

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

**Decision Record
Environmental Assessment
WY-070-EA16-66**

August 2, 2016

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

Wyoming State Office
5353 Yellowstone Dr.
Cheyenne, Wyoming 82009



DECISION RECORD

WY-070-EA16-66

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

Decision:

It is my decision to implement a combination of the alternatives considered in the Environmental Assessment (EA).¹ My decision is to offer (and subsequently issue, should a successful bid be received by the BLM) 37 lease parcels comprised of 22,254.98 acres of Federal fluid mineral estate administered by the High Plains District, as identified in the EA and as further described below, at the August 2, 2016 Competitive Oil and Gas Lease Sale (see Attachment 1 to this Decision Record, identifying the parcels and acreages to be offered). The remaining parcels nominated and reviewed by the BLM within the High Plains District will be deferred and/or deleted for the reasons described in the EA and this Decision Record (DR). Adopting elements from Alternative A (No Action) and Alternative B results in the offering (and leasing, should successful bids be received by the BLM) of 97% of the lands nominated and reviewed by the BLM in the High Plains District for this Sale.

Combined with the concurrent decision pertaining to the parcels for the August 2016 Sale located in the Wind River/Bighorn Basin District (WRBBD), the Sale will result in the offering of 88,894.66 acres, or 90% of the lands nominated and reviewed by the BLM for the Sale.

The BLM received nominations for the August 2016 Sale beginning June 29, 2015 and ending September 18, 2015. After preliminary adjudication of the 104 nominated parcels (99,188.65 acres) by the Wyoming State Office (WSO), the 43 parcels (22,894.98 acres) located within the High Plains District were evaluated by the appropriate BLM district and field offices. District and field office evaluations included interdisciplinary review, field visits to nominated parcels (where appropriate), review of conformance with the RMP decisions for each planning area, and preparation of an Environmental Assessment (EA) documenting National Environmental Policy Act (NEPA) compliance.²

This DR addresses the BLM's final decision for the 104 parcels nominated and reviewed for the August 2016 Sale located within the High Plains District and as described in the Sale Notice,³ including:

- On May 11, 2016, the WSO issued an Information Notice (#1) that explained two parcels identified in the August 2016 Sale Notice "were posted to the February 2, 2016 Notice and received a bid... Therefore, parcels WY-1608-035 and WY-1608-036 are deleted from [the Aug 2016 Sale]."

As the result of these modifications and decisions, the combination of alternatives selected differs from the action alternatives described in the EA.

¹ See 43 CFR 46.420(c): "The Responsible Official must not consider alternatives beyond the range of alternatives discussed in the relevant environmental documents, but may select elements from several alternatives discussed."

² Links to the NEPA documents are available at: http://www.blm.gov/wy/st/en/programs/energy/Oil_and_Gas/Leasing.html

³ Available at: <https://eplanning.blm.gov/epl-front-office/projects/nepa/61292/73465/80674/08list.pdf>

All of the August 2016 lease sale parcels located in the HPD have been protested by the Center for Biological Diversity and Wild Earth Guardians. Rocky Mountain Wild protested 9 parcels located in the WRBBD.

A Finding of No Significant Impact (FONSI) has determined the selected elements from alternatives A and B analyzed in the EA do not constitute a major Federal action that will adversely impact the quality of the human environment. Therefore, an additional EIS (since EISs have already been prepared by the BLM for the appurtenant Resource Management Plans) was determined unnecessary and will not be prepared.

Authorities:

The authority for this decision is contained in 43 CFR 3100.

Compliance and Monitoring:

No monitoring would be required in the offering of the lease parcels for sale or for issuance of the leases, should a successful bid be received. Should the parcels be leased and developed, monitoring may be required by the BLM and would be considered under future documentation of National Environmental Policy Act (NEPA) compliance.

Terms/Conditions/Stipulations:

All parcels are subject to standard lease notices 1-3 and the Special Lease Stipulation for cultural resources. They are also subject to the Threatened and Endangered and Sensitive Species Stipulation (BLM-Washington Office Instruction Memorandum No. 2002-174, as updated by IM No. 2010-117) and the Migratory Bird Species-Interim Management Guidance Policy (BLM-Washington Office Instruction Memorandum No. 2008-050). Individual parcels are subject to specific stipulations for wildlife resources, paleontological or cultural resources, Visual Resource Management (VRM), and other resources or land uses. Please refer to the August 2, 2016 Competitive Oil and Gas Lease Sale Notice for a complete description of the stipulations and lease notices applied to each parcel.

