

**Grand Mesa, Uncompahgre and Gunnison
National Forests**

**Oil and Gas Leasing
Final Environmental Impact Statement**

Record of Decision

Prepared by:

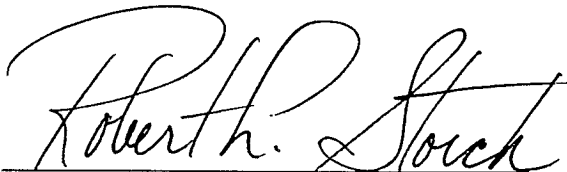
U.S. Department of Agriculture, Forest Service
Grand Mesa, Uncompahgre and Gunnison National Forests
Rocky Mountain Region
Delta, Garfield, Gunnison, Mesa, Montrose,
Ouray and San Miguel Counties, Colorado

Cooperating Agency:

U.S. Department of Interior
Bureau of Land Management
Colorado State Office
Montrose District Office

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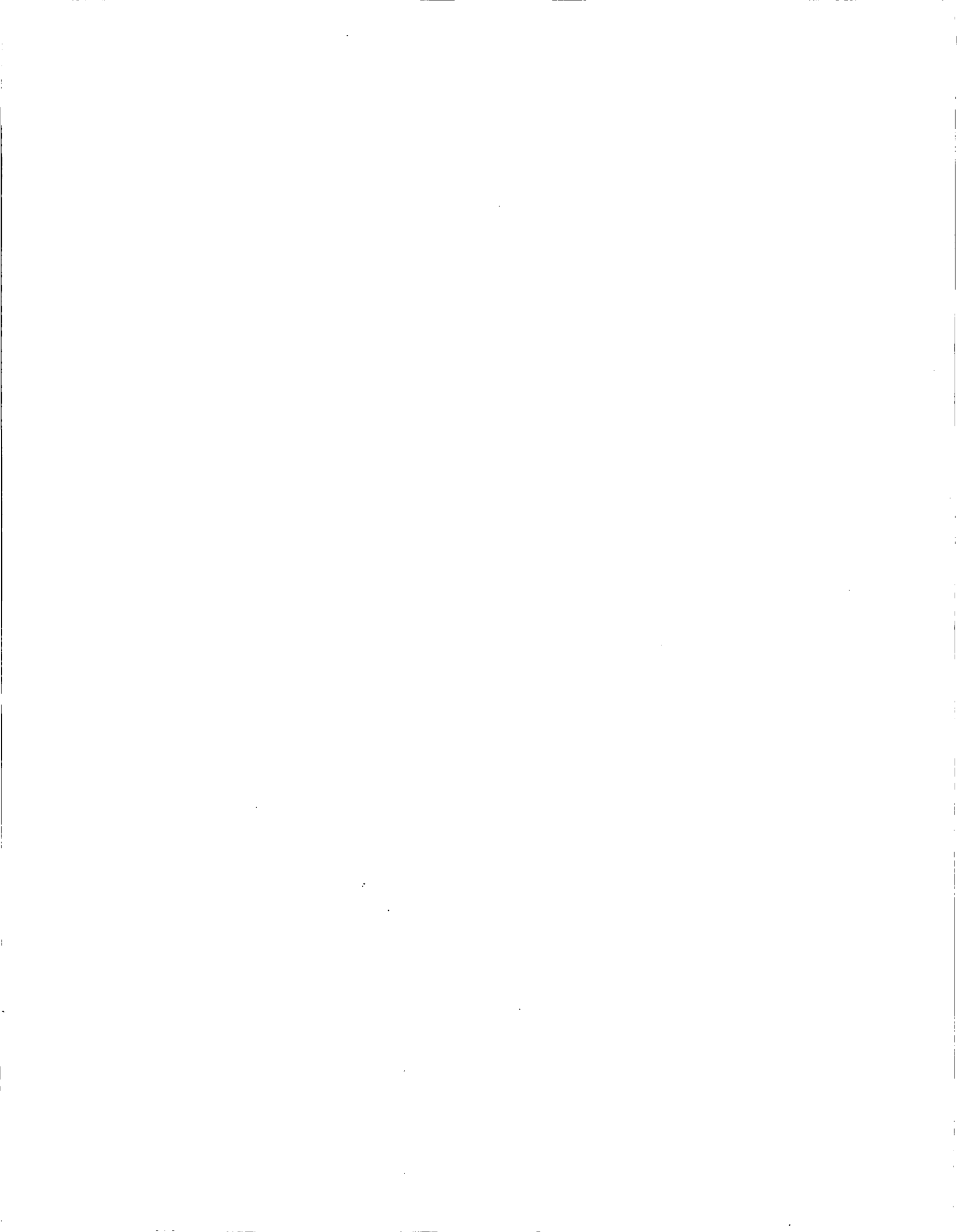
Deciding Officer



