

SCOPING/INFORMATION PACKAGE

Payette County Geothermal Lease Nominations Parcels IDI-36164/IDI-36165/IDI-36166/IDI-36167/IDI-36168/ NEPA # DOI-BLM-ID- B010-2011-0001-DNA

And

West of Weiser Geothermal Lease Nominations Parcels IDI-36234/IDI-36400/ NEPA # DOI-BLM-ID-B010-2011-0002-DNA

The information in this package summarizes a Bureau of Land Management (BLM), Four Rivers Field Office action in response to competitive lease nominations for geothermal leasing in accordance with the Cascade Resource Management Plan (RMP) dated July 1, 1988, as amended, and the Record of Decision (ROD) and Resource Management Plan Amendments for Geothermal Leasing in the Western United States and associated Programmatic Environmental Impact Statement (PEIS) completed in 2008. The ROD for the PEIS amended 114 BLM resource management plans for geothermal leasing, including the Cascade RMP. The current review will determine whether any new information or special circumstances require additional environmental evaluation. Information on the PEIS can be found at:

http://www.blm.gov/wo/st/en/prog/energy/geothermal/geothermal_nationwide.html.

The purpose of this document is to inform interested parties of the lease applications, and to solicit comments to assist BLM with the development of lease stipulations. In developing these, BLM will look to the RMP, PEIS, and other appropriate guidance and input. Development of the lease stipulations is currently ongoing, and is anticipated to be documented in a Determination of NEPA Adequacy (DNA) for each of the two geographic areas. Comments received in response to this solicitation will be used to identify potential environmental constraints to include as lease stipulations prior to lease issuance. The nominations are for leasing only. Any future development or ground-disturbing activities will require a separate application and plan of development to be submitted to BLM for review, analysis, and separate approval.

Purpose of and Need for Action

The BLM State Office received nominations for competitive geothermal lease sales on May 9, 2008, July 18, 2008, and February 2, 2009. Some lands within the original nominations were rejected based upon land status. The remaining lands in the nominations are open to geothermal leasing under the Cascade RMP, as amended. In accordance with 43 CFR 3200, BLM needs to process the nominations to determine if they are suitable for lease sale.

Proposed Action

Lease nominations have been received in two geographic areas. The first is an area northeast of Parma, Idaho (Figures 1 and 2). The requested lands are located in the following Townships, Ranges and sections:

Case File	Township	Range	Section(s)
IDI-36164	5N	4W	3, 4, 5
	6N	4W	22, 23, 25, 26, 27, 28, 29, 32, 33, 34, 35
IDI-36165	5N	4W	6
	6N	4W	30, 31
	6N	5W	1, 11, 12, 13, 15, 23, 24, 25, 26, 27
IDI-36166	6N	4W	1, 2
	7N	4W	19, 28, 29, 30, 31, 32, 33, 34, 35
IDI-36167	6N	4W	3, 4, 9, 10, 11, 12, 14, 15, 21
IDI-36168	6N	4W	5, 6, 7, 8, 17, 18, 19, 20

All or part of each of the above sections may be affected by these lease nominations. Approximately 24,879 acres are covered by these nominations.

The second nomination area includes two parcels located northwest of Weiser, Idaho (Figures 3 and 4). The following Townships, Range and sections are either fully or partially affected by the lease nominations:

Case File	Township	Range	Section
IDI-36234	11N	6W	2, 3, 5, 18, 19
IDI-36400	12N	6W	32, 33

These lease nominations will cover approximately 1,090 acres.

Five nominated parcels are two to ten miles north to northeast of Parma, Idaho, in Payette County and a portion of northern Canyon County. Two parcels are northwest of Weiser, Idaho in Washington County. Portions of the nominated areas have private surface with the mineral estate reserved to the United States. There are also lands with administrative reservations to the Bureau of Reclamation and the Federal Energy Regulatory Commission.

The Four Rivers Field Office is proposing to offer these parcels for competitive geothermal leasing in 2011. The BLM would offer the nominated lands for competitive lease sale, with base stipulations relating to endangered species and cultural resources management and protection found in BLM Instruction Memoranda (IM-2002-174 and IM-2005-003) and stipulations relating to the Bureau of Reclamation and Federal Energy Regulatory Commission reserved lands (see Attachment 1- stipulations already developed). Any other lease stipulations developed in the analyses would be added prior to lease offer.