Plan Conformance and Consistency:

The proposed action and alternatives have been reviewed and found to be in conformance with the approved RMPs and associated decision(s) in the Casper RMP/ROD (2007) and the Newcastle RMP/ROD (2000), as amended by the Wyoming Greater Sage-Grouse Proposed Land Use Plan Amendment and Final Environmental Impact Statement (2015), and the RMP/ROD approved on September 21, 2015.

Pursuant to 40 CFR 1508.28 and 1502.21, this EA tiers to and incorporates by reference the information and analysis contained in the Casper and Newcastle RODs, approved RMPs (as amended), and FEISs.

Alternatives Considered in the Applicable EA:

Alternative A – No Action: Under the No Action Alternative BLM Wyoming would not offer any of the parcels available for lease at the August 2016 lease sale. This would mean that the Expressions of Interest (EOIs), i.e. parcel nominations, to lease would be denied or rejected and all available lease parcels would be withdrawn from lease sale. Surface management would remain the same and ongoing oil and gas development would continue on surrounding federal, private, and state leases.

Alternative B – Proposed Action: Of the parcels determined to be available for leasing under the referenced RMPs in the High Plains District, BLM Wyoming would offer all or portions of 39 parcels

for lease (as described in the High Plains District's August 2016 EA). The offered parcels are available for oil and gas leasing under the Casper and Newcastle RMPs/RODs. Standard terms and conditions/stipulations would apply. Lease stipulations have been added to each of the 39 total parcels as identified by referenced RMPs to address site specific concerns, and as described in the EA.

Public Comments:

The EA was posted on the BLM Wyoming Oil and Gas Leasing webpage for a 30-day public review and comment period. Comments contained within letters and/or emails received by the BLM along with Agency responses are included in Appendix F attached to the EA.

Rationale for Decision:

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

1. This decision is in conformance with the Casper and Newcastle RMPs.
2. It is the policy of the BLM as derived from various laws, including the Mineral Leasing Act (MLA) of 1920, as amended (30 U.S.C. 181 *et seq.*) and the Federal Land Policy and Management Act of 1976 (FLPMA), to make mineral resources available for disposal and to encourage development of mineral resources to meet national, regional, and local needs.
3. The decision is consistent with all Federal, state, and county authorizing actions required for implementation of the decision.
4. Economic benefits derived from implementation of the proposed action considered important and have been analyzed in the EA.
5. Standard terms and conditions as well as special stipulations would apply. Lease stipulations were added to each parcel as identified by the Casper and Newcastle field offices to address site specific concerns.
6. The decision meets the stated purpose and need in the EA by providing areas for the potential exploration and development of additional oil and gas resources to help meet the nation's current and expanding need for energy sources, while protecting other resource values in accordance with guiding laws, regulations, and Land Use Planning decisions through application of lease stipulations.

Appeal Information:

This Decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4 and Form 1842-1 (copy attached). If an appeal is taken, your notice of appeal must be filed in this office within 30 days from your receipt of this Decision. The protestor has the burden of showing that the Decision appealed from is in error.

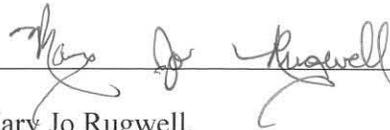
If you wish to file a petition for a stay of the effectiveness of this Decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed on the attached document. Copies of the notice of appeal and petition for a stay must be submitted to the Interior Board of Land Appeals and the appropriate Office of the Solicitor (see 43 CFR §4.413) at the same time the

original documents are filed with this office. Copy of the notice of appeal and petition for a stay must also be submitted to each adversely affected party named in this decision at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay:

Except as otherwise provided by law or other pertinent regulations, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

- (1) The relative harm to parties if the stay is granted or denied,
- (2) The likelihood of the protesters' success on the merits,
- (3) The likelihood of the immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.