Robert L. Storch
Forest Supervisor
Grand Mesa, Uncompahgre and Gunnison National Forests

Date

4/19/93



I. Introduction

The Federal Onshore Oil and Gas Leasing Reform Act (P.L. 100-203) was enacted in 1987. The implementing regulations for the Bureau of Land Management (BLM) were published in 1988 and the Forest Service regulations were published in 1990. The regulations describe the procedures by which each agency will carry out its statutory responsibilities in the issuance of oil and gas leases.

The BLM manages all Federally-owned subsurface minerals. In the case of oil and gas, the BLM is responsible for advertising and selling available leases, and for monitoring subsurface activities related to exploration and development. Their monitoring role includes administering all Federal regulations pertaining to subsurface oil and gas.

The Forest Service has the authority and responsibility to determine which National Forest System lands are available for oil and gas leasing, and the specific lands which the BLM may offer for lease. The Forest Service is also responsible for prescribing lease terms that provide reasonable protection to surface resources and values, approving the lessee's Surface Use Plan of Operations (SUPO), and insuring that the requirements of the leases and operating plans are carried out according to their terms. The regulations applicable to the above are found in Title 36, Code of Federal Regulations, Part 228, Subpart E.

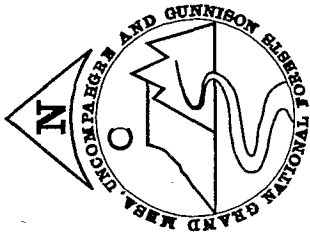
The Oil & Gas Leasing Environmental Impact Statement (EIS) for the Grand Mesa, Uncompahgre and Gunnison National Forests was prepared in response to the requirements of the implementing regulations for the Leasing Reform Act. National Forest System lands with high and moderate potential for oil and gas resources, and those with low or no known potential for oil and gas resources that are currently leased have been included in the Analysis Area. Figure 1 displays the Analysis Area for this EIS.

The purpose of this Record of Decision (ROD) is to document Forest Service decisions regarding: 1) which lands will be administratively available for oil and gas leasing in accordance with 36 CFR 228.102(d) and 2) which specific lands are authorized for the BLM to advertise for lease in accordance with 36 CFR 228.102(e). These decisions include the lease terms and stipulations determined necessary to protect the surface resources based on disclosure of environmental effects in the Oil and Gas Leasing Final EIS and standards and guidelines contained in the National Forest Land and Resource Management Plan (Forest Plan). This ROD also documents the decision to amend the Forest Plan to include the lands determined to be administratively available for oil and gas leasing.

The regulations, 43 CFR 3101.7-2(c), which pertain to leasing of Federal lands administered by an agency outside the Department of Interior, require the BLM to review and accept all reasonable leasing recommendations of the surface managing agency. In this case, these recommendations involve decisions on the administrative availability and authorization of specific lands for leasing, and stipulations needed to protect surface and subsurface resources within the Forest.

