

**United States  
Department of The Interior  
Bureau of Land Management  
Bakersfield Field Office**

**Decision Record**

**E&B Natural Resources Management Corp.  
Russell Ranch Oil Field; APD for New Well Schlaudeman #354-23  
DOI-BLM-CA-C060-2012-0040-EA**

**I. ALTERNATIVES**

**Selected Alternative**

The selected alternative is to approve with conditions the Application for Permit to Drill (APD) and operate one new well (Schlaudeman #354-23) on the existing pad for well RRU-77-23. The drill site is located on federal lease (CALA 088009) in Section 23, T. 11 N., R. 28W., SBBM, in the Russell Ranch Oil Field, on public lands within the Carrizo Plain National Monument (CPNM). The existing well pad is large enough to accommodate all construction equipment and vehicles needed for well drilling and operations. The drill site will be accessed via existing roads.

The selected alternative includes hydrostatic testing of an existing buried oil production flowline previously installed for well RRU-77-23. If the production flowline passes the test, then it would be used to carry oil produced from Schlaudeman #354-12 to the existing Main Tank Farm. If the production pipeline does not pass hydrostatic testing, then the applicant will install a new pipeline above ground along the same route as the existing flowline.

Numerous Design Features and Conditions of Approval to avoid and minimize potential resource impacts are included in the environmental assessment (EA). These include measures the BLM received concurrence on from the United States Fish and Wildlife Service (USFWS) through Endangered Species Act Section 7 Informal Consultation.

As documented in the Finding of No Significant Impact (FONSI), the selected alternative was analyzed in the EA and determined to have no significant impacts on the human environment beyond those described in the CPNM Resource Management Plan (RMP) and Final Environmental Impact Statement (EIS). Thus, preparation of an EIS for this project is not required.

**Alternatives Considered but not Selected**

The second alternative considered was the No Action Alternative that would deny the APD.

The third alternative considered would authorize construction of the proposed well; allow hydrostatic testing of the existing buried flowline; and if the existing buried flowline did not pass the hydrostatic test, the alternative would require the replacement flowline be buried in the existing access road from the well pad to the group line near well Schlaudeman #78-23.

## II. COMPLIANCE WITH LAWS, REGULATIONS, AND POLICIES

### **Mineral Leasing Act of 1920 (MLA)**

The selected alternative is consistent with the intent of MLA to promote the mining of oil and gas on the public domain. The existing lease is held in accordance with the production requirements of the MLA. As required by MLA, issuance of the permit to drill will only occur after the requirements of the National Environmental Policy Act (NEPA) and other applicable laws have been completed.

### **Federal Land Policy and Management Act of 1976 (FLPMA)**

The selected alternative is consistent with the intent of FLPMA to manage public lands in a manner that recognizes the Nation's need for domestic sources of minerals. In addition, the selected alternative is consistent with FLPMA's implementing regulations, including:

#### ***43 CFR 1610.5 Resource management plan approval, use and modification***

The proposed action falls within the Caliente Mountain South Area of the CPNM RMP approved on April 10, 2010. This plan has been reviewed as required by 43 CFR 1610.5-3, and it has been determined that the proposed action conforms with the following CPNM RMP management objectives and actions:

- Objective MNL-5: Process permits in a timely fashion as required by the *Leasing Reform Act* of 1987, Onshore Orders and Notices to Lessees, the *Energy Act* of 2005, and other laws, regulations, and policies; and consistent with federal, state, and local laws and regulations and dependent on agency staff and resource limitations.
- Objective MNL-7: Manage existing leases with additional requirements (above federal standards) to protect Monument resources.
- Action BIO-2(S): When necessary, oil and gas related actions will require individual Section 7 consultations. Programmatic consultations will not be used for oil and gas related actions.
- Action MNL-1: All projects will be reviewed and the SOPs and Implementation Guidelines for Projects Affecting the Biological Environment, and the Minerals SOPs/BMPs/Implementation Guidelines and Conditions of Approval will be applied.
- Action MNL-6: Manage the existing oil producing acreage on the southern side of the Caliente Range to maintain ecological processes and to assure prompt lease restoration upon final abandonment of the last well.
- Action MNL-8: Design roads, well pads, and facilities to impact and fragment the least acreage practicable. New facilities will be designed to maintain natural drainages and runoff patterns, reduce visual impacts, and reduce hazards to wildlife, especially California condors.
- Action MNL-9: Ensure BMPs are followed.
- Action MNL-11: Applications for Permit to Drill, Sundry Notices (leasehold activities requiring surface disturbance), and Final Abandonment Notices will be reviewed using the existing NEPA approval process, including timely posting on the Field Office's website.

#### ***43 CFR 3160 Onshore Oil and Gas Operations (including Onshore Orders 1, 2, 6, and 7) and 43 CFR 3170 Onshore Oil and Gas Production***

The selected alternative addresses the requirements of the Onshore Oil and Gas Operations and Production. The BLM has reviewed for completeness the APD package, including all materials

required in Onshore Order 1. Materials include but are not limited to: a completed 3160-3 form, well plat, drilling plan, surface use plan of operations, well site layout, and methods for handling waste.

### **Endangered Species Act of 1973 (ESA)**

The ESA requires federal agencies to complete consultation with the USFWS for any activity that “may affect” federally listed species or designated critical habitat. The ESA also requires federal agencies to use their authorities to carry out programs for the conservation of endangered and threatened species.