Leasing actions are consistent with Federal environmental laws and regulations, Executive Orders, and Department of the Interior and BLM policies, and are in compliance, to the

maximum extent possible, with state laws and local and county ordinances. The Geothermal Steam Act of 1970, as amended, Federal Land Policy and Management Act of 1976 (FLPMA), and BLM policy provide direction and guidance to make geothermal resources available for leasing, and to encourage development of geothermal resources to meet national, regional, and local needs. As such, the proposed action would meet requirements of the Geothermal Steam Act of 1970 and the Energy Policy Act of 2005. The lease nominations are on lands open to leasing under the Cascade RMP.

Geothermal leases have a primary term of 10 years, conditionally extendable in 5-year increments, if regulatory requirements are met (43 CFR §3207.10). A lease for geothermal resources would give a lessee the right to drill and produce, subject to the lease terms, any special stipulations, other reasonable conditions, and following approval of Temperature Gradient (TG) holes or a Geothermal Drilling Permit (GDP). While processing the GDP or when any surface disturbing activity may occur, BLM reviews the adequacy of the current environmental analysis and reviews compliance with NEPA requirements. The BLM will conduct additional site-specific evaluations at that time and may require additional, reasonable mitigation measures in the approval of a GDP, consistent with the lease terms and stipulations. Holders of geothermal leases are required to comply with all applicable Federal, State, and local laws and regulations including obtaining all necessary permits required, should lease development occur.

Geothermal operations following leasing would be managed under the regulations of 43 CFR §3200 and Geothermal Resource Operational Orders (GROs). The GROs describe standard operating procedures, guidelines, and standards that must be followed for: exploratory operations; drilling, completion, and spacing of geothermal wells; plugging and abandonment of wells; and general environmental protection.

Preliminary Issues

Issues are generated through the public scoping process, a review of the RMP and PEIS, and/or generated from a need for compliance with laws or regulations. Preliminary issues that have been identified include the need for avoidance, controlled surface use or timing constraints, with respect to habitat for slickspot peppergrass, long-billed curlew, southern Idaho ground squirrel, greater sage-grouse, and for coordination with the Bureau of Reclamation and Federal Regulatory Energy Commission for lands under their administration reservation.

Slickspot Peppergrass

Slickspot peppergrass was listed as threatened under the Endangered Species Act in December 2009. The Payette nomination includes the New Plymouth/Canyon County Slickspot Peppergrass Management Area which represents the northwest extent of the species' range, managed under the 2009 Conservation Agreement (CA) between the BLM and the U.S. Fish and Wildlife Service. Specifically, the 2009 CA requires project level inventories for slickspot peppergrass and avoiding development in or adjacent to slickspot peppergrass habitat if negative impacts are expected. Most of the area has burned in the past and has converted to annual grassland vegetation, with small, scattered remnant stands of unburned vegetation.

Long-billed Curlew

The Payette nomination is in the Long-billed Curlew Habitat Area of Critical Environmental Concern (ACEC). FLPMA, Section 103 (43 USC 1702[a]) and 43 CFR 1601.0-5[a]) describes ACECs as “areas within the public lands where special management attention is required to protect and prevent irreparable damage to important historic, cultural, or scenic values, fish and wildlife resources or other natural systems or processes, or to protect life and safety from natural hazards.” Designation of an ACEC does not automatically prohibit or restrict other uses within the area. The Cascade RMP designated the approximately 61,000 acre ACEC as crucial nesting habitat for this species. The main management objective is to maintain nesting habitat for the 1,000 curlew pairs that nest and raise their young in the area. The Cascade RMP has surface occupancy and major construction restrictions within the ACEC from March 15 through June 30.

Southern Idaho Ground Squirrel

The Weiser nomination falls within the range of the southern Idaho ground squirrel (SIDGS); a candidate species. Though most of the area has burned and been replaced by exotic annual grasses, southern Idaho ground squirrels are known to occur in these areas. Potential threats would be the destruction of burrows from construction and additional perch spots for avian predators.

Greater sage-grouse

Some remnant stands of unburned vegetation with sagebrush still occur in the area. A lek within the Weiser nomination was last known to have birds in 2004. A large fire in 2007 further removed sagebrush steppe habitat and no birds were found on the lek in 2008. This area falls within the boundaries of the West Central Idaho Sage-grouse Local Working Group. A Conservation Plan for the Greater Sage-grouse in Idaho was developed in 2006. Potential geothermal development of the leases would fall under three categories of infrastructure identified as potential threats to sage-grouse: the utility lines needed to carry the electricity generated by the geothermal resource; pipelines needed to transport the heated water; and the roads associated with the pipelines (Conservation Plan for the Greater Sage-grouse in Idaho, 4-31).