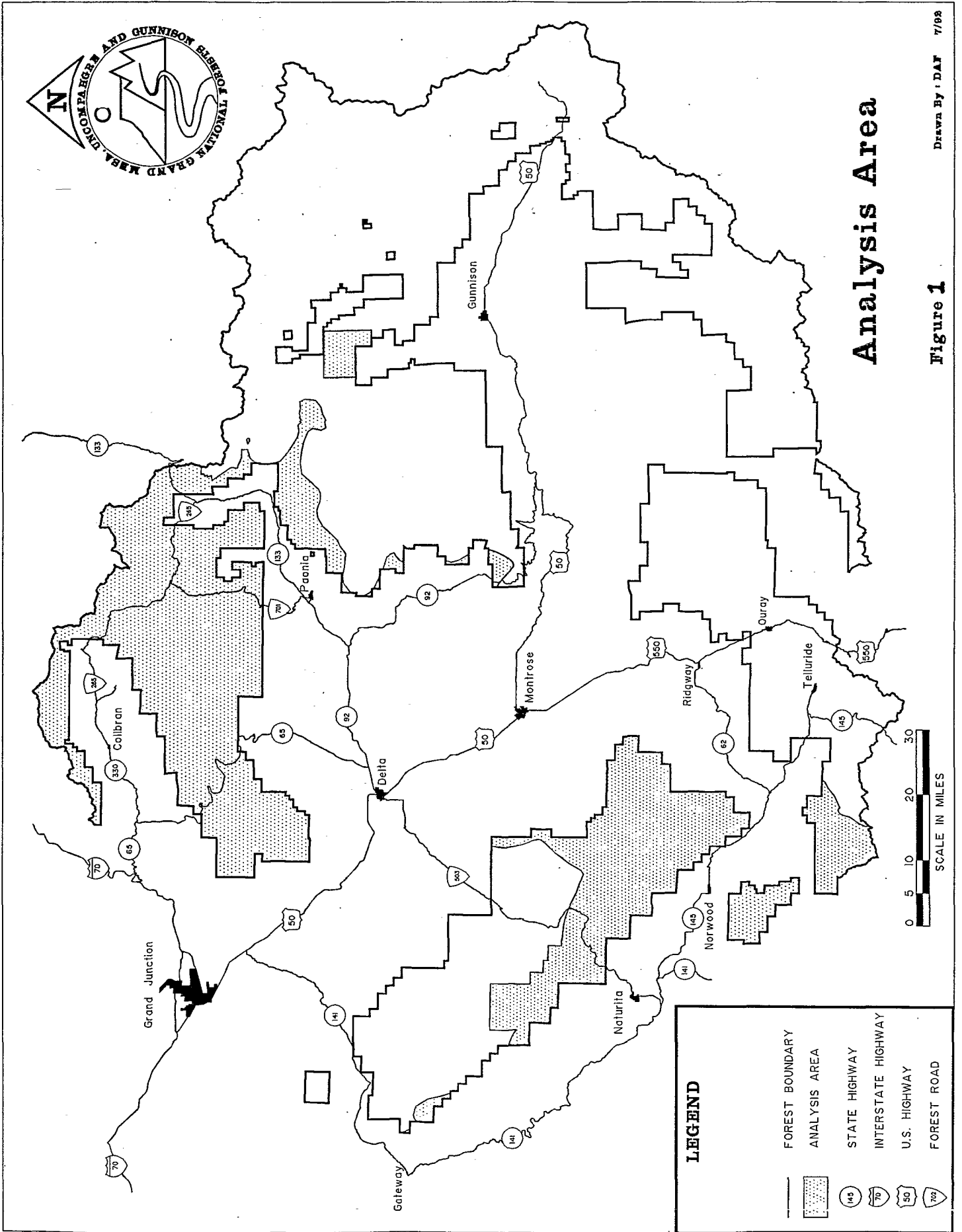
II. Decision

After carefully considering the administrative record of information, the applicable laws and regulations, the anticipated environmental impacts of the alternatives analyzed in the Final EIS, and the public's comments; I have selected Alternative 2 - Preferred as presented in the Final EIS for the Administratively Available decision and the Lease Authorization decision. This corresponds to subparts (d) and (e) respectively of 36 CFR 228.102. My decision will make approximately 813,180 acres of the area analyzed (see Figure 1) administratively available and authorized for oil and gas leasing.



Analysis Area

Figure 1
DRAWN BY: DAF 7/98



Approximately 138,270 acres within the Analysis Area will not be available for oil and gas leasing. Lease requests for parcels outside the Analysis Area will be evaluated separately, on a case-by-case basis.

Oil and gas leases issued after my decision will include Standard Lease Terms of the lease form plus any supplemental stipulations identified as necessary for resource protection. The Standard Lease Terms and supplemental stipulations are discussed in Appendix B and C, respectively, of the Final EIS. Table 1, below, displays the acreages I am authorizing for oil and gas leasing that require the use of the supplemental stipulations of Timing, Controlled Surface Use (CSU), and No Surface Occupancy (NSO). Table 2 summarizes the supplemental stipulations that will apply to each Affected Environment. The exact location of these acres and the specific resources that necessitate the use of the supplemental stipulations are displayed on the Stipulation Map included in the Final EIS and in the administrative record.

