

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

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**Finding of No Significant Impact  
WY-070-EA16-66**

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August 2, 2016

**BLM-Wyoming  
August 2016 Competitive Oil and Gas Lease Sale  
High Plains District**

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Wyoming State Office  
5353 Yellowstone Dr.  
Cheyenne, Wyoming 82009



**FINDING OF NO SIGNIFICANT IMPACT**  
**BLM-Wyoming August 2016 Competitive Oil and Gas Lease Sale**  
**Environmental Assessment**  
**WY-070-EA16-66**

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**INTRODUCTION:**

The Bureau of Land Management (BLM) has prepared an Environmental Assessment (EA) to address offering and issuing certain lease parcels within the High Plains District at the BLM-Wyoming August 2016 Competitive Oil and Gas Lease Sale. The decision, selecting elements from a combination of alternatives (see the Decision Record, which has been prepared concurrently with this FONSI), would offer 37 lease parcels within the High Plains District.

Should a successful bid be received and all other applicable requirements met, the BLM may lease the parcels. Collectively, the parcels to be offered within the High Plains District at the August 2016 lease sale contain approximately 22,254.98 acres of Federal fluid mineral estate administered by the Casper and Newcastle Field Offices (FOs).

Standard terms and conditions as well as parcel-specific timing limitation, no surface occupancy, and controlled surface use stipulations have been attached to the parcels as described in the EA and Sale Notice. Lease stipulations were added to each parcel as identified by the Casper and Newcastle FO's interdisciplinary teams, to address site specific concerns or new information not identified in the land use planning process.

The decision also defers and/or deletes 6 entire and 1 partial parcels (comprised of 640.00 acres, or 3% of the acres nominated and reviewed) from the August 2016 Sale. Two entire parcels that are on U.S. Forest Service surface totaling 120.00 acres were deferred from leasing until Forest Service concurrence is received by the BLM. Portions of 1 parcel and 2 entire parcels, containing 280.00 acres, are located within Priority Habitat Management Areas as identified in the Approved Wyoming Greater Sage-Grouse Land Use Plan Amendment (ARMPA) Final Environmental Impact Statement (FEIS) and Record of Decision (ROD), which was signed on September 21, 2015. The BLM has exercised its discretion and determined that it is appropriate to defer certain parcels from the set of preliminary parcels analyzed in the Environmental Assessment for the August 2016 competitive oil and gas lease sale. These deferrals are consistent with the BLM's Greater 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 Greater Sage-grouse habitat and reduce development time and costs. Based on the foregoing, the parcels listed in the High Plains District as summarized above, are deferred at the discretion of the BLM. Two parcels comprised of 240.00 acres were deleted from the sale, since they had been previously posted to the February 2, 2016 Notice and received a bid.

While the BLM's decision for the parcels described in the August 2016 Sale Notice defers and/or deletes certain parcels from being offered at the August 2016 Competitive Oil and Gas Lease Sale, it still meets the purpose and need (August 2016 EA (v.2) at page 5):

*The purpose of the competitive oil and gas lease sale is to meet the growing energy demands of the United States public through the sale and issuance of oil and gas leases. Continued sale and issuance of leases is necessary to maintain economical production of oil and gas reserves owned by the United States.*

*The need for the competitive oil and gas lease sale is established by the FOOGLRA to respond to Expressions of Interest (EOI), the FLPMA, and the MLA. The BLM's responsibility under the MLA is to promote the development of oil and gas on the public domain, and to ensure that deposits of oil and gas owned by the United States are subject to disposition in the form and manner provided by the MLA under the rules and regulations prescribed by the Secretary of the Interior, where applicable, through the land use planning process.*

The EA analyzed in detail two alternatives (a No Action Alternative and a Proposed Action Alternative). The EA analyzing potential impacts from these alternatives in the August 2016 Sale is attached.

**FINDING OF NO (NEW) SIGNIFICANT IMPACT:**

Based upon a review of the EA and the supporting documents (i.e., the governing land use plans), 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.

The environmental effects do not 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 approved Casper and Newcastle RMPs (as amended) and their Final Environmental Impact Statements (FEISs). Therefore, an EIS is not needed.

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

**Context:**

The decision would occur within the jurisdictions of the Casper and Newcastle FOs and would have local impacts on the resources similar to and within the scope of those described and considered within the applicable RMPs (as amended) and their respective FEISs/Records of Decision (ROD). The project is an administrative action involving approximately 22,254.98 acres of BLM-administered mineral estate.

Aspects of the proposal have state-wide, regional, and national importance. Energy development has nationwide importance due to the existing and increasing demand for energy; oil and gas is one component of the nation's energy portfolio.

**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 Appendix 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 EAs. 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 EAs are considered significant, nor do the effects exceed those described in the applicable approved RMPs (as amended) and their respective FEISs/RODs.

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

The decision is to offer lease parcels for sale. 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.

Several parcels contain land with private surface overlying Federal minerals (i.e. split-estate). Lease operators will be required to comply with applicable rules and regulations, and must make a good-faith effort to reach a Surface Access Agreement with the surface owner(s) on all split-estate lands with Federal oil and gas.

**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.**

Unique characteristics present within the project area include historic and cultural resources. These characteristics have been deemed to be not affected by the action alternatives with mitigating measures as attached to the lease parcels. No aspect of the action alternatives would have an effect on cultural resources at the offering phase. If the leases enter into a development stage, cultural resources would be further addressed through site specific NEPA.

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

Effects on the quality of the human environment are not expected to be significant or highly controversial. Site specific NEPA will be conducted that 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 EA.

**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. 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 considered in the selected alternative were considered by the interdisciplinary teams within the context of past, present, and reasonably foreseeable future actions. Significant cumulative effects are not expected.

**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 EAs did not reveal any cumulative effects beyond those already analyzed in the applicable RMPs/FEISs. 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.**

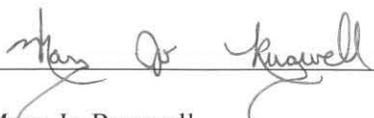
There are no features within the project area listed or eligible for listing in the NRHP that would be adversely affected by a decision to offer for sale the subject parcels. If the leases enter into a development stage, NRHP resources would be further addressed through site-specific NEPA analysis.

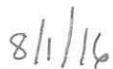
**9. The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973, or the degree to which the action may adversely affect: 1) a proposed to be listed endangered or threatened species or its habitat, or 2) a species on BLM's sensitive species list.**

Refer to the individual parcel descriptions and to the sensitive species controlled surface use stipulations in the EAs for a listing of the various sensitive species with the various parcels. Mitigating measures to reduce impacts to wildlife and fisheries have been incorporated into the design of the action alternatives. 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 (TL), no surface occupancy (NSO), 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 seasonal and surface use restrictions on a case-by-case basis, as required through project-specific NEPA analysis or other environmental review, and consistent with our regulations (see 43 CFR 3101.1-2).

**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.

  
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Mary Jo Rugwell,  
Wyoming State Director

  
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Date