## Instructions for Data Collection

Oil and Gas APDs Documented in Environmental Assessments to Support Development of a Categorical Exclusion

#### **Summary**

The Forest Service is collecting information to determine whether the activities associated with Applications for Permit to Drill (APDs) for oil and gas individually or cumulatively have significant effects on the environment. Based on the information collected, the Agency will determine whether to pursue categorically excluding the activities, either through creation of a new categorical exclusion (CE) or modification of an existing categorical exclusion. The parameters of any proposed CE or modification will also be determined based on the information collected.

The information will be collected through on site monitoring by interdisciplinary teams. Information from documented monitoring reports can be substituted for on site monitoring if the pertinent data has already been collected.

#### **Background**

For decades, the Forest Service has conducted environmental assessments for APDs for oil and gas from companies who have the legal right to drill on a federal lease. In all known cases, these environmental assessments have led to a Finding of No Significant Impact. Leasing EIS's have been completed and decisions about leasing constrain and mitigate effects of possible future exploration and development activity.

The agency now wishes to determine whether the environmental effects of activities documented in an Environmental Assessment for one or more APDs have been individually or cumulatively significant. This determination may lead the agency to pursue the development of a new categorical exclusion (CE) for APDs or to propose modifying the existing CE at FSH 1909.15, Chapter 31.2, Category 8, which allows the use of a CE along with a Decision Memo for "Short-term (one year or less) mineral, energy, or geophysical investigations and their incidental support activities that may require cross-country travel by vehicles and equipment, construction of less than one mile of low standard road (Service Level D, FSH 7709.56), or use and minor repair of existing roads."

To determine whether these activities individually or cumulative have significant environmental effects and consequently whether the agency should pursue creation or modification of a CE for these activities, information about authorized and implemented oil and gas projects needs to be collected.

The parameters of the new CE or any modifications made to the existing one will depend on the results of the information collected from this study. For example the CE could be for Exploration or development drilling for oil or natural gas (including natural gas derived directly from a coal seam) using less than one mile of new road construction. Or a CE could be designed with specific constraints to certain activities, for example a limit to the number of well pads or miles of pipeline.

#### **Objective**

The objective of this data gathering effort is to determine if surface operations for oil and gas activities approved in site-specific Environmental Assessments (EA) did or did not have cumulatively significant effects on the human environment and therefore could or could not qualify for a Categorical Exclusion.

#### What is being monitored?

For purposes of this effort, monitoring is to be performed on all activities that were approved in a site-specific Environmental Assessment (EA) for one or more APDs.

Environmental effects will be reported for a) five intensity factors listed in 40 CFR 1508.27(b) and b) any identified significant issues from the EA that weren't covered by the CEQ intensity factors c) any significant effects that were found during monitoring that weren't reported in the intensity factors or EA significant issues. Those five intensity factors from the CEQ NEPA regulations are related to effects on:

- Public Health and Safety
- Unique Characteristics of the Geographic Area
- Districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places
- Threatened and endangered species or its identified "Critical" habitat under the Endangered Species Act
- Federal. State or local laws

#### What Environmental Assessments will be selected for monitoring?

The Forest Service will review all activities approved in all Environmental Assessments for one or more APDs. The Responsible Official's decision (based on the EA) must have been between October 1, 1999 (beginning of Fiscal Year 2000) and September 30, 2004 (end of Fiscal Year 2004).

Furthermore, the activities must have been constructed or partially constructed on-the-ground as of the date of this request. In other words, a road must have been constructed, or a well drilled or a pipeline constructed. In the Excel workbook, units should note where all activities associated with an EA are not yet completed on-the-ground.

All EAs meeting the decision date and construction criteria shall be monitored

#### Who will do the monitoring?

Each project will need to be reviewed on the ground by an interdisciplinary (ID) team. The District Ranger will visit enough sites to understand the findings and conclusions of the interdisciplinary team to allow the individual to make a significance or nonsignificance determination. The exception to an on-the-ground review will be when units have past monitoring data on the activities associated with that EA.