No Surface Occupancy	151,835 acres
Controlled Surface Use	215,170 acres
Controlled Surface Use and Timing Limitations	239,755 acres
Timing Limitations	80,440 acres
Standard Lease Terms Only	125,980 acres
Total Authorized For Leasing	813,180 acres

Affected Environment	Lease Options	Acres**
General Forest	SLT	951,450
Floodplains *	NSO	10,200
Aquatic/Riparian/Wetland Habitats *	NSO	27,600
Alpine/Tundra Areas	NSO	2,100
High Geologic Hazard	NSO	52,000
Moderate Geologic Hazard	CSU	629,000

Table 2. Supplemental Stipulations And Acres For Each Affected Environment		
Affected Environment	Lease Options	Acres**
Roadless Areas:		***
- Raggeds	NL, NSO, CSU, TL, SLT	16,300
- Drift Creek	NSO, CSU, TL, SLT	9,100
- Springhouse Park	CSU, TL, SLT	17,045
- Electric Mountain	NSO, CSU, SLT	7,850
- Clear Creek	NSO, CSU, TL, SLT	41,350
- Hightower	NSO, CSU, TL	4,100
- Priest Mountain	NL, NSO, CSU, TL, SLT	92,955
- Salt Creek	NSO, CSU, SLT	11,305
- Battlement Mesa	NSO	36,290
- Nick Mountain	NSO, CSU, TL, SLT	10,845
- Kannah Creek	NL	34,575
- West Elk	NL, NSO, CSU, SLT	28,295
- Whetstone Mountain	NL	13,100
- Flat Top Mountain	NL	110
- Roubideau	NL	6,485
- Tabeguache	NL	8,385
- Kelso Mesa	NSO, CSU, SLT	1,205
- Campbell Point	CSU, TL	395
- Johnson Creek	NSO, CSU, TL	5,340
Research Natural Areas	NL	655
Sensitive Areas	NSO	29,000
Retention VQO - Low VAC	NSO	7,210
Retention VQO	CSU	7,800
Scenic Byway Corridors	CSU	18,140
Semi-primitive Non-motorized (3A Management Areas)	NSO	13,700
Administrative Sites *	NSO	35
Recreation Complexes	NSO	62,975
Watersheds of Special Interest to Municipalities	CSU	117,000
Slopes 40-60%	CSU	33,530
Slopes > 60%	NSO	3,415
Wildlife Special Habitats:		
- Big Game Winter Range	CSU, TL	207,450
- Elk Calving Areas	CSU, TL	45,230
- Migration Routes & Staging Areas	CSU, TL	N/A
- Bighorn Lambing/Breeding Areas	NSO	9,335
- Summer Range (Concentrated Use)	NSO	81,440
- Sage Grouse Leks	NSO, CSU, TL	160

Table 2. Supplemental Stipulations And Acres For Each Affected Environment		
Affected Environment	Lease Options	Acres**
Threatened and Endangered Species*	N/A	N/A
Utility Corridors - Electronic Sites *	SLT	4,535
Primary Rangeland (6B Management Areas)	SLT	395,000
Lands Suited for Timber Harvest	SLT	287,000

* Not displayed on EIS maps because of sensitivity or size.

** Many environments overlap. Acreages do NOT add up to the Analysis Area total.

*** Acres of Roadless Area within Analysis Area.

NL = No Lease, NSO = No Surface Occupancy, CSU = Controlled Surface Use,

TL = Timing Limitations, SLT = Standard Lease Terms.

These decisions require a non-significant amendment to the Forest Plan. Based on an analysis of the objectives, guidelines and other contents of the Forest Plan, I have determined that this amendment will not result in a significant change in the Plan.

Timing: While this decision will be implemented immediately (following appropriate notice to the public), the effects of this decision will not be felt until actual lease rights are applied for. As existing leases expire the decisions made here will take effect.

Location and Size: This decision is based on analysis of 1/3 of the Forest. However, only 15% of the area (5% of the Forest) has been changed to No Lease. The remaining lands have varying degrees of stipulations attached to them. These stipulations are more restrictive in selected environments (such as sage grouse leks, alpine/tundra or selected Roadless Areas) than under the 1983 Plan. However, this represents a very limited portion of the Forest, and even within this area, stipulations applied will be similar to those which would have been imposed for each lease area analyzed under the old process of doing individual analysis on each lease parcel proposed by the BLM.

