

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

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**Decision Record**

**Environmental Assessment  
DOI-BLM-UT-0000-2023-0003-EA**

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**BLM Utah 2023 4<sup>th</sup> Quarter Competitive Oil and Gas Lease Sale**

***Location:*** Vernal Field Office, Green River District

***Applicant/Address:*** Not Applicable.

**November 2023**

Utah State Office  
440 West 200 South, Ste. 500  
Salt Lake City, UT 84101  
Phone: (801) 539-4001  
Fax: (801) 539-4237

Utah State Office



## DECISION

It is my decision to offer for sale one of the six nominated lease parcels (Parcel 7672), encompassing 761.36 acres. Offering all six nominated parcels for competitive leasing was analyzed under Alternative A in the environmental assessment (EA) (DOI-BLM-UT-0000-2023-0003-EA), prepared by the Bureau of Land Management (BLM) Utah State Office for the competitive oil and gas lease sale online auction scheduled for December 12, 2023 (Lease Sale).

Should the BLM receive a successful bid for this parcel, and the BLM issues the lease, it will include the stipulations and notices (protective measures) identified in the Notice of Competitive Oil and Gas Lease Sale (NCLS) issued by this office on August 23, 2023. This parcel is located on lands managed by the Vernal Field Office. This Decision Record (DR) addresses the following parcel:

Parcel	Serial Number
UT-2023-12-7672	UTUT106311061

### Terms/Conditions/Stipulations:

Standard terms and conditions, as well as the lease notices and stipulations identified in the NCLS and in Appendix B of the EA, will apply to any issued lease following the lease sale.

## AUTHORITIES

The authority for this decision is contained in 30 U.S.C. § 226 and 43 Code of Federal Regulations (CFR) Part 3100.

## PLAN CONFORMANCE

As documented in Section 1.4 of the EA, offering Parcel 7672 for competitive leasing, as analyzed in Alternative A was reviewed and found to be in conformance with the Vernal Field Office Resource Management Plan (2008) (RFO RMP), as amended.

## ALTERNATIVES CONSIDERED

The EA considered in detail four alternatives: (A) the Proposed Action Alternative, (B) the Greater Sage-Grouse Alternative Avoidance Alternative, (C) Greater Sage-Grouse Prioritization Alternative and (D) the No Action Alternative. Proposed leased acres ranged from 0 to 31,807.99 ac. (See EA sections 2.2, 2.3, and 2.4)

**Alternative A (Proposed Action):** Under Alternative A, six parcels (covering 8,972.24 acres) would be offered for sale and subsequent oil and gas leasing would take place with the standard

stipulations and protective measures applied in accordance with the applicable land use plan and as identified in the EA.

**Alternative B (Greater Sage-Grouse Avoidance Alternative):** Under Alternative B, one parcel (covering 2,520 acres) would be offered for sale and subsequent oil and gas leasing with the standard stipulations and protective measures applied in accordance with the applicable land use plan and as identified in the EA. Removing the nominated lease parcels (1516, 1517, 7669, 7670, 7672) located in GRSG habitat from the Lease Sale would eliminate the possibility of impacts to GRSG habitat that would otherwise have the potential to occur.

**Alternative C (Greater Sage-Grouse Prioritization Alternative):** Under Alternative C, lease parcels 1516 (1041.41 acres/100% of the parcel is within GHMA) and 7670 (1530.33 acres/79.5% of the parcel is within GHMA) would not be included in the Lease Sale because they are low priority for leasing based on the GRSG prioritization due to proximity to the last known occupied lek in Deadman's Bench GHMA. Surface management would remain the same and ongoing oil and gas development would continue on surrounding federal, private, and state leases.

**Alternative D (No Action Alternative):** Under the No Action Alternative, the BLM would not offer any of the nominated lease parcels for competitive leasing in the Lease Sale. However, in the absence of land use plan amendments closing the lands to leasing, the nominated lease parcels could be considered for inclusion in one or more future competitive oil and gas lease sales.

## **FINDING OF NO SIGNIFICANT IMPACT**

Based on the analysis of potential environmental impacts contained in the EA and considering the potentially affected environment and the degree of effects factors described in 40 Code of Federal Regulations (CFR) § 1501.3(b), a Finding of No Significant Impact (FONSI) was prepared. As detailed in the EA and FONSI, offering Parcel 7672 for competitive leasing will not have a significant effect, therefore preparing an Environmental Impact Statement is not appropriate.

