

FINDING OF NO SIGNIFICANT IMPACT

Environmental Assessment

Applicant: Jonah Energy LLC (Jonah Energy)

Leases: WYW-118154, WYW-107040, WYW-144998, WYW 126677, WYW 128703, WYW-160395

Natural Gas Wells: Stud Horse Butte (SHB) 18-14 well pad: 84-14, 91-14, 83-14, 18-14

SHB 214-9 well pad: 214-09, 215-09B, 215-09C, 216-09, 213-09A

Cabrillo (Cab) 71-19 well pad: 122-19, 126-19, 125-19X, 71-19

SHB 208-13 well pad: 209-13A, 209-13B, 209-13C

SHB 34-14 well pad: 207-14B, 94-14, 34-14

SHB 77-04 well pad: 61-04, 67-04, 78-04, 202-09

SHB 36-14 well pad: 90X-14, 204-14, 208-14, 207-14A, 36-14

SHB 18-09 well pad: 204-09, 95-09, 90X-09, 19-09, 91-09, 91X-09, 92-09, 18-09

SHB 218-11 well pad: 219-11C, 218-11, 223-11

SHB 14-04 well pad: 114-04, 60-04, 69-04

SHB 73-04 well pad: 74-04, 125-04, 203-09B, 122-04

SHB 17-08 well pad: 206-08, 205-08, 17-08, 81-08

SHB 20-10 well pad: 20-10, 201-10B

SHB 203-15B well pad: 203-15B, 203-15C, 222-10, 220-10, 216-10

SHB 33-10 well pad: 206-10

SHB 17-10 well pad: 83-10, 18-10, 201-10C, 91-10, 91X-10, 30-10, 31-10

SHB 57-11 well pad: 57-11, 218-10, 71-11, 72-11, 221-11A

Applicant: LINN Operating, Inc. (LINN Operating)

Leases: WYW 12677, WYW 128703, WYW 118154, WYW 130317

Natural Gas Wells: Cabrillo 15-13 well pad: Cab 13n1, Cab 13o2, Cab13o3, Cab 13p2

Cabrillo 13-13 well pad: SHB13k4, SHB13k6, Cab13L1, Cab13L2, Cab13L3, Cab13L4,

Cab13L5, Cab13L6, Cab13m2, Cab13m3, Cab13m4, Cab13m5, Cab13n2, Cab13n3, Cab13n4

SHB10o well pad: SHB10o2, SHB10o3, SHB10o4, SHB10o5, SHB10p1, SHB10p2, SHB10p3,

SHB10p4, SHB10p5, SHB10p6

Cabrillo 46-13 well pad: Cabrillo Federal 35-13, Cabrillo Federal 36-13, Cabrillo Federal 45-13,

Cabrillo Federal 46-13, SHB 13b1, SHB 13b2, SHB13g5, SHB 13g6, SHB13h1, SHB13h2,

SHB13h3, SHB13h4, SHB13h5, SHB13h6.

Cabrillo 23-13 well pad: Cabrillo Federal 23-13, Cabrillo Federal 24-13, Cabrillo Federal 25-13,

Cabrillo Federal 26-13, SHB13b3, SHB13c1, SHB13c2, SHB13c3, SHB13c4, SHB13c5,

SHB13c6, SHB13d5, SHB13d6.

SHB9c well pad: SHB9c1, SHB 9c2, SHB 9c3, SHB9c5, SHB 9c6, SHB9f1, SHB9f2, SHB 9f4,

SHB 9f5, SHB 9f6.

Sand Draw Federal (SDF) 61-11 well pad: SDF52-11, SDF61-11, SDF62-11, SDF11i2,

SDF11i3, SDF11i4, SDF11i5, SDF11i6, SDF11j5, SDF11j6.