Goals, Objectives and Outputs: This amendment does not alter any of the long-term relationships between the level of goods and services projected by the Forest Plan, as disclosed in the Oil and Gas Leasing EIS. Projections in the RFD indicate that the level of oil and gas activity in the area covered by the Forest Plan will not be changed at all by this amendment or by the decisions made in this ROD.

Management Prescriptions: The only change specific to management prescriptions is to the 3A Management Area. In this management area the No Surface Occupancy stipulation is imposed. This amounts to 13,700 acres (approximately one half of a percent of the Forest) which may or may not have had this restriction under the 1983 Forest Plan. The very limited amount of change in the level of timber harvest which could (but is not planned or certain to) occur would not take place without amendments to the Plan specific to that activity. The desired future condition has not been altered. Rather, the decisions in this ROD are designed to protect and enhance surface resource values in conformance with the existing Plan. Discussion just above illustrates this point (No Surface Occupancy will protect Semi-primitive Non-motorized values).

My conclusion is that the changes resulting from this amendment are not significant for the purposes of the planning process. Appendix A of this Record of Decision is the Forest Plan amendment.

When an authorized area is considered for leasing, the Final EIS and ROD will be reviewed to:

1. Verify that oil and gas leasing of the specific parcel being considered has been adequately addressed in the Oil and Gas Leasing Final EIS, and is consistent with the Forest Plan.
2. Ensure that conditions of surface occupancy identified in Alternative 2 and required by this decision are properly included as stipulations in resulting leases.
3. Determine that operations and development can be allowed somewhere on each proposed lease, except where stipulations prohibit all surface occupancy.
4. If the above conditions are met, the BLM will be authorized to offer the specific lands for lease. If the review determines that one or more of the above conditions is not satisfied, the BLM will not be authorized to offer the specific parcel for lease until the condition is satisfied by conducting additional environmental analysis and/or by amending the Forest Plan.

My decision does not authorize any ground disturbing activities associated with oil and gas exploration or development to occur. Ground disturbance can only be authorized after another stage of environmental analysis is conducted in compliance with the National Environmental Policy Act (NEPA). This analysis will be initiated when a lease holder submits an Application for Permit to Drill (APD). The analysis will result in a decision that may approve or may deny the permit to drill. This staged decision making is described in the Final EIS pages I-17 to I-19 and is supported by the court ruling *Robertson vs. Methow Valley Citizens Council*, 104 L. Ed. 2d 351 (1989).

My decision applies to all lands within the Analysis Area shown in Figure 1 of this ROD. Existing leases will not be affected by this decision. However, when current leases expire or terminate, this decision will take effect on those lands and any future leases issued on those lands. The location of current leases is displayed in Figure III-3 and in Appendix L of the Final EIS.

III. Rationale For My Decision

In making this decision, I recognize that oil and gas leasing, exploration and development are a legitimate, permissible, and viable use of National Forest System lands. This is evidenced by several laws affecting the management of National Forest System lands including the Organic Administration Act of 1897, Mineral Leasing Act, Multiple Use Sustained Yield Act of 1960, and the National Forest Management Act of 1976.

I also recognize that energy and mineral resources will be given the same consideration accorded to other surface resources, land uses, and environmental protection (Rocky Mountain Regional Guide 5/92).

It is for these reasons, and in consideration of the environmental consequences documented in the Final EIS and administrative record, that I have decided to authorize the majority (85%) of the Analysis Area for leasing. This authorization includes stipulations limiting or prohibiting surface occupancy on approximately 85% of the available and authorized lands in the Analysis Area. Stipulations will be applied for environmental or resource protection.

The exact location of future ground disturbance associated with oil and gas exploration and development activities is unknown at this time. However, the Reasonably Foreseeable Development scenario [36 CFR 228.102(c)(3)] has provided a sound basis for estimating environmental consequences. The lease terms and stipulations to be used when leases are issued have been specified. The effectiveness of mitigation is well known on the types of lands defined in the Affected Environments of the Final EIS. In consideration of these points, I am confident that the adequacy of the analysis documented in the Final EIS is sufficient for analyzing each alternative and for providing a reasonable basis for my decision.

My decision to select Alternative 2 has been coordinated with the White River National Forest. We coordinated our application of stipulations to achieve consistency along our common border, .