## **PUBLIC INVOLVEMENT**

The EA, which serves as the basis for this Decision, was prepared with adequate public involvement. The BLM solicited public input on the lease sale to identify key issues and define the scope of the environmental analysis. A 30-day public scoping period was held from December 20, 2022, to January 19, 2023. During this time, the public was able to view the list of the 13 proposed lease parcels, the lease notices and stipulations that would be attached and a map showing the locations of the parcels. The BLM received 366 comments during the public scoping period, of which 364 were unique comments from individuals, and two were from local, state and federal agencies.

Three comments mentioned two parcels specifically by number. All three commenters objected to the leasing of either 1520, 7674, or both because of their proximity to the White River. These parcels, though not specifically named in other comments, were also the subject of

approximately 260 of the 366 scoping comments. These parcels have been removed from the lease sale. Only six of the 13 parcels moved forward.

The BLM released the EA and unsigned FONSI for a 31-day public comment period from June 2 to July 3, 2023. The BLM received 38 comments, six of which were substantive. After careful consideration of the public comments, along with other information from both external and internal sources, the BLM made revisions to the EA, as appropriate. The substantive public comments and BLM's responses to these comments are provided for in the EA, Appendix D. The NCLS was posted for a 30-day public protest period occurred from August 23, 2023, to September 22, 2023. No protests were received.

## **RATIONALE FOR DECISION**

The decision to offer Parcel 7672 for competitive leasing, is based on the following: (1) offering Parcel 7672 for competitive leasing meets the purpose and need for the action described in Section 1.2 of the EA, (2) leasing this parcel is consistent with the approved resource management plan, and (3) potential adverse resource effects will be minimized by limiting the sale to a single parcel and adherence to the stipulations and standard lease terms and conditions and national policy.

By authorizing this action, the BLM fulfills its responsibility under the Federal Land Policy and Management Act of 1976 (FLPMA), as amended (43 U.S.C. §§ 1761-1771), which provides for the management of public lands for multiple use and sustained yield, including development of energy resources in a manner that conserves the multitude of other resources found on public lands. Additionally, the Mineral Leasing Act of 1920, as amended, states that lease sales shall be held for each state where eligible lands are available at least quarterly, and more frequently if the Secretary of the Interior determines such sales are necessary. As such, the BLM is required to respond to nominations for oil and gas lease sales submitted pursuant to 43 CFR Part 3120 to determine whether they are eligible and available for lease.<sup>1</sup>

In addition, the decision to offer Parcel 7672 for competitive leasing was based on the following.

- This decision is in conformance with the VFO RMP, as amended.
- The BLM's policy, as derived from various laws, including the Mineral Leasing Act of 1920, as amended [30 U.S.C. § 181 et seq.], and the Federal Land Policy and Management Act of 1976, is to make mineral resources available for disposal and to encourage development of mineral resources to meet national, regional, and local needs.
- The decision is consistent with applicable law, as described in the EA.
- Lease stipulations and standard lease terms and conditions for the parcel address resource concerns identified in the NEPA review process (EA, Appendix B).

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<sup>1</sup> As described in 30 USC § 226, 43 CFR Part 3100, and 43 CFR Part 3120.

## APPEAL PROVISIONS

This decision may be appealed to the Interior Board of Land Appeals, in accordance with the regulations contained in 43 CFR Part 4, summarized in Form 1842-1(Attachment A).<sup>2</sup> If an appeal is taken, the notice of appeal must be filed in the BLM Utah State Office within 30 days from receipt of this decision.

**Signed:**

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Christina Price  
Deputy State Director  
Division of Lands and Minerals  
BLM Utah State Office

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22NOV2023

Date

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<sup>2</sup> A blank Form 1842–1 may also be obtained by request using the contact information provided on the cover page of this document.

# Attachment A – Form 1842-1

Form 1842-1  
(September 2020)

## UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT

### INFORMATION ON TAKING APPEALS TO THE INTERIOR BOARD OF LAND APPEALS

#### DO NOT APPEAL, UNLESS

1. This decision is adverse to you,  
AND
2. You believe it is incorrect

#### IF YOU APPEAL, THE FOLLOWING PROCEDURES MUST BE FOLLOWED

1. NOTICE OF APPEAL.....	A person who wishes to appeal to the Interior Board of Land Appeals must file in the office of the officer who made the decision (not the Interior Board of Land Appeals) a notice that <b>they</b> wish to appeal. A person served with the decision being appealed must transmit the <i>Notice of Appeal</i> in time for it to be filed in the office where it is required to be filed within 30 days after the date of service. If a decision is published in the FEDERAL REGISTER, a person not served with the decision must transmit a <i>Notice of Appeal</i> in time for it to be filed within 30 days after the date of publication (43 CFR 4.41 I and 4.413).
2. WHERE TO FILE  NOTICE OF APPEAL.....    WITH COPY TO SOLICITOR.....	<b>Bureau of Land Management Utah State Office 440 W 200 South, Ste. 500 Salt Lake City, UT 84101</b>  <b>DOI Regional Solicitor 6201 Federal Building 125 South State Street Salt Lake City, UT 84138-1180</b>
3. STATEMENT OF REASONS    WITH COPY TO SOLICITOR.....	Within 30 days after filing the <i>Notice of Appeal</i> , file a complete statement of the reasons why you are appealing. This must be filed with the United States Department of the Interior, Office of Hearings and Appeals, Interior Board of Land Appeals, 801 N. Quincy Street, MS 300-QC, Arlington, Virginia 22203. If you fully stated your reasons for appealing when filing the <i>Notice of Appeal</i> , no additional statement is necessary (43 CFR 4.412 and 4.413).  <b>DOI Regional Solicitor 6201 Federal Building 125 South State Street Salt Lake City, UT 84138-1180</b>
4. SERVICE OF DOCUMENTS	A party that files any document under 43 CFR Subpart 4, must serve a copy of it concurrently on the appropriate official of the Office of the Solicitor under 43 CFR 4.413(c) and 4.413(d). For a notice of appeal and statement of reasons, a copy must be served on each person named in the decision under appeal and for all other documents, a copy must be served on each party to the appeal (including intervenors). Service on a person or party known to be represented by counsel or other designated representative must be made on the representative. Service must be made at the last address of record of the person or party (if unrepresented) or the representative, unless the person, party or representative has notified the serving party of a subsequent change of address.
5. METHOD OF SERVICE....	If the document being served is a notice of appeal, service may be made by (a) Personal delivery; (b) Registered or certified mail, return receipt requested; (c) Delivery service, delivery receipt requested, if the last address of record is not a post office box; or (d) Electronic means such as electronic mail or facsimile, if the person to be served has previously consented to that means in writing. All other documents may be served by (a) Personal delivery; (b) Mail; (c) Delivery service, if the last address of record is not a post office box; or (d) Electronic means, such as electronic mail or facsimile, if the person to be served has previously consented to that means in writing.
6. REQUEST FOR STAY.....	<b>Except where program-specific regulations place this decision in full force and effect or provide for an automatic stay, the decision becomes effective upon the expiration of the time allowed for filing an appeal unless a petition for a stay is timely filed together with a Notice of Appeal (43 CFR 4.21). 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 Interior Board of Land Appeals, the petition for a stay must accompany your Notice of Appeal (43 CFR 4.21 or 43 CFR 2801.10 or 43 CFR 2881.10). A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the Notice of Appeal and Petition for a Stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (43 CFR 4.413) 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.</b> <b>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 the parties if the stay is granted or denied, (2) the likelihood of the appellant's success on the merits, (3) the likelihood of immediate and irreparable harm if the stay is not granted, and (4) whether the public interest favors granting the stay.</b>

Unless these procedures are followed, your appeal will be subject to dismissal (43 CFR 4.402). Be certain that all communications are identified by serial number of the case being appealed.

NOTE: A document is not filed until it is actually received in the proper office (43 CFR 4.401(a)). See 43 CFR Part 4, Subpart B for general rules relating to procedures and practice involving appeals.

(Continued on page 2)

#### 43 CFR SUBPART 1821-GENERAL INFORMATION

Sec. 1821.10 Where are BLM offices located? (a) In addition to the Headquarters Office in Grand Junction, CO and seven national level support and service centers, BLM operates 12 State Offices each having several subsidiary offices called Field Offices. The addresses of the State Offices can be found in the most recent edition of 43 CFR 1821.10. The State Office geographical areas of jurisdiction are as follows:

##### STATE OFFICES AND AREAS OF JURISDICTION:

Alaska State Office -----	Alaska
Arizona State Office -----	Arizona
California State Office -----	California
Colorado State Office -----	Colorado
Eastern States Office -----	Arkansas, Iowa, Louisiana, Minnesota, Missouri and, all States east of the Mississippi River
Idaho State Office -----	Idaho
Montana State Office -----	Montana, North Dakota, and South Dakota
Nevada State Office -----	Nevada
New Mexico State Office -----	New Mexico, Kansas, Oklahoma, and Texas
Oregon State Office -----	Oregon and Washington
Utah State Office -----	Utah
Wyoming State Office -----	Wyoming and Nebraska

(b) A list of the names, addresses, and geographical areas of jurisdiction of all Field Offices of the Bureau of Land Management can be obtained at the above addresses or any office of the Bureau of Land Management, including the Headquarters Office, Bureau of Land Management, 760 Horizon Drive, Grand Junction, CO 81506.

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(Form 1842-1, September 2020)