A unit's NEPA and Minerals staff will jointly lead the review. The interdisciplinary team must include journey-level specialists who have a clear understanding of how cumulative impact analyses are performed and who are qualified to examine and draw conclusions on the occurrence of effects that meet or do not meet environmental standards (i.e. state water quality standards, the conditions of a Biological Opinion, etc.) for soil, water, air, vegetation, wildlife, fish, cultural and historic resources or other pertinent issue related resources. Refer to 40 CFR 1508 for further context for the terms "significantly", "effects", "human environment" and "cumulative impacts".

Membership of the interdisciplinary team should be chosen based on the significant issues identified in the EA(s) or on the five CEQ intensity factors discussed in this document. The interdisciplinary team can be made up of Ranger District, Supervisor Office and/or Regional Office personnel or any combination thereof.

The interdisciplinary team must visit the site associated with the EA to assess the effects (direct, indirect and cumulative) of the activities on the significant issues identified in the EA and on the five intensity factors from 40 CFR 1508.27(b).

#### **General Monitoring Procedures**

Data will be collected and reported by EA not by drill site (unless the EA is for one drill site).

Field units are to fill out the attached Excel workbook designed specifically for this monitoring effort. They may use either a) evidence of results from documented past and/or ongoing monitoring efforts on the effects of the activities or b) results from review by an interdisciplinary team formed for the express purpose of this request.

If a unit has past monitoring data, then that information or summaries of its pertinent parts may be forwarded in lieu of collecting new monitoring data; however, the results of this past monitoring must be transferred and forwarded using the Excel workbook.

If past monitoring data does not exist on the activities in an EA, then each unit needs to create an appropriate interdisciplinary team and go to the project area on-the-ground and assess the effects from the approved activities. Every site associated with that project area does not need to be visited. Visit the areas needed to be able to draw conclusions on the actual environmental effects of the activities, including identified significant issues and cumulative effects. The Line Officer will determine whether the activities have or have not had a significant effect on the human environment based on the findings of the interdisciplinary team.

#### **Project Monitoring Documentation**

The ID team is to objectively review the site-specific environmental effects of the chosen or selected alternative from the EA. In addition to submitting the information in the attached excel work book, ID team members should write a letter to the applicable District Ranger covering the significant issue surrounding their resource area or the CEQ intensity factors. The interdisciplinary review teams' measurements or observations will also be documented in the Excel workbook. See sample findings in Appendix A.

For each EA reviewed, the District Ranger, informed by the results of the ID team's monitoring, must make a finding concerning the significance of environmental effects on the human environment. That finding will be documented in a letter to the record and in the Excel workbook. For each EA, the District Ranger must make a finding about whether the project individually or cumulatively did or did not have a significant effect on the human environment (40 CFR 1508.4). The line officer must consider the context and intensity factors described in the CEQ NEPA implementing regulations, 40 CFR 1508.27, when describing the rationale for their finding. See sample findings in Appendix A.

#### **Quality of Information**

To ensure and maximize the quality, objectivity, utility, and integrity of the information that the agency will assemble, data will be requested directly from field units implementing projects. Consequently, the data will represent the on-the-ground knowledge, experience, and judgment of the various interdisciplinary specialists and decision makers who provide it.

An integral part of this analysis is to determine the effects of the selected decision within the project area and the cumulative effects of the selected alternative in conjunction with the other projects that have occurred in the recent past, are occurring at the same time, or that may occur in the foreseeable future. The geographic boundaries of the effects monitoring will likely differ based on the resources being monitored. Interdisciplinary teams must review a sample of the other projects (if any) that were discussed in the EA where actual on-the-ground activities have occurred.

In summary, the District Ranger must determine significance or nonsignificance based on the direct, indirect and cumulative effects for the wells, pipelines, and roads authorized and implemented in that EA in conjunction with other past, present, and reasonably foreseeable actions. It is feasible that activities will have occurred, or are now reasonably foreseeable, that were not foreseeable at the time the EA was prepared and consequently those activities were not considered in the EA. None the less, these activities still must be considered when monitoring the effects of the activities authorized in the EA.

#### **Excel Workbook**

Data will be entered into an Excel Workbook that will contain three worksheets. These worksheets are:

- 1) EA Project Information Basic Information about the Decisions based on site-specific NEPA analyses.
- 2) EA Actual Results information on dry or producing wells actually drilled.
- 3) FONSI and Issue Monitoring results of monitoring each implemented project on the previously identified five CEQ intensity factors and the remaining significant issues in the applicable EA.

