



U.S. Department of the Interior
Bureau of Land Management

Finding of No Significant Impact

Wind River/Bighorn Basin District

United States Department of the Interior
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Finding of No New Significant Impact
(FONSI)

DOI-BLM-WY-R000-2017-0002-EA

2018

BLM-Wyoming
First Quarter 2018 Competitive Oil & Gas Lease Sale
Sale Number 181Q
Wind River/Bighorn Basin District

Wyoming State Office
5353 Yellowstone Dr.
Cheyenne, Wyoming 82009

FINDING OF NO NEW SIGNIFICANT IMPACT
BLM–Wyoming First Quarter 2018 Competitive Oil & Gas Lease Sale
Environmental Assessment
DOI-BLM-WY-R000-2017-00021-EA

INTRODUCTION:

The Bureau of Land Management (BLM) has prepared an Environmental Assessment (EA) (DOI-BLM-WY-R000-2017-00021-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 First Quarter 2018 Competitive Oil & 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), and partial portions of parcels in the Rawlins Field Office which is within the High Desert District (HDD).

Management decisions in the Lander RMP (2014), the Worland RMP (2015), the Cody RMP (2015), the Rawlins RMP (2008) and the Rocky Mountain Region Record of Decision (ROD), September 22, 2015 have been applied. Stipulations have been applied to each lease parcel to address resource concerns using current RMP management actions.

Deleted from further consideration for this lease sale is one parcel in part in the Lander Field Office, WY-181Q-126, for two different and noncontiguous reasons.

Parcel WY-181Q-126 in part, is in an area closed to oil and gas leasing and development by the Lander RMP (2014). Reference: Chapter 2, page 41, Record #1049: “For the protection of water quality and aquatic habitat, the area adjacent to Boysen State Park and Highway 20 (9,486 acres) is closed to oil and gas leasing (Map 11).”

Parcel WY-181Q-126 in part, is within the incorporated area of Shoshoni, and that portion has been deleted from further review. Reference: 43 CFR § 3100.0-3 (2) Exceptions (iii) Incorporated cities, towns and villages.

Nominated parcel WY-181Q-152 overlaps the boundary between the LFO and the Rock Springs Field Office (RSFO). The boundary between the field offices is irregular, but leases must follow aliquot parts. Due to the size, location, and jurisdictional management of the parcel, the portion within the RSFO was deferred to potentially be presented to RSFO in an upcoming HDD lease sale for environmental review and processing. The full aliquot parts located in the LFO were combined into the adjoining parcel, WY-181Q-151. Any residual aliquot parts remnants in the LFO will be available for inclusion in a potential RSFO parcel.

Eighteen parcels were nominated which overlap the boundary between LFO and the RFO. The RFO is located in the BLM’s High Desert District (HDD), which holds its competitive oil and gas lease sales in the Second and Fourth Quarters of each year, while the WR/BBD sales are in the First and Third Quarters. The portions of the LFO parcels which fall within the jurisdiction of

the RFO were reviewed by the HDD and RFO for conformance with the RFO Land Use Plan, are open for leasing, and have appropriate stipulations applied to the parcels.

Two parcels, WY-181Q-158 and WY-181Q-159, contain lands under the jurisdiction of the BOR. Through a letter dated June 6, 2017, the BOR concurs with leasing parcels provided the Reclamation Special Stipulations GP-135 and BOR Standard Stipulations (Form 3109-1) are included as terms and conditions on the lease.

Of the 125,507.14 acres of federal mineral estate nominated and reviewed in this lease sale, approximately 1,920.00 surface acres are fee surface, approximately 123,427.33 surface acres managed by the BLM, and 159.81 surface acres are managed by the BOR. The EA references the lease sale acreage as the total federal mineral estate acreage of 125,507.14 acres.

In total, 90 parcels containing 126,657.17 acres located within the field offices in the WR/BBD and HDD were nominated through “Expressions of Interest” for the First Quarter 2018 Competitive Oil and Gas Lease Sale. For the reasons identified above, one parcel was deleted in part for two separate reasons, and one parcel was deferred in part with the remaining portion combined into another parcel; changing the number of parcels from 90 to 89. As result of these changes, this EA analyzes 89 parcels containing approximately 125,507.140 acres of mineral estate, all within the WR/BBD and HDD. All portions of all parcels moving forward are available for leasing through the applicable RMPs, with appropriate leasing stipulations applied.

There are no unresolved new concerns relating to plan conformance with the Lander, Worland, Cody, and Rawlins 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, Cody or Rawlins 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, Cody and Rawlins 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:

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.

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.

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.

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.

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.

The administrative act of leasing all or part of the 89 parcels containing approximately 125,507.140 acres or mineral estate would not result in any direct greenhouse gas (GHG) emissions. Regarding future development, the assessment of GHG emissions and climate change is in its formative phase. While it is not possible to accurately quantify potential impacts from the emission of GHGs in the affected areas as a result of making the proposed tracts available for leasing, some general assumptions can be made: subsequent development/production of the proposed parcels will result in additional emissions of GHGs, both direct or indirect. The total amount of production from the parcels to be leased cannot be estimated at this time. While GHG emissions are also associated with the use of produced substances, estimates of those emissions depend upon how produced substances are used, how regulation of the various GHG parameters by the delegated agencies is applied, and whether any Best Available Control Technologies are utilized at the upstream or downstream activity location(s).

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.

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.

The interdisciplinary team evaluated the possible actions in context of past, present and reasonably foreseeable actions. The EA has projected the cumulative direct and indirect GHG emissions for the full Reasonably Foreseeable Development (RFD) scenario in each of the three field offices in the Wind River/Bighorn Basin District. The 89 proposed parcels (125,507.140) acres represents 2.0% of the total mineral estate acreage in the Wind River/Bighorn Basin District and if developed to the full RFD, and assuming 100% combustion of the production stream, would produce less than 1% of all GHG emissions,

both direct and indirect, from oil and gas development in these field offices. Since climate change and global warming are global phenomena, for purposes of this NEPA analysis, the analysis presented above about the direct and indirect effects of GHG emissions from the proposed actions is also an analysis of the cumulative effects of the proposed actions. Consistent with CEQ guidance, the BLM has determined that this analysis “adequately addresses the cumulative impacts for climate change from the proposed action and its alternatives, and therefore a separate cumulative effects analysis for GHG emissions is not needed. Additionally, the referenced RMPs/EISs provide cumulative effects analysis for oil and gas development based on the reasonably foreseeable oil and gas development scenario. Significant cumulative effects are not expected beyond what has been analyzed in the underlying RMPs, as amended (2014 and 2015).

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.

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 closed to 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 other reasonable restrictions on a case-by-case basis, as required through project-specific NEPA analysis or other environmental review.

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