Location: Jonah Gas Field, 6th Principal Meridian, Sublette County, Wyoming

T. 29 N., R 107 W.	Sec. 17, 18, 19, 20, all
	Sec. 29 N1/2N1/2, N1/2S1/2N1/2
	Sec. 30 N1/2N1/2, N1/2S1/2N1/2
T. 29 N., R 108 W.	Sec. 2, 4, 9, 10, 11, 12, 13, 15, 16, all
	Sec. 3 S1/2, S1/2N1/2
	Sec. 5 E1/2, SE1/4 NW1/4, E1/2 SW1/4
	Sec. 8 NE1/4, E1/2SE1/4
	Sec. 14 N1/2, SE1/4, N1/2SW1/4
	Sec. 22 N1/2, N1/2S1/2, N1/2S1/2SE1/4
	Sec. 25 NE1/4NE1/4

EA Number: WY-100-EA16-36

Prepared by: BLM Pinedale Field Office, Pinedale, Wyoming

3/4/16

Introduction

The purpose of the Project is to provide Jonah Energy and LINN Operating, the Operators, the opportunity to develop federal mineral estate within the Year-Round Development (YRD) Project Area on federal leases in Sublette County, Wyoming as required in 43 CFR § 3160, applicable Onshore Orders, and the Mineral Leasing Act (MLA) of 1920, as amended and supplemented (30 USC § 181 *et seq.*).

The need for the Project is established by the Bureau of Land Management's (BLM's) responsibility under Onshore Order No. 1 pursuant to the authority of the MLA as amended and supplemented, (30 USC 181 *et seq.*) and prescribed in 43 CFR § 3160 and the Federal Land Policy Management Act (FLPMA) of 1976 to initially respond to Operator's Plan of Development for 146 natural gas wells within greater sage-grouse and pronghorn crucial winter range seasonal timing limitations (245 wells total on 24 YRD Pads) within their valid oil and gas leases.

Summary of the BLM Mitigation Alternative

The BLM Mitigation Alternative includes development of 245 natural gas wells on 24 YRD Pads. Development would occur as authorized under the JIDP ROD with the exception that development would occur during seasonal timing limitations for greater sage-grouse in nesting and early brood-rearing habitats and pronghorn crucial winter range. Development procedures under the BLM Mitigation Alternative are described in the following documents:

- Operator-Committed Practices (Appendix B of the JIDP ROD and Attachment A to the EA) and;
- JIDP Development Procedures Technical Support Document (Appendix B to the JIDP FEIS, Volume 2 including the Transportation Plan (Subappendix DP-A), Reclamation Plan (Subappendix DP-B), and Hazardous Materials Management Summary (Subappendix DP-C) would apply to the BLM Mitigation Alternative.

With the exception of seasonal timing limitations for greater sage-grouse and pronghorn crucial winter range, the following administrative requirements, COAs, and mitigation also apply to the BLM Mitigation Alternative.

- JIDP Administrative Requirements, Conditions of Approval, and Mitigation (Appendix A to the JIDP ROD - Attachment B to the EA);
- Adaptive Management in the JIDPA (Appendix C to the JIDP ROD - Attachment C to the EA);
- Mitigation Guidelines and Operating Standards Applied to Surface Disturbing and Disruptive Activities (Appendix 3 to the Pinedale RMP - Attachment D to the EA);
- Seasonal Wildlife Stipulations for All Surface Disturbing Activities (Appendix 12 to the Pinedale RMP – Attachment E to the EA); and
- Management Decisions in the ARMPA.

The 24 YRD Pads, new access roads, and most of the gathering lines will be constructed outside of the seasonal timing limitations for greater sage-grouse (before March 15 or after June 30). Development on 24 YRD Pads, rather than 245 single well pads as authorized in the JIDP ROD, allows for a reduction of 1,082 acres of surface disturbance. Human presence and traffic will also be reduced by the reduction in worker days required for rig mobilization/demobilization on 24 YRD Pads versus 245 single well pads. The total duration for development under the BLM Mitigation Alternative is reduced by 13.5 months overall (36 months under the BLM Mitigation Alternative compared to 49.5 months as authorized in the JIDP ROD).

Mitigation measures in the BLM Mitigation Alternative for fence modifications, crossing installations, and noise reduction will reduce potential impacts to greater sage-grouse and wintering pronghorn.

Rationale

The BLM Mitigation Alternative was chosen because:

1. It meets the purpose and need.
2. The effects to the environmental resources in the vicinity of the BLM Mitigation Alternative are within the range of acceptable effects, with mitigation, as defined in the National Environmental Policy Act (NEPA) documents listed in Table 1, below.
3. The selected alternative would not cause any undue or unnecessary environmental degradation.
4. The selected alternative would not cause any undue or unnecessary effects to wildlife, with mitigation.