The following information instructs the Forest, Prairie, or Grassland District Ranger or Supervisor's Office personnel on how to fill out the attached Excel workbook that contains three worksheets.

Data from units will then be compiled into one or more Excel Workbooks at the agency's headquarters in Washington, D.C. Where data are missing or unclear, follow-up contacts will be made with certain field units to clarify or complete the fields.

#### **Posting on the Internet for the Public**

Field data, as originally reported, along with the agency interpretations drawn from it, will be available to the public at http://www.fs.fed.us/emc/. Following the instructions contained in this document shall ensure that the data collected will conform with the Office of Management and Budget and Departmental guidelines for quality of information.

#### What records will units need to provide?

The administrative record will be provided to the WO in electronic form only. For each project, the units must electronically submit to the RO on a CD the following information:

- 1. Environmental Assessment, Appendices, and Maps
- 2. Decision Notice
- 3. Documented Monitoring Results from ID team members
- 4. Letter from Responsible Official to Record documenting "Significance" Finding

For units that are submitting past and ongoing monitoring results, the unit should also provide a electronic copy of the monitoring report or its pertinent parts to the Regional Office as well as report the information in the Excel workbook.

#### **Submission of Data and Records**

#### Excel Workbooks:

All units shall forward completed Excel Workbooks to their Regional Office. The Regional Offices shall check all completed Excel Workbooks and electronically forward them to the WO.

#### Record material:

All units should forward electronic copies of their record for the EAs monitored to their Regional Offices on a CD. Regions will combine all unit data onto as many CD's as it takes and submit to the WO. Please categorize these records by creating a folder for each unit (Forest, Grassland, or Prairie) that submitted data and under each unit create a folder for each EA where more than one EA exists on an individual unit.

#### **Timeframes for Data and Record Submission**

All monitoring must be completed and the results submitted to the Washington Office by August 5, 2005.

The Excel workbook must be mailed electronically to Joyce Kelley in the WO.

All electronic records and a copy of the Excel workbook must be submitted on CDs to the WO using Express Mail to the following address:

USDA Forest Service Ecosystem Management Coordination Attn: Reta Laford Yates Bldg., 3CEN; 201 14th Street, SW Washington, DC 20024

#### FIELD BY FIELD INSTRUCTIONS BY WORK SHEET

### Worksheet A Titled "EA\_Project\_Info"

<b>Column Title</b>	Instructions	
Region	Enter 2-digit code for your Region. For Example, Region 1 would enter "01"	
<u>Unit</u>	Enter an abbreviated name for the National Forest, Grassland, or Prairie	
Project Name	Enter EA Project Name. If have more than one project EA on a unit, please do not use the same name.	
State Where Project Located	Enter Standard 2-digit Postal Code for State.	
	Enter the Common Name of the Oil and Gas Field, if applicable, where the project is located.	
Fiscal Year of NEPA Decision	Enter a four-digit FY for the FY in which the analysis was completed and decision made. Enter FY of date of the Decision Notice if analysis (EA) completed in prior FY.	
<u>Type</u>	The worksheet allows you to only enter one of the following three names: "Oil", "Non Coal Bed Gas", or "Coal Bed Gas".	
Road Construction (Miles)	Insert Mileage to the nearest "tenth" of a mile. If no classified roads were constructed, report "0" (zero).	
Road Construction (Acres Disturbed)	Utilize the normal local ROW clearing widths for the roads associated with the project and calculate acreages based on the road construction mileage in the previous cell. Insert Acreage to the nearest "tenth".	
Road Reconstruction (Miles)	Insert Mileage to the nearest "tenth" of a mile. If no classified roads were reconstructed, report "0" (zero).	
Pipeline Construction (Miles)	Insert Mileage to the nearest "tenth" of a mile. If no pipelines were constructed, report "0" (zero). Insert "Comment" about pipelines permitted in road right-ofways.	
Pipeline Construction (Acres)	Calculate acres the same way as road mileage above. Do not double count acreages where pipelines and roads are within or nearly within the same Right-of-Way. In this instance, associate all acreages with the roads. Insert Acreage to the nearest "tenth".	
Total Number of Drill Sites (Number)	Insert the Total number of Drill Sites authorized by the Decision Notice or from the alternative selected from the Environmental Assessment.	