For any future ground-disturbing activities, separate NEPA analysis would be conducted. Best Management Practices would be incorporated to mitigate any potential resource impacts in the project area.

Public Input Needed

Public comments are specifically requested for the development of lease stipulations for these lease nominations. Comments made on/for lease stipulations would be most helpful if directly relevant to the lease nomination areas and if received by November 24, 2010. The BLM will accept public feedback outside of established public involvement timeframes. However, such comments may be considered secondary to comments received in a timely manner and may only be assessed to determine if they identify concerns that would substantially alter the assumptions or analyses presented in the existing RMP and PEIS.

Written comments must be submitted to the BLM, Four Rivers Field Office, 3948 Development Avenue, Boise, Idaho 83705. The office business hours for submitting hand-delivered comments are 8:00 am through 4:30 pm, Monday through Friday, excluding holidays. Electronic comments must be submitted in a format such as an email message, plain text (.txt), rich text format (.rtf), Word (.doc, docx), or portable document format (.pdf) to rebecca_lange@blm.gov. E-mails submitted to e-mail addresses other than the one listed, in other formats than those listed, or containing viruses will be rejected. To be most helpful, comments sent electronically should include the title of the project in the subject line. Please identify whether you are submitting comments as an individual or as the designated spokesperson on behalf of an organization. Issues that are outside the scope of developing the lease stipulations will not be addressed at this planning level.

Before including your address, phone number, e-mail address, or other personal identifying information in your comment, be advised that your entire comment, including your personal identifying information, may be made publicly available at any time. While you can ask us in your comment to withhold from public review your personal identifying information, we cannot guarantee that we will be able to do so.

The primary contact for questions and comments for these lease nominations is Rebecca Lange, Idaho State Office, (208) 373-3861, or email at rebecca_lange@blm.gov.

Attachments

Attachment 1 – Stipulations already identified

Figure 1 - Payette Project Location Map for Parcels IDI-36164 through 36168

Figure 2 - Payette Project Topographic Map for Parcels IDI-36164 through 36168

Figure 3 - West of Weiser Project Location Map for Parcels IDI-36234 and 36400

Figure 4 - West of Weiser Project Topographic Map for Parcels IDI-36234 and 36400

Attachment 1 – Stipulations already identified.

ENDANGERED SPECIES ACT
SECTION 7 CONSULTATION STIPULATION (WO I.M. 2002-174)

The lease area may now or hereafter contain plants, animals, or their habitats determined to be threatened, endangered, or other special status species. BLM may recommend modifications to exploration and development proposals to further its conservation and management objective to avoid BLM-approved activity that will contribute to a need to list such a species or their habitat. BLM may require modifications to or disapprove proposed activity that is likely to result in jeopardy to the continued existence of a proposed or listed threatened or endangered species or result in the destruction or adverse modification of a designated or proposed critical habitat. BLM will not approve any ground-disturbing activity that may affect any such species or critical habitat until it completes its obligations under applicable requirements of the Endangered Species Act as amended, 16 U.S.C. § 1531 et seq., including completion of any required procedure for conference or consultation.

SPECIAL CULTURAL RESOURCE
STIPULATION (WO I.M. 2005-003)

This lease may be found to contain historic properties and/or resources protected under the National Historic Preservation Act (NHPA), American Indian Religious Freedom Act, Native American Graves Protection and Repatriation Act, E.O. 13007, or other statutes and executive orders. The BLM will not approve any ground disturbing activities that may affect any such properties or resources until it completes its obligations under applicable requirements of the NHPA and other authorities. The BLM may require modification to exploration or development proposals to protect such properties, or disapprove any activity that is likely to result in adverse effects that cannot be successfully avoided, minimized or mitigated.

