as the Descendants of the Big Smoky Valley on November 17, 2015. On November 30, 2015, the Mount Lewis Field Manager, Tonopah Field Manger and the Battle Mountain District Native American Coordinator (NAC), met with the Tribal Council of the Duckwater Shoshone Tribe. At that meeting, they did not identify or request to defer any parcels but asked to be contacted if APDs are submitted for any of the parcels. They also requested the BLM speak with the tribal Environmental Coordinator regarding the parcels.

The BLM NAC also spoke with the Environmental Coordinator for the Yomba Shoshone tribe on December 9, 2015. She stated that she would speak to the elders of the tribe to try and identify any concerns with the parcels. She expressed concern regarding fracking and asked that the tribe be coordinated with in the event that any of the parcels were leased.

The BMD NAC met with the Duckwater Environmental Coordinator on December 17, 2015. The BMD NAC also met with a representative from the Descendants of the Big Smoky Valley on December 17, 2015. Both representatives identified resource concerns on 10 of the nominated parcels.

RATIONALE

The decision to approve the proposed action is based upon the following: 1) consistency with RMPs and land use plans; 2) national policy; 3) agency statutory requirements; 4) relevant resource and economic issues; 5) application measures to avoid or minimize environmental impacts; 6) meeting the purpose and need for the project. The proposed action was selected as being the most environmentally sound alternative that meets the purpose and need.

1. The BLM has the responsibility to conduct competitive oil and gas lease sales to allow individuals or companies to explore for and develop oil and gas resources under the Mineral Leasing Act of 1920, as amended, Mining and Minerals Policy Act of 1980, the Federal Onshore Oil and Gas Leasing Reform Act of 1987, FLPMA, and the NEPA of 1969.

2. The recommendation to offer 42 nominated parcels for competitive oil and gas leasing meets the stated objective for Fluid Minerals in the Tonopah RMP:

“To provide opportunity for exploration and development of fluid minerals such as oil, gas, and geothermal resources, using appropriate stipulations to allow for the preservation and enhancement of fragile and unique resources”.

The Proposed Action also in conformance with the Tonopah RMP because it has been determined that the lease parcels are a subset of:

“[The] total of 5,360,477 acres (88% of the Tonopah Planning Area)[that] is open to fluid minerals leasing subject to standard terms and conditions (p.22).”

The Proposed Action is also in conformance with the Shoshone-Eureka RMP Part II, Section E, Management Actions Not Expressly Addressed by the Resource Management Plan, which includes Minerals Objectives and Management Decisions brought forward unaltered from the Management Framework Plan (Record of Decision p. 29). Minerals Objectives 1, 2, and 3 led to Management Decisions 1 through 5 for leasable minerals (oil and gas). The objectives are as follows:

Objective 1: Make available and encourage development of mineral resources to meet national, regional, and local needs consistent with national objectives for an adequate supply of minerals.

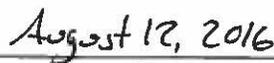
Objective 2: Assure that mineral exploration, development, and extraction are carried out in such a way as to minimize environmental and other resource damage and to provide, where legally possible, for the rehabilitation of lands.

Objective 3: Develop detailed mineral resource data in areas where different resources conflict so that informed decisions may be made that result in optimum use of the lands.

Management Decision #4, specifically addresses oil and gas leasing and states, "All areas designated by the BLM as prospectively valuable for oil and gas will be open to leasing except as modified by other resources."



Brian C. Amme
Deputy State Director, Minerals Management



Date