<b>Column Title</b>	<u>Instructions</u>	
Acres of All	Enter the total acres of all Drill Sites authorized from the EA. Insert Acreage to the nearest "tenth".	
Exploration Wells (Number)	Enter the total number of exploration wells based on how the wells were characterized in the EA. See next instructions.	
Wells (Number)	Enter the total number of development wells. Development wells are to be assumed to be those that are within or immediately adjacent to a producing field or producing wells. The SUM of the total number of exploration wells and development wells MUST equal the Total number of wells from the EA. (From this data and the well pad data the agency will be able to tell whether multiple wells were drilled from the same drill site.)	
NFS Unit Contact Person Name	Enter the individual who has the most knowledge about the specifics of the applicable project.	
Lotus Notes Email Address of Contact Person	Enter the Unit Contact Person's Lotus Notes Email address. For example enter "oilofolay/R2/USDAFS"	
Number of	List Area Code, then telephone number, then extension Number. Format should be xxx-yyy-zzzz-Ext-aaa	

### Worksheet B Titled "EA\_Actual\_Results"

Column Heading	Column Title	<u>Instructions</u>
Project Link to Other Workshoots	<u>Region</u>	The Excel spreadsheet has been designed to automatically enter this information from the Project Information worksheet.
<u>Worksheets</u>	<u>Unit</u>	See above.
	<b>Project Name</b>	See above.
Implementation Results	Number of Dry Holes Drilled	Warning: The total number of holes reported under these "Implementation Results" must equal the SUM of the total number of exploration and development wells approved from the "Project Info" worksheet.
	Number of Holes Drilled That Produced	Self Explanatory

Column Heading	Column Title	<u>Instructions</u>
	Number of Holes Never Drilled or Not Yet Drilled	Self Explanatory
	Why Company Did Not Finish Drilling? (Or Not Done Yet?)	Self Explanatory
	Number of Dry Hole(s) Reclaimed	Self Explanatory
Dry Hole	<u>Dry Hole Site Reclaimed</u> (Acres Reclaimed)	Self Explanatory
Reclamation	Dry Hole Road Construction Reclaimed (Miles Reclaimed)	Self Explanatory
	Dry Hole Road Construction Reclaimed (Acres Reclaimed)	Self Explanatory. Insert Acreage to the nearest "tenth".
	Number of Producing Well(s) Partially Reclaimed	Self Explanatory
Producing Well Partial Reclamation	Producing Well Site Partially Reclaimed (Acres Reclaimed)	Reclamation is reclaiming those areas no longer needed to the point so that all that remains is just where the well head is and not the entire site.
	Producing Well Road Partially Reclaimed (Acres Reclaimed)	Self Explanatory. See above.

## Worksheet C Titled "FONSI\_And\_Issue\_Monitoring"

<u>Column</u> <u>Heading</u>	Column Title	<u>Instructions</u>
Project Link to Other	<u>Region</u>	The Excel spreadsheet has been designed to automatically enter this information from the Project Information worksheet.
Worksheets	<u>Unit</u>	See above.
	Project Name	See above.
40 CFR 1508.27(b)(2)	Did the project have effects on public health or safety? (40 CFR 1508.27(b)(2))	Answer only "Yes" or "No"
Public Health and Safety	If NO, explain how project implementation avoided effects on public health and safety.	
	If YES, what aspect of public health or safety was affected?	