Per CPNM RMP, *Action BIO-2(S)*: When necessary [i.e.: any oil and gas related action within the CPNM that BLM determines to have a “may affect determination” to federally listed threatened or endangered species], oil and gas related actions will require individual Section 7 consultations. Programmatic consultations will not be used for oil and gas related actions. P. II-18.

The proposed action will have no effect on designated critical habitat for federally listed species as none occurs within the project area. While the following species were identified in USFWS Information for Planning and Consultation (IPaC) system, the BLM determined Kern primrose sphinx moth, California jewelflower, San Joaquin woollythreads, spreading navarretia, vernal pool fairy shrimp, California clapper rail, least Bell’s vireo, southwestern willow flycatcher, California red-legged frog, and California tiger salamander are not known to occur in the project area or there is no suitable habitat available; therefore, no additional consultation was necessary.

Based on the IPaC system and expert opinion, the BLM identified California condor, giant kangaroo rat, San Joaquin kit fox, blunt-nosed leopard lizard, and Kern mallow as having potential to occur in the project area. Given the best management practices and avoidance measures in the EA, the BLM made a “may affect, not likely to adversely affect” determination for these species and conducted informal consultation with the USFWS. In the USFWS response dated February 5th, 2020, the USFWS agreed with the BLM’s determination that the project is “not likely to adversely affect” federally listed species.

### **Executive Orders**

The selected alternative is consistent with:

- Executive Order 13783, dated March 28, 2017, which promotes “clean and safe development of our Nation's vast energy resources, while at the same time avoiding regulatory burdens that unnecessarily encumber energy production, constrain economic growth, and prevent job creation.”
- Executive Order 13212, dated May 18, 2001, which mandates that, “...agencies act expediently and in a manner consistent with applicable laws to increase the production and transmission of energy in a safe and environmentally sound manner.”

## **III. NATIVE AMERICAN AND PUBLIC INVOLVEMENT**

### **Native American Consultation**

Certified letters containing a description of the proposed project and a map of the location were mailed to both federally and non-federally recognized tribes and members of the Native American community

with known cultural affiliation to the project area and the Carrizo Plain National Monument. A detailed list of the individual tribes and members is included in the EA.

### **Public Comment**

On November 15, 2011, BLM posted the proposed action for a 15-day public comment period. The posting included: BLM cover letter, a copy of the proposed action and alternatives, a copy of the Application for Permit to Drill, photos of the proposed project location, and a map of the project location. Official response was received from the Los Padres Forest Watch on December 1, 2011. The comments and BLM responses are attached as Appendix 1.

On March 22, 2012, BLM released a copy of the Environmental Assessment to Los Padres Forest Watch. Los Padres Forest Watch and Center for Biological Diversity submitted additional comments on April 23, 2012. The comments and BLM responses are attached as Appendix 2.

### ***State Director Review***

Following initial authorization of the project on March 16, 2018, a State Director Review (SDR) request was submitted on April 18, 2018. In the SDR request, the parties alleged the BLM analysis was insufficient. The SDR decision, issued July 12, 2019, remanded the EA and FONSI to the Bakersfield Field Office to address identified deficiencies. Specifically, the SDR identified Section 7 consultation under the ESA, greenhouse gas emissions, and climate impact analysis deficient. The revised EA and associated FONSI address these points. The SDR also stayed the previously issued decision record (DR). Based on the EA and FONSI revisions, an updated DR was warranted. This revised DR was prepared following the BLM's preparation of the revised EA and revised FONSI for this project.

## **IV. DECISION RATIONALE**

The decision to select the alternative that approves the APD with conditions and allows for the installation of a new, aboveground flowline, if needed, best meets the purpose and need of the BLM by responding to the APD submitted for federal mineral lease CALA088009. Based on information in the EA, the project record, and recommendations from BLM specialists, I conclude this decision is consistent with the applicable laws, regulations, and policies.

I have reviewed the recommendations on the proposed action addressed in the revised EA prepared for this project. I find this action to be in conformance with applicable land use plans, that it effectively serves the public, and that it will not cause unnecessary or undue degradation. It is therefore my decision to approve the proposed action including: the drilling of one oil well and installation of a flowline, subject to the mitigation measures identified for the proposed action in the revised EA.

## V. ADMINISTRATIVE REMEDIES

Administrative remedies may be available to those who believe they will be adversely affected by this decision. Appeals may be made to the Office of Hearings and Appeals, Office of the Secretary, U.S. Department of Interior, Board of Land Appeals (Board) in strict compliance with the regulations in 43 CFR Part 4. Notices of appeal must be filed in this office within 30 days after publication of this decision. If a notice of appeal does not include a statement of reasons, such statement must be filed with this office and the Board within 30 days after the notice of appeal is filed. The notice of appeal and any statement of reasons, written arguments, or briefs must also be served upon the Regional Solicitor:

U.S. Department of the Interior  
Office of the Solicitor, Pacific Southwest Region  
2800 Cottage Way, Room E-1712  
Sacramento, CA 95825-1890

The effective date of this decision and the date initiating the appeal period will be the date of approval by the authorized officer.

## VI. SIGNATURE

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Gabriel Garcia  
Field Manager  
Bakersfield Field Office

Date