My decision has also been coordinated with the United States Department of Interior, Fish and Wildlife Service, through informal consultation. The FWS concluded there would be no effect on any threatened and endangered species known to exist in the Analysis Area at this time.

I believe Alternative 2 offers the most balanced management scheme to provide for oil and gas leasing and exploration while protecting the surface and subsurface resources on the Forest. None of the other alternatives analyzed in this oil and gas leasing analysis offer the same degree of environmental protection while maximizing opportunities for leasing and exploration for oil and gas resources. Alternative 1 - No Action offers no change over the current Forest Plan direction and does not meet the requirements of the Federal Onshore Oil and Gas Leasing Reform Act of 1987 and its implementing regulations. Alternative 3 - No Lease, while being very environmentally sound, is much too restrictive and is not consistent with Forest Service policy and multiple use objectives. The environmental effects for Alternative 4 - Standard Lease Terms are greater and are not justifiable even though the alternative enhances oil and gas leasing and exploration opportunities. Alternative 5 - No Lease in Roadless and Semi-primitive Non-motorized Areas is environmentally sound, but is not consistent with the Forest Plan which allows timber harvest and other multiple use activities in some Roadless Areas.

It is Forest Service policy to use the least restrictive stipulation that provides the desired environmental protection. I believe I have. The regulations [36 CFR 228.102(c)(1)(ii)] say that the use of supplemental stipulations must be justified. Similarly, the regulations at 36 CFR 228.102(c)(1)(i) require an explanation of the typical standards and objectives to be enforced under Standard Lease Terms.

The Regional Guide and Forest Plan standards and guidelines are the basic standards and objectives to be enforced under Standard Lease Terms [36 CFR 228.102(c)(1)(i)]. The Regional Guide and Forest Plan are the basis for "reasonable mitigation" in the sense that they offer general guidance for mitigating environmental concerns or hazards. Standard Lease Terms are the lowest common denominator and are the types of mitigation measures which should be applied to nonsensitive Affected Environments. Special stipulation requirements are over and above Standard Lease Terms and are specific to each Affected Environment.

Supplemental stipulations (No Surface Occupancy, Controlled Surface Use, and Timing Limitations) were used rather than relying on the terms of the standard lease form (Standard Lease Terms) to mitigate the effects of oil and gas activity in many Affected Environments. This was done for the reasons discussed below and under each Affected Environment:

- Special resource concerns are identified.

The surface use requirements of the Forest Service oil and gas regulations and in Section 6 of the Standard Lease Form may provide some protection of the various Affected Environments, but displaying information on the Affected Environments through a stipulation communicates to the potential lessee that there are areas that require special consideration during operations.

- The Standard Lease Terms are not specific.

Section 6 (Conduct of Operations) of the Standard Lease Form uses general terms. These general terms include: "Minimize adverse impacts", "reasonable measures", "consistent with lease rights", "prevent unnecessary or unreasonable interference", etc. Attaching appropriate stipulations to a lease helps to define some of these terms at the lease stage and allows for more site specific mitigation for known special conditions. Having surface use requirements well laid out will assist all parties in the administration of oil and gas activity.

- Many operators are unfamiliar with operating conditions in mountainous environments.

In general, the operators that have worked on the Forest were not familiar with operations in the mountains and fragile mountainous environments. Operations in a mountainous environment require more control than on the plains or foothills. Generally the steeper the slope the greater the amount of earthwork required for the construction of roads, well pads, and pipelines and the greater the potential for erosion, slope stability problems, visual impacts, and public awareness and concern.

- The Forest Service will have more control over surface disturbing activity.

Stipulations give our oil and gas administrator more control over oil and gas activity. Surface use requirements as we have defined them are reasonable mitigation measures.

- The land use allocations may be long-lasting.

The allocations made in this ROD could effectively last 10 to 40 years. Leased land can remain subject to the lease terms as long as the lessee can hold the lease. The majority of the Forest currently leased was leased in the late 60's and early 70's under the Standard Lease Terms in effect at the time of lease. The fact that the people involved in the current decisions may not be around during implementation due to workforce mobility was also considered. Having an informed lessee and Forest Service administrator will ensure an acceptable job on the ground, both now and in the future.

- The public wants us to exercise our authority and control.