<u>Column</u> Heading	<u>Column Title</u>	<u>Instructions</u>
	If YES, describe the bounds of this effect on public health or safety, both geographically and in time.	
	If YES, what other actions added to this project's effect on public health or safety?	
	If YES, what is your reason for determining that these cumulative effects on public health and safety are not significant?	
	Did the project have effects on unique characteristics of the geographic area? (40 CFR 1508.27(b)(3))	Answer only "Yes" or "No"
40 CFR	If NO, explain how project implementation avoided effects on unique characteristics of the geographic area.	
1508.27(b)(3)	If YES, what unique characteristics were affected?	
Unique Characteristics of the Geographic	If YES, describe the bounds of this effect on unique characteristics, both geographically and in time.	
Area	If YES, what other actions added to this project's effect on unique characteristics?	
	If YES, what is your reason for determining that these cumulative effects on unique characteristics are not significant?	
40 CFR 1508.27(b)(8) Cultural and Historic	Did the project have any effects on cultural or historic resources listed in or eligible for listing in the National Register of Historic Places? (40 CFR 1508.27(b)(8))	Answer only "Yes" or "No" Note Exact words from 40 CFR are "Districts, sites, highways, structures, or object"
Resouces	If NO, explain how project implementation avoided effects on cultural or historic resources.	
	If YES, what cultural or historic resources were affected?	
	If YES, describe the bounds of this effect on cultural or historic resources, both geographically and in time.	

<u>Column</u> Heading	<u>Column Title</u>	<u>Instructions</u>
	If YES, what other actions added to this project's effect on cultural or historic resources?	
	If YES, what is your reason for determining that these cumulative effects on cultural or historic resources are not significant?	
	Did the project have any effects on threatened and endangered species or its identified "critical" habitat under ESA? (40 CFR 1508.27(b)(9))	Answer only "Yes" or "No"
40 CFR	If NO, explain how project implementation avoided effects on threatened and endangered species/ critical habitat.	
1508.27(b)(9) <u>Threatened</u>	If YES, what threatened and endangered species/ critical habitats were affected?	
and Endangered Species or Critical	If YES, describe the bounds of this effect on threatened and endangered species/ critical habitats, both geographically and in time.	
<u>Habitat</u>	If YES, what other actions added to this project's effect on threatened and endangered species/ critical habitats?	
	If YES, what is your reason for determining that these cumulative effects on threatened and endangered species/ critical habitats are not significant?	
40 CFR 1508.27(b)(10) Federal, State, or Local Law	Did the project threaten a violation of Federal, State, or local law or requirement for the protection of the environment? (40 CFR 1508.27(b)(10))	Answer only "Yes" or "No"
or Requirement	If YES, what laws may have been threatened?	
	If YES, describe the bounds of this effect on laws or requirements for the protection of the environment, both geographically and in time.	

<u>Column</u>	Column Title	<u>Instructions</u>
Heading	If YES, what other actions added to this project's threat to laws or requirements for the protection of the environment?	
	If YES, what is your reason for determining that these threats to laws or requirements for the protection of the environment are not significant?	
Monitoring of Effects Related to EA's Identified Significant Issues	Identified Significant Issue(s) from Environmental Assessment	List only the identified significant issues from the EA that are not covered by the CEQ intensity factors. Each identified significant issue must be on its own row. If needed, INSERT a new row to identify the issue. For the Identified Significant Issue, determine through on-the-ground monitoring whether there were significant cumulative environmental effects. Be brief in describing the issue using only 1-2 words such as "water quality", or "visual quality".
	Determination of Whether Significant Environmental Effects Occurred to the Identified Significant Issue?	Answer only "Yes" or "No"
	Monitoring Technique	Enter one of three codes: "Personal Observation", "Data Plots Taken", or "Standard Protocol Used" (for long term monitoring program). For example if you measured the impacts to the soil resource by measuring compaction then you would select "Data Plots Taken". If you determined the effects on listed and sensitive wildlife through observing the area, examining species occurrence lists and reviewing past documentation, then you would record "observation". If the project is part of long-term monitoring and has been visited two or more times and data gathered using standardized protocols, then select "Standard Protocol Used."

<u>Column</u> <u>Heading</u>	<u>Column Title</u>	<u>Instructions</u>
	Rationale for Determination that Significant Effects to Identified Issue Did or Did Not Occur	In this cell, the line officer provides the rationale for his/her conclusion of whether significant effects occurred to each identified significant issue based on the results of interdisciplinary team monitoring. See examples in Appendix A.
Other Issues	Other Significant Effects Discovered  During Monitoring	Report here if site-specific monitoring discovers a significant effect occurred to the environment on a resource that was not identified when reporting on intensity factors or Significant Issues in the EA. Otherwise, report "Not Applicable"
Responsible Official	Name of Line Officer Making Documented "Significance" or "Nonsignificance" Determination	Self Explanatory