**Table 1
Applicable Land Use Plans and NEPA Documents**

Land Use Plan/NEPA Document	Approval Date
Record of Decision (ROD) and Approved Resource Management Plan Amendment (ARMPA) for the Rocky Mountain Region, Including Greater Sage-Grouse Sub-Regions of Lewiston North Dakota, Northwest Colorado, Wyoming, Bureau of Land Management	9/21/15
Pinedale Resource Management Plan (RMP)/Environmental Impact Statement (EIS) and ROD	11/26/08
Jonah Infill Drilling Project FEIS ROD	3/14/06
Jonah II EIS ROD	4/27/98
Modified Jonah II EA WY-100-EA00-171	6/9/00
Continental Divide-Creston Draft EIS (CD-C)	7/14

The Pinedale RMP has been amended by the ARMPA. The EA is tiered to the Pinedale RMP ROD (as amended by the ARMPA) and NEPA documents listed above in Table 1. The decision was screened and is in conformance with the Pinedale RMP as amended.

Compared to development authorized under the JIDP ROD, surface disturbance will be reduced by 1,082 acres with development on 24 YRD Pads rather than 245 single well pads. Also, worker days for rig mobilization/demobilization will be reduced with resultant reduction in human presence and traffic.

With application of standard operating procedures, applied mitigation, required design features and conditions of approval (COAs) identified for greater sage-grouse and pronghorn under the decision, impacts caused by surface-disturbing and disruptive activities would be minimized.

The BLM Mitigation Alternative is not within greater sage-grouse Priority Habitat Management Areas, connectivity habitats, or Winter Concentration Areas. Noise will be limited to 40 dBA at the Sand Draw Reservoir and South Rocks leks during drilling and completion between March 1 and May 15.

Most of the YRD Pads located within designated pronghorn crucial winter range have been block-cleared, meaning that the seasonal timing limitations have been waived. Conversion of 3 miles of problem fence areas to drop-down fence and installation of 10 gates and/or crossings will reduce effects to wintering pronghorn. The YRD Pads are not near the pronghorn migrations routes within the YRD Project Area.

Effect of Selected Alternative

Effects of the BLM Mitigation Alternative are either analyzed in the EA or are similar to those already analyzed through the NEPA Documents listed in Table 1, above.

Context and Intensity of Selected Alternative

Context

The BLM Mitigation Alternative would occur in an area that is identified in the Pinedale RMP as an “intensively developed” natural gas field. This analysis tiers to the documents listed above in Table 1. These documents are included in the analysis by reference.

Intensity

I have considered the potential intensity/severity of the impacts anticipated from the BLM Mitigation Alternative decision relative to each of the 10 areas suggested for consideration by the CEQ:

1. Impacts that may be both beneficial and adverse.

Beneficial and adverse effects of the BLM Mitigation Alternative are described in the EA. To reduced potential adverse impacts, development procedures, administrative requirements, COAs, and mitigation described above in the description of the BLM Mitigation Alternative would apply to the BLM Mitigation Alternative.

Additional mitigation measures included in the BLM Mitigation Alternative would be implemented to reduce potential impacts to greater sage-grouse and wintering pronghorn.

Benefits of development under the BLM Mitigation Alternative compared to development authorized under the Jonah ROD include:

- Reduction in well pads constructed (24 well pads vs. 245 well pads);
- Reduction of 1,082 acres of surface disturbance (232 acres vs. 1,314 acres);
- Reduction of 13.5 months in duration of development during the first 3 years (49.5 months vs, 36 months);
- Reduction in worker days for rig mobilization/demobilization (1,800 worker days vs. 18,375 worker days); and
- Reduction in worker days for reclamation (1,200 worker days vs. 12,250 worker days).

2. The degree to which the proposed action affects public health and safety.

The BLM Mitigation Alternative is designed to have minimum impact on public health and safety. Transportation of equipment to the YRD well pads would conform to state and federal laws.

The BLM Mitigation Alternative is in conformance with nonattainment requirements and is not subject to a conformity determination.

3. Unique characteristics of the geographic area such as proximity of historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.

Cultural and historic areas are addressed below in No. 8. The following resources are not present in the YRD Project Area: park lands, prime farmlands, wild and scenic rivers, floodplains, forests, Areas of Critical Environmental Concern (ACECs), wilderness areas, and lands with wilderness characteristics. The following resources would not be impacted by the BLM Mitigation Alternative: environmental justice and wetlands and riparian zones.