Mary Jo Rugwell,
Wyoming State Director

8/1/16
Date

Attachment 1

Aug 2016 Oil and Gas Lease Sale Parcel Review (1608)											
Offer Parcel In Its Entirety											
Delete or Defer Parcel In Its Entirety											
Offer Portion of Parcel, Delete or Defer Remainder											
By: T. Bargsten			GSG Habitat Areas (acres)				Acres				7/22/2016
Preliminary Parcel No.	Final Parcel No.	FO(s)	PHMA Core	PHMA Connectivity	GHMA	Neither PHMA/GHMA	Reviewed	Delete/Defer		Final	Notes
								DO/FO	WO		
-001	-001	NFO			788.92	108.69	897.61			897.61	
-002	-002	NFO			293.10	1,422.22	1,715.32			1,715.32	
-003	-003	NFO				240.00	240.00			240.00	
-004	-004	NFO			120.00		120.00			120.00	
-005	-005	NFO			284.80		284.80			284.80	
-006	-006	NFO			40.00		40.00			40.00	
-007	-007	NFO			280.00		280.00			280.00	
-008	-008	NFO			479.96		479.96			479.96	
-009	-009	NFO			600.00		600.00			600.00	
-010	-010	NFO			1,040.00		1,040.00			1,040.00	
-011	-011	NFO			480.00		480.00			480.00	
-012	-012	NFO			480.00		480.00			480.00	
-013	-013	NFO			1,513.32		1,513.32			1,513.32	
-014	-014	NFO			200.00		200.00			200.00	
-015	-015	NFO			280.23		280.23			280.23	
-016	-016	NFO			40.00		40.00			40.00	
-017	-017	NFO	80.00				80.00		(80.00)		
-018	-017	NFO			960.00		960.00			960.00	
-019	-018	NFO			600.00		600.00			600.00	
-020	-019	NFO			786.43		786.43			786.43	
-021	-020	NFO			440.00		440.00			440.00	
-022	-021	NFO			1,552.00		1,552.00			1,552.00	
-023	-022	NFO	2.60		837.40		840.00			840.00	Partial PHMA/GHMA
-024	-023	NFO	40.00		240.00		280.00		(40.00)	240.00	Partial PHMA/GHMA
-025	-024	NFO			80.00		80.00			80.00	
-026	-025	NFO			240.00		240.00			240.00	
-027	-025	CFO			40.00		40.00		(40.00)		USFS surface
-028	-026	NFO			521.09		521.09			521.09	
-029	-027	NFO			201.58		201.58			201.58	
-030	-028	NFO			562.57		562.57			562.57	
-031	-029	NFO			320.00		320.00			320.00	
-032	-030	NFO			448.71		448.71			448.71	
-033	-031	NFO			365.97		365.97			365.97	
-034	-032	NFO			441.72		441.72			441.72	
-035	-033	NFO			81.88		81.88			81.88	
-036	-034	CFO			2,379.90		2,379.90			2,379.90	
-037	-035	CFO			80.00		80.00				Duplicate from Feb 2016 list - see Info Notice.
-038	-036	CFO			160.00		160.00				Duplicate from Feb 2016 list - see Info Notice.
-039	-036	CFO			80.00		80.00		(80.00)		USFS surface
-040	-037	CFO			478.50		478.50			478.50	
-041	-038	CFO			314.01		314.01			314.01	
-042	-039	CFO			1,709.38		1,709.38			1,709.38	
-043	-039	CFO	160.00				160.00		(160.00)		
-044	-040	LFO	412.24		1,157.72		1,569.96			1,569.96	Partial PHMA/GHMA
-045	-041	LFO			1,800.00		1,800.00			1,800.00	
-046	-042	LFO			2,160.00		2,160.00			2,160.00	
-047	-043	LFO			307.23		307.23			307.23	
-048	-044	LFO			375.55		375.55			375.55	IN#2.
-049	-045	WFO			1,472.64		1,472.64			1,472.64	
-050	-046	WFO			2,055.96		2,055.96			2,055.96	
-051	-047	WFO			1,382.56		1,382.56			1,382.56	