# Appendix A Sample Wording of "Effects Determinations" By Either Interdisciplinary Teams or Responsible Officials

- 1. A biological assessment concluded "no effect" on the identified bald eagle nest. Likewise, a mitigation measure in the EA stated that no drill site would be located closer than 500 yards from the nest. Upon review, the closest drill site to the next is 1,800 yards. There are no other past, currently ongoing, or future project that would affect this nest. Thus, I have determined that no significant cumulative effects occurred to bald eagles by implementing this project.
- 2. There are no significant cumulative effects to unique areas by implementing this project because no unique areas exist.
- 3. The project design avoided areas of potential impacts to known locations of two Forest Service sensitive plant species. Upon review, those known locations were avoided by the road and pipeline construction and the plants were not affected by the project's implementation. Thus, I have determined that no significant cumulative effects occurred to bald eagles by implementing this project.
- 4. Because 1) I've looked at this project area's environmental conditions and have seen nothing different from the many similar projects I've completed in the past; 2) this same type of vegetation exists across much of this district; 3) my staff have done many similar types of activities such as road construction in the past; 4) Forest Plan standards and guide-lines, as well as this Country's environmental laws, safeguard the environment from being significantly harmed by my decisions; 5) my staff and I have done larger projects than this one and they have not had significant effects on the human environment; and 6) my staff and I are trained professionals in natural resources who care about the land and its wise use, so projects have and will continue to be designed so they don't have cumulatively significant effects.
- 5. The project site was inventoried prior to the decision. As part of the EA, a mitigation measure was identified to avoid a known location of an archeological site. As mitigation, the archeological site was flagged out on the ground by appropriate specialists Upon on-the ground review, these sites were avoided when the project was implemented. Avoidance provided for protection and resulted in no effect on this archeological site.
- 6. The Forest/Grassland/Prairie oil and gas leasing EIS identified standards and guidelines that mitigate the effects of exploration and development activities on other resources and uses. This project meets those standards and guidelines. Site-specific wildlife, plant, archeology, historic, and other surveys were conducted prior to construction. No sensitive or ESA listed T&E plants, wildlife species, or species protected by the Forest Plan or leasing EIS were affected by this project.

# Appendix A Sample Wording of "Effects Determinations" By Either Interdisciplinary Teams or Responsible Officials

- 1. A mitigation measure in the EA stated that no drill site would be located closer than 500 yards from a bald eagle nest. Upon review, the closest drill site to the nest is 1,800 yards. The nest has evidence that it is still being used by the bald eagles. In addition the Forest's five year monitoring report reported an increase in eagle nesting sites on the Forest. There are no other past, currently ongoing, or future project that would affect this nest. Thus, I have determined that no significant cumulative effects occurred to bald eagles by implementing this project.
- 2. There are no significant cumulative effects to unique areas by implementing this project because on-the-ground monitoring confirmed that no unique areas exist.
- 3. The project design avoided areas of potential impacts to known locations of two Forest Service sensitive plant species. Based on our on-site review, it was determined that these known locations were avoided by the road and pipeline construction and the plants were not affected by the project's implementation. No other sensitive plant species were seen in the area. Thus, I have determined that no significant cumulative effects occurred to sensitive plants by implementing this project.
- 4. The project site was inventoried prior to the decision. As part of the EA, a mitigation measure was identified to avoid a known location of an archeological site. As mitigation, the archeological site was flagged out on the ground by appropriate specialists. On-the ground review confirmed that these sites were avoided when the project was implemented and that there have been no visible changes or effects to this archeological site. Therefore I have determined that this project has had no significant effects on archeological resources.
- 5. The Forest/Grassland/Prairie oil and gas leasing EIS identified standards and guidelines that mitigate the effects of exploration and development activities on other resources and uses. Post implementation review has confirmed that this project meets those standards and guidelines. Post implementation review of the site and surrounding area, and reviews of wildlife monitoring reports have confirmed that no archeology sites, historic sites sensitive or ESA listed T&E plants, wildlife species, or species protected by the Forest Plan or leasing EIS were affected by this project. The project also met the standards to protect water quality and air quality set by the plan and leasing decision.