BUREAU OF RECLAMATION LANDS STIPULATION
Parcels IDI-36164, -36165, and -36167

All lands covered by this lease within the area of any Government Reclamation project, or in proximity thereto, the lessee shall take such precautions as required by the Secretary of the Interior (Secretary) to prevent any injury to the lands susceptible to irrigation under such project or to the water supply thereof, PROVIDED, that drilling is prohibited on any constructed works or rights-of-way of the Bureau of Reclamation, and PROVIDED FURTHER, that there is reserved to the lessor, its successors and assigns, the superior and prior right at all times to construct, operate, and maintain dams, dikes, reservoirs, canals, wasteways, laterals, ditches, telephone and telegraph lines, electric transmission lines, roadways, appurtenant irrigation structures, and Reclamation works, in which construction, operation, and maintenance, the lessor, its successors and assigns, shall have the right to use any and all of the lands herein described without making compensation therefore, and shall not be responsible for any damage from the presence of water thereon or on account of ordinary, extraordinary, unexpected, or unprecedented floods. That nothing shall be done under this lease to increase the cost of, or interfere in any manner with the construction, operation, and maintenance of such works. It is agreed by the lessee that, if the construction of any or all of said dams, dikes, reservoirs, canals, wasteways, laterals, ditches, telephone or telegraph lines, electrical transmission lines, roadways, appurtenant irrigation structures or Reclamation works across, over, or upon said land should be made more expensive by reason of the existence of the improvements and workings of the lessee thereon, said additional expense is to be estimated by the Secretary, whose estimate is to be final and binding upon the parties hereto, and that within thirty (30) days after demand is made upon the lessee for payment of any such sums, the lessee will make payment thereof to the United States, or its successors, constructing such dams, dikes, reservoirs, canals, wasteways, laterals, ditches, telephone and telegraph lines, electrical transmission lines, roadways, appurtenant irrigation structures, or Reclamation works, across, over, or upon said lands; PROVIDED, HOWEVER, that subject to advance written approval by the United States, the location and

course of any improvements or works and appurtenances may be changed by the lessee; PROVIDED, FURTHER, that the reservations, agreements, and conditions contained in the within lease shall be and remain applicable notwithstanding any change in the location or course of said improvements or works of the lessee. The lessee further agrees that the United States, its officers, agents, and employees, and its successors and assigns shall not be held liable for any damage to the improvements or workings of the lessee resulting from the construction, operation, and maintenance of any of the works hereinafter enumerated. Nothing in this paragraph shall be construed as in any manner limiting other reservations in favor of the United States contained in this lease.

THE LESSEE FURTHER AGREES that there is reserved to the lessor, its successors and assigns, the prior right to use any of the lands herein leased, to construct, operate, and maintain dams, dikes, reservoirs, canals, wasteways, laterals, ditches, telephone and telegraph lines, electric transmission lines, roadways, or appurtenant irrigation structures, and also the right to remove construction material there from, without any payment made by the lessor or its successors for such right, with the agreement on the part of the lessee that if the construction of any or all of such dams, dikes, reservoirs, canals, wasteways, laterals, ditches, telephone and telegraph lines; electric transmission lines, roadways, or appurtenant irrigation structures across, over, or upon said lands or the removal of construction materials there from, would be made more expensive by reason of the existence of improvements or workings of the lessee thereon, such additional expense is to be estimated by the Secretary, whose estimate is to be final and binding upon the parties hereto, and that with thirty (30) days after demand is made upon the lessee for payment of any such sums, the lessee will make payment thereof to the United States or its successors constructing such dams, dikes, reservoirs, canals, wasteways, laterals, ditches, telephone and telegraph lines, electric transmission lines, roadways, or appurtenant irrigation structures across, over, or upon said lands or removing construction materials there from. The lessee further agrees that the lessor, its officers, agents, shall not be held liable for any damage to the improvements or workings of the lessee resulting from the construction, operation, and maintenance of any of the works herein above enumerated. Nothing contained in this paragraph shall be construed as in any manner limiting other reservations in favor of the lessor contained in this lease.

FEDERAL ENERGY REGULATORY COMMISSION LEASE STIPULATION

Parcel IDI-36234

If geothermal resources are discovered in commercial quantities, the geothermal lessee will not commence construction of permanent facilities until the Federal Energy Regulatory Commission has reviewed the proposed development plans and concluded that (1) they will not injure or destroy the value of the lands for, or (2) the potential value of the proposed geothermal development outweighs the potential loss of value of the lands for, water power development and associated beneficial public uses. Further, the geothermal lessee agrees that the United States and its hydroelectric project permittees and licensees shall not be responsible or held liable or incur any liability for the damage, destruction, or loss of any land, crops, facility installed or erected, income, or other property or investments resulting from the use of such lands, or portions thereof, for hydroelectric development at any time when such hydroelectric development is made by or under the authority of the United States. The geothermal lessee, at its own expense, may make adjustments to its improvements to avoid interference with hydroelectric development.