

Draft

**United States Department of the Interior
Bureau of Land Management**

**Finding of No New Significant Impact
DOI-BLM-WY-R000-2016-0001-EA**

August 2, 2016

**BLM-Wyoming
August 2016 Competitive Oil & Gas Lease Sale
Wind River/Bighorn Basin District**

Wyoming State Office
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BLM

FINDING OF NO NEW SIGNIFICANT IMPACT
BLM – Wyoming August 2016 Competitive Oil and Gas Lease Sale
Environmental Assessment
DOI-BLM-WY-R000-2016-0001-EA

INTRODUCTION:

The Bureau of Land Management (BLM) has prepared an Environmental Assessment (EA) (DOI-BLM-WY-R000-2016-0001-EA), and an included Attachment 1, Parcel Descriptions with Stipulations, which is attached to this FONNSI, to address the offering of oil and gas leases at the August 2016 BLM Wyoming Competitive Oil and Gas Lease Sale and subsequent lease issuance. Parcels evaluated in this EA are within the BLM's Wind River/Bighorn Basin District (WR/BBD), including the Lander Field Office (LFO), the Worland Field Office (WFO), and the Cody Field Office (CyFO).

Management decisions in the Lander RMP (2014), the Worland RMP (2015), and the Cody RMP (2015), have been applied. Stipulations have been applied to each lease parcel to address resource concerns using current RMP management actions.

After careful review of the parcels, the BLM has determined that it was appropriate to defer certain parcels nominated for inclusion in the August 2016 oil and gas lease sale. These deferrals of certain nominated parcels were made consistent with the BLM's sage-grouse conservation plans and strategy, which direct the BLM to prioritize oil and gas leasing and development in a manner that minimizes resource conflicts in order to protect important habitat and reduce development time and costs.

In total, 62 parcels containing 76,296.81 acres located within the field offices in the WR/BBD were nominated through "Expressions of Interest" for the August 2016 Competitive Oil and Gas Lease Sale, which are available for leasing through the applicable RMPs. For the reasons identified above, the BLM exercised its discretion to defer 12 of those parcels containing 9,653.99 acres.

Within those parcels being offered, three contiguous parcels WY-1608-098, -099 and a portion of -100, are located within the Absorka Front MLP in the WFO. To conform with the provisions of the MLP designation in that area, the three parcels which are within the Absorka Front MLP area will be combined to be offered as one parcel, and the portion of parcel 100 which is outside of the MLP will be offered as a separate parcel. Therefore, the number of parcels brought forward to the lease sale book will be changed from 50 to 49 for this lease sale.

As a result, WR/BBD would offer for sale 49 parcels consisting of approximately 66,642.820 acres, and if sold, these leases would be issued.

There are no unresolved new concerns relating to plan conformance with the Lander, Worland, and Cody approved RMPs.

FINDING OF NO NEW SIGNIFICANT IMPACT:

Based upon a review of the EA and the included Attachment 1, Parcel Descriptions with Stipulations, 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 current Lander, Worland, or Cody RMPs/ Environmental Impact Statements (EISs). Therefore, an EIS is not needed.

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

Context:

The action would occur within the Lander, Worland, and Cody Field Office boundaries and would have local impacts on the resources similar to and within the scope of those described and considered within the RMPs and their respective EISs. The project is an action on BLM administered land and/or mineral estate that by itself does not have known or identified international, national, regional, or state-wide importance.

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 Attachment 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 may be both beneficial and adverse.

The Action/Alternatives would affect resources as described in the EA. Mitigating measures to reduce impacts to the various resources were incorporated in the design of the action alternatives. None of the environmental effects discussed in detail in the EA are considered significant, nor do the effects exceed those described in the RMPs and their respective EISs.

2. The degree to which the selected alternative will affect public health or safety.

The proposed action is to offer lease parcels for sale. No aspect of the Action would have an effect on public health and safety. If the parcels are subsequently sold and the leases enter into a development stage, public health or safety would be further addressed through site specific National Environmental Policy Act (NEPA) analysis.

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

Any parcels nominated which have unique characteristics, such as leasing along historic trails, or sage grouse habitat areas, have been stipulated in conformance with the approved Land Use Plans.

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

While federal oil and gas leases have frequently been protested by a variety of non-governmental organizations, based on perceived environmental impacts to the specific parcel, the overarching act of oil and gas leasing has not been highly controversial. As demonstrated in the EA, impacts to the quality of the human environment from the offering, sale, and issuance of the lease parcels are not expected to be significant or highly controversial. Site specific NEPA will be conducted which addresses specific effects on resources at the time of development. Controversy in this context is considered to be in terms of disagreement about the nature of the effects; not political controversy or expressions of opposition to the action or preference among the alternatives analyzed within the RMPs.

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. Oil and gas leasing and post-lease development have been ongoing in the United States, including portions of the area, for more than a century. The BLM has experience implementing similar actions in similar areas. The environmental effects to the human environment are fully analyzed in the EA and corresponding RMPs. 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.

This project neither establishes a precedent nor represents a decision in principle about future actions. The actions were considered by the interdisciplinary team within the context of past, present, and reasonably foreseeable future actions. Significant cumulative effects are not expected. Again, oil and gas leasing and post-lease development have been ongoing in the United States, including portions of the area, for more than a century.

7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts - which include connected actions regardless of land ownership.

The EA and the included Attachment 1, Parcel Descriptions with Stipulations, did not reveal any cumulative effects beyond those already analyzed in the RMPs and associated EISs. The interdisciplinary team evaluated the possible actions in context of past, present and reasonably foreseeable actions. Significant cumulative effects are not expected.

8. The degree to which the action may adversely affect districts, sites, highways, structures, or other objects listed in or eligible for listing in the National Register of

Historic Places (NRHP) or may cause loss or destruction of significant scientific, cultural, or historical resources.

There are no features within the project area listed or eligible for listing in the NRHP that would be adversely affected by a decision to offer for sale the subject parcels. If the leases enter into a development stage, NRHP resources would be further addressed through site specific NEPA analysis. Known sites occurring in any the parcels that would be offered for sale are protected by either a controlled use or no surface occupancy stipulation. Refer to item 3 for additional discussion.

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, or the degree to which the action may adversely affect: 1) a proposed to be listed endangered or threatened species or its habitat, or 2) a species on BLM's sensitive species list.

Mitigating measures to reduce impacts to wildlife and fisheries have been incorporated into the lease stipulations. Although listed species may occupy habitat within the project boundary, it has been determined that they will not be affected because surface use restrictions, including timing limitation stipulations (TLS), no surface occupancy (NSO) stipulations, and controlled surface use (CSU) stipulations, as well as unavailable for leasing designations, will be applied to the lease parcels. Furthermore, post-lease actions/authorizations (e.g., Application for Permit to Drill (APDs), road/pipeline Right-of-Ways (ROWs)), could be encumbered by TLS and CSU restrictions on a case-by-case basis, as required through project-specific NEPA analysis or other environmental review.

10. Whether the action threatens a violation of a federal, state, local, or tribal law, regulation or policy imposed for the protection of the environment, where non-federal requirements are consistent with federal requirements.

The project does not violate any known federal, state, local or tribal law or requirement imposed for the protection of the environment. In addition, the project is consistent with applicable land management plans, policies, and programs.

Authorized Officer

Date