

Finding of No Significant Impact (FONSI)

DOI-BLM-CO-N040-2018-0075-EA

Based on review of the Environmental Assessment (EA) and the supporting documents, I have determined that the proposed oil and gas lease sale would not have a significant effect on the quality of the human environment, individually or cumulatively with other actions in the general area. No environmental effects from any alternative assessed or evaluated meet the definition of significance in context or intensity, as defined by 43 CFR 1508.27, nor do they exceed those effects as described in the Uncompahgre Basin Resource Area Management Plan and Record of Decision (UBRA RMP/ROD), approved July 26, 1989, or the analysis performed by Uncompahgre Field Office (UFO) resource specialists during preparation of the draft Environmental Impact Statement (EIS) for the new RMP currently in progress. Therefore, an EIS is not required for the December 2018 oil and gas lease sale. This finding is based on the context and intensity of the action as described below, and on the protective lease stipulations listed and described in Attachments C and D of the EA.

Context

The five UFO proposed parcels analyzed in detail in the EA are located in the general area known as the North Fork Valley, which includes the valley of the North Fork Gunnison River in Delta and Gunnison counties, Colorado; the valley of Muddy Creek, which joins Anthracite Creek to form the North Fork Gunnison River below the Paonia Dam and Reservoir; and uplands extending northward and westward from State Highway 133 between Hotchkiss, Colorado, and McClure Pass. The area within which the parcels are located consists of undulating to steeply dissected terrain dominated by foothills shrublands, montane shrublands and woodlands, and areas of subalpine aspen and conifers, with riparian communities along perennial streams.

Oil and gas development has been ongoing at a relatively modest scale in the area for a few decades, but recent advancements in drilling and development technologies, and discovery of large volumes of natural gas in some previously untapped formations, has caused greatly expanded interest in the underlying Federal fluid minerals. The general area surrounding the parcels includes all or part of multiple Federal oil and gas units that have been the target of extensive planning for oil and gas projects, and with some initiation of recently approved projects.

The area is known for its scenic quality, recreational opportunities, wildlife resources, water resources, and agriculture, including organic farming. The area was historically important as a source of high-quality coal shipped from underground coalmines along the North Fork valley floor to utilities and other industries across many states. While greatly reduced from historic levels, underground coalmining continues in the area.

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 Appendix 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 that may be beneficial and adverse: There are no direct impacts to resources from the act of leasing. The EA identifies indirect impacts from leasing as a result of potential future impacts from development of those leases at the Application for Permit to Drill (APD) stage. None of the environmental effects associated with offering the proposed lease parcels for sale, as discussed in detail in the EA, were determined to be significant, nor do the effects exceed those described in the 1989 UBRA RMP/ROD or analyzed in the draft EIS recently prepared for the UFO RMP revision currently in progress.

Public health and safety: If the parcels are sold and the leases enter into a development stage, public health and safety would be addressed by following lease stipulations derived from the analysis in the Draft RMP/Draft EIS for the UFO RMP revision, health and safety regulations, and conditions of approval imposed as required following site-specific analysis.

- CO-56-Supplementary Air Analysis
- UFO-NSO-Occupied Dwellings
- UFO-NSO-Public Water Supplies
- UFO-CSU-Public Water Supplies
- UFO-NSO-Steep Slopes (>40%)
- UFO-CSU-Steep Slopes (30-39%)

Unique characteristics of the geographic area: The EA evaluated the area of the preferred alternative's proposed lease sales and determined that no areas with unique geographic characteristics such as Wild and Scenic Rivers, Prime or Unique Farmlands, Areas of Critical Environmental Concern, designated Wilderness areas, or Wilderness Study Areas were present. However, the air quality analysis in the EA addresses Air Quality Related Values (AQRVs), including visibility and deposition of nitrogen and sulfur at the nearby Raggeds, Maroon Bells-Snowmass, and West Elk Wilderness areas.

Degree to which effects are likely to be highly controversial: The majority of the public opinions expressed in the North Fork area have expressed opposition to the proposed new leasing and to existing oil and gas operations in the project vicinity. However, the current RMP designated the area as open to oil and gas leasing and development, and the proposed parcels are within or near multiple Federal oil and gas units for which multiple development projects have been approved through previous NEPA analysis decisions.

Degree to which effects are highly uncertain or involve unique or unknown risks: The lease sale is not unique or unusual. Oil and gas leasing and post-lease development have been ongoing in the United States, including the affected portions of Delta and Gunnison counties, for many years. The BLM has experience implementing similar actions in similar areas. The environmental effects to the human environment are considered in the corresponding UBRA RMP/FEIS and in the Draft RMP/EIS recently prepared by UFO resource specialists. Oil and gas exploration and drilling operations are regulated for health and safety through other agencies of local, State, and Federal governments. There are no predicted effects on the human environment that are considered to be highly uncertain or involve unique or unknown risks.

Consideration of whether 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 leasing of Federal minerals, and more specifically fluid minerals, has been occurring since the creation of the Mineral Leasing Act of 1920. A decision to lease would not limit later resource management decisions for areas open to development proposals.

Consideration of whether the action is related to other actions with cumulatively significant impacts: The EA did not identify any significant cumulative effects beyond those already analyzed in the UBRA RMP/FEIS and the analysis in the Draft EIS recently prepared by the UFO for its RMP revision. The interdisciplinary team evaluated the lease sale in context of past, present, and reasonably foreseeable actions.

Scientific, cultural, or historical resources, including those listed in or eligible for listing in the National Register of Historic Places: Because the proposed lease sale does not involve ground disturbance, the proposed undertaking will have no effect on historic properties. Any future development of parcels that are purchased as a result of the lease sale would be subject to additional Section 106 compliance, including identification, effects assessment, and, if necessary, resolution of adverse effects.

This requirement is outlined in lease stipulations CO-39 and UFO-CSU-Cultural Resources, which are attached to each lease parcel.

Threatened and endangered species and their critical habitat: All lease parcels are stipulated to protect resources if they potentially contain habitat for Federally listed, proposed, or candidate threatened or endangered plant or animal species, or other special status plant or animal species (CO-34), alerting operators as to the potential for future restrictions on development if such species and/or habitat is found on the parcel. Any site-specific analysis indicating potential impacts to a Federally listed, proposed, or candidate threatened or endangered species would require consultation with the U.S. Fish and Wildlife Service pursuant to Section 7 of the Endangered Species Act. This would include the Green Lineage Colorado River cutthroat trout, to which stipulations UFO-NSO-Native Cutthroat Trout and UFO-CSU-Native Cutthroat Trout would apply. In addition, any future site-specific projects would require conformance to conservation measures for four species of endangered fish species under a 2017 Programmatic Biological Opinion.

Any effects that threaten a violation of Federal, State, or local law or requirements imposed for the protection of the environment: The proposed action under the preferred alternative does not violate any known Federal, State, or local law or requirement imposed for the protection of the environment. In addition, the proposed action is consistent with applicable land management plans, policies, and programs.

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ENVIRONMENTAL COORDINATOR: Gina Phillips

FIELD MANAGER REVIEW:

Greg Larson, Field Manager
Uncompahgre Field Office

DATE SIGNED: _____

SIGNATURE OF AUTHORIZED OFFICIAL:

Suzanne Mehlhoff, Deputy State Director
Division of Energy, Lands, and Minerals

DATE SIGNED: _____