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

Continued exploration and production of leased federal oil and gas resources, including resultant effects, are not unique and would occur in an area where such activities have been taking place for many years. Decisions regarding utilization of public lands for well pads, gathering lines, and access roads have been and continue to be made in this region by this Field Office. There is no scientific controversy over the nature of the potential impacts. Effects upon the quality of the human environment are anticipated to be low in intensity.

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 in the area. Oil and gas exploration has been ongoing in the region for many years, during which the BLM has continued to consider and render similar decisions on similar actions. The BLM has experience implementing and mitigating comparable actions in this and similar areas. Possible effects to the human environment are not predicted to be highly uncertain nor expected to 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.

This action would not establish a precedent for future actions with significant effects or represent a decision in principle about a future consideration. Any future actions would be subject to the NEPA process.

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

The BLM Mitigation Alternative was considered in the context of past, present, and reasonably foreseeable actions. Cumulative impacts are brought forward and analyzed in the EA or in the NEPA document listed above in Table 1. The YRD Project has no new significant impacts.

8. The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historic resources.

File search, literature reviews and an intensive Class III cultural resource inventory identified several NRHP-eligible and potentially eligible sites in the YRD Project Area. Potential impacts to NRHP-eligible cultural resources would be mitigated on a case-by-case basis following procedures outlined in the Jonah Programmatic Agreement (Amendment 2). The Site 48SU4000 District is a Native American-sensitive site in the YRD Project Area. BLM will consider the need for additional Native American Consultation as individual APDs are reviewed and approved.

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 Endangered Species Act of 1973.

In the U.S. Fish and Wildlife Service (FWS) 2005 Final Biological Opinion for the Jonah Infill Drilling Project, the FWS concluded that water depletions associated with the JIDP are likely to jeopardize the continued existence of the Colorado pikeminnow, humpback chub, bonytail, and razorback sucker (Colorado River Endangered Fish). As a reasonable and prudent alternative to avoid the likelihood of jeopardizing the continued existence of the Colorado River Endangered Fish, the FWS determined that depletion impacts can be offset by a one-time contribution to the Recovery Program. The Final Biological Opinion included an average annual depletion of 1,006.7 acre-feet per year with a total depletion of 12,483 acre-feet over the 12.4 year life of the JIDP. To date (through 2015), total depletion is about 6,000 acre-feet. Estimated average annual depletion for the YRD Project is 734 acre-feet per year. The estimated average annual depletion of 734 acre-feet per year (3,670 acre-feet for 5 years) added to the total depletion through 2015 (6,000 acre-feet) would not exceed the 12,483 acre-feet total included in the Final Biological Opinion.

10. Whether the action threatens a violation of federal, state, or local law or requirements imposed for the protection of the environment.

To the best of my knowledge, the BLM Mitigation Alternative does not violate or threaten violation of any federal, state, local, or tribal law or requirement imposed for the protection of the environment. State, local, and tribal interests were given the opportunity to participate in the environmental process.

Finding of No Significant Impact

Based on the analysis of potential environmental impacts detailed in the attached EA, and in accordance with the National Environmental Policy Act (NEPA) and the Pinedale Resource Management Plan Record of Decision (November 2008) and the applicable NEPA documents listed within the **Context** section above, I have determined that the impacts of the BLM Mitigation Alternative, when coupled with mitigation measures and environmental protection measures presented and detailed in the EA and the accompanying Decision Record, are not significant per the definition of significance in 40 CFR 1508.27 and grant implementation of the

BLM Mitigation Alternative. Therefore, preparation of an environmental impact statement is not required.



Caleb M. Hiner
Field Manager
Pinedale Field Office

3/4/2016
Date

This decision is subject to administrative review under BLM regulation in accordance with 43 Code of Federal Regulations (CFR) Part 4 (and subsections that apply). Any request for administrative review of this decision must include the information required under 43 CFR 43 CFR Part 4, including all supporting documentation. Such a request must be filed in writing with the State Director (920), Bureau of Land Management, P.O. Box 1828, Cheyenne, Wyoming 82003, within 20 business days of the date such notice of decision was received or considered to have been received. This decision would be considered to have been received seven (7) business days from the date it is mailed. This decision shall take effect immediately upon the date it is signed and shall remain in effect while any appeal is pending unless the State Director or the Interior Board of Land Appeals issues a stay.

A petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

- The relative harm to the parties if the stay is granted or denied,
- The likelihood of the appellant's success on the merits,
- The likelihood of immediate and irreparable harm if the stay is not granted, and
- Whether the public interest favors granting a stay.