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Offer Portion of Parcel, Delete or Defer Remainder											
By: T. Bargsten			GSG Habitat Areas (acres)			Acres			7/22/2016		
Preliminary Parcel No.	Final Parcel No.	FO(s)	PHMA Core	PHMA Connectivity	GHMA	Neither PHMA/GHMA	Reviewed	Delete/Defer		Final	Notes
								DO/FO	WO		
-052	-048	WFO			2,320.52		2,320.52			2,320.52	
-053	-049	WFO			2,080.00		2,080.00			2,080.00	
-054	-050	WFO			2,076.46		2,076.46			2,076.46	
-055	-051	WFO			2,151.16		2,151.16			2,151.16	
-056	-052	WFO			2,130.31		2,130.31			2,130.31	
-057	-053	WFO			761.87		761.87			761.87	Fifteen Mile MLP.
-058	-054	WFO			2,040.00		2,040.00			2,040.00	
-059	-055	WFO			2,060.25		2,060.25			2,060.25	
-060	-056	CYFO			2,326.38		2,326.38			2,326.38	
-061	-057	CYFO			2,422.68		2,422.68			2,422.68	
-062	-058	CYFO+WFO			942.72		942.72			942.72	
-063	-059	CYFO			2,505.74		2,505.74			2,505.74	
-064	-060	CYFO			2,543.43		2,543.43			2,543.43	
-065	-061	CYFO			2,522.91		2,522.91			2,522.91	
-066	-062	CYFO			1,959.70		1,959.70			1,959.70	
-067	-063	CYFO			2,551.96		2,551.96			2,551.96	
-068	-064	CYFO			2,555.36		2,555.36			2,555.36	
-069	-065	CYFO			2,558.08		2,558.08			2,558.08	
-070	-066	CYFO			1,890.16		1,890.16			1,890.16	INH2.
-071	-067	CYFO			678.56		678.56			678.56	
-072	-068	CYFO			2,040.00		2,040.00			2,040.00	
-073		LFO	568.18		-		568.18	(568.18)		-	
-074		LFO	600.00		-		600.00	(600.00)		-	
-075		LFO	183.78		-		183.78	(183.78)		-	
-076		LFO	2,371.04		-		2,371.04	(2,371.04)		-	
-077		LFO	200.00		-		200.00	(200.00)		-	
-078	-069	CYFO			2,235.81		2,235.81			2,235.81	
-079	-070	CYFO			1,980.96		1,980.96			1,980.96	
-080	-071	CYFO			1,237.02		1,237.02			1,237.02	
-081		LFO	241.82		-		241.82	(241.82)		-	
-082		LFO	1,053.47		-		1,053.47	(1,053.47)		-	
-083		LFO	440.00		-		440.00	(440.00)		-	
-084		LFO	2,560.00		-		2,560.00	(2,560.00)		-	
-085		LFO	298.33		18.05		316.38	(316.38)		-	Partial PHMA/GHMA.
-086	-072	LFO	39.39		40.61		80.00			80.00	Partial PHMA/GHMA.
-087	-073	LFO	45.50		114.50		160.00			160.00	Partial PHMA/GHMA.
-088	-074	LFO	5.94		74.06		80.00			80.00	Partial PHMA/GHMA.
-089	-075	LFO			40.00		40.00			40.00	
-090	-076	LFO			200.00		200.00			200.00	
-091		WFO	799.32		-		799.32	(799.32)		-	
-092	-077	WFO			1,523.97		1,523.97			1,523.97	
-093	-078	WFO			240.00		240.00			240.00	
-094	-079	WFO			200.00		200.00			200.00	
-095	-080	WFO			160.00		160.00			160.00	
-096	-081	WFO			240.00		240.00			240.00	
-097	-082	WFO			320.00		320.00			320.00	
-098		WFO			1,229.77		1,229.77				
-099	-083	WFO			200.00		200.00	280.00		1,709.77	Combined Absaroka MLP portions from -098, -099, -100.
-100	-084	WFO			400.00		400.00	(280.00)		120.00	Remaining portion outside Absaroka MLP.
-101	-085	CYFO	1,354.53		-		1,354.53			1,354.53	
-102	-086	CYFO			435.47		435.47			435.47	

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By: T. Bargsten			GSG Habitat Areas (acres)				Acres				7/22/2016
Preliminary Parcel No.	Final Parcel No.	FO(s)	PHMA Core	PHMA Connectivity	GHMA	Neither PHMA/GHMA	Reviewed	Delete/Defer		Final	Notes
								DO/FO	WO		
-103		CYFO	289.74		30.26		320.00		(320.00)		Partial PHMA/GHMA
-104	-087	CYFO			80.00		80.00			80.00	
104	85	104	11,745.88	-	85,671.86	1,770.91	99,188.65	(120.00)	(9,933.99)	88,894.66	
			12%	0%	86%	2%		-0.1%	-10.0%	89.6%	

Summary:

Parcels reviewed	Offered		D/X	Offered		
	Partial	Entire		Partial	Entire	
WRBBD	61	66,639.68	48	12	-	48 87%
HPD	43	22,254.98	37	6	1	36 97%
Total:	104	88,894.66	85	18	1	84 90%
		90%	82%			

Note: Acreages provided in this attachment are only for purposes of analysis and disclosure under NEPA; the Sale Notice (as amended by applicable Information Notices) provides the official acreages of parcels for bidding and sale purposes.