The public has been advised over the past two years in several public meetings and publications as to how and where these stipulations will be applied. Public response indicates that they expect stipulations to be applied and strictly enforced. The public is concerned that the Forest Service has control and exercises that control. Many do not believe that Standard Lease Terms are adequate for environmental protection. Likewise, many insist that stipulations not be waived, excepted, or modified.

- Stipulations should not adversely impact operators.

Operating costs should be similar under Standard Lease Terms and Controlled Surface Use. Industry may have a perception that their costs would be significantly lower under Standard Lease Terms. I believe the Controlled Surface Use stipulations I have applied are "reasonable mitigation" and would be required under Section 6 of the Standard Lease Terms.

Stipulation Application

Table 2 of this ROD summarizes the lease option I have chosen for each Affected Environment. Each Affected Environment is listed below and my rationale for choosing the option is displayed. Where Affected Environments overlap, the most restrictive stipulation will apply. For example, in a Roadless Area such as Clear Creek which with my decision has no special stipulation to protect roadless values, but contains areas with moderate geologic hazards, a Controlled Surface Use stipulation would be

attached to the lease in those areas of moderate geologic hazards. If the Roadless Area contained an Administrative Site on the moderate geologic hazard area, the Administrative Site would be stipulated No Surface Occupancy. The reader is encouraged to review the stipulation map attached to the Final EIS and/or Summary to better understand which stipulations apply to each area.

General Forest - Standard Lease Terms

The General Forest Affected Environment consists of all the land area outside the other Affected Environments discussed in the EIS. The General Forest consists of the generally less sensitive environment components and wildlife and wildlife habitats that can be adequately protected with the use of Standard Lease Terms.

Within this Affected Environment, the Wildlife environmental factor is probably the most sensitive. I believe the protection provided by the Standard Lease Terms and the site specific NEPA analysis done at the time of the APD and Surface Use Plan of Operations will result in the application of suitable and effective mitigation to the effects described for those wildlife and wildlife habitats not specifically covered with a stipulation. Significant impacts to wildlife and wildlife habitats are not likely to occur.

Floodplains - No Surface Occupancy

The application of No Surface Occupancy to Floodplains highlights the importance of these areas as part of the riparian and wetland ecosystem. Floodplains in the mountains generally include much of the same area as riparian areas and wetlands. Executive Order 11988 and our Forest Plan guidance generally preclude development in floodplains. Allowing oil and gas activity in floodplains will create the potential for discharge of undesirable materials directly into an adjacent stream during flood events.

Floodplains are not displayed on our stipulation map that accompanied the EIS, but the streams displayed on USGS quadrangle maps adequately show the location of this resource. I believe the mapping meets the intent of the Forest Service oil and gas regulations at 36 CFR 228.102(c)(1)(i) and (ii).

Aquatic/Riparian/Wetland Habitats - No Surface Occupancy

The Forest Service oil and gas regulations at 36 CFR 228.108(j) preclude surface occupancy in riparian areas and wetlands (as well as areas subject to mass soil movement) unless occupancy is approved as part of the APD and Surface Use Plan of Operations. This reflects the Forest Service's commitment to the protection of these areas. Some road construction in the form of stream crossings can be expected to occur, as access to drilling sites will not be able to avoid these areas in all cases. Strict mitigation will be applied to lessen the impacts to these important areas. The Forest Plan Management Prescription 9A details riparian and wetland protection and the mitigation listed in Appendix H of the EIS will be applied, as necessary, when crossing these areas is unavoidable.

Aquatic/Riparian/Wetland Habitats are not displayed on the stipulation map that accompanied the EIS, but the streams, lakes, and swamps displayed on USGS quadrangle maps adequately show the location of these resources. This meets the intent of the Forest Service oil and gas regulations at 36 CFR 228.102(c)(1)(i) and (ii).

Alpine/Tundra - No Surface Occupancy

The short growing season, harsh climate, and poorly developed soils severely limit the ability to revegetate any disturbance in Alpine/Tundra areas. Disturbance in this environment would likely be long-lasting due to limitations on revegetation. For these reasons, less restrictive stipulations would not adequately protect the surface resources in Alpine/Tundra areas. Additionally, this affected environment is scattered, relatively small in size, and usually consists of intrusive rocks with low or no known potential for oil and gas resources.

High Geologic Hazard - No Surface Occupancy

As discussed in the EIS, these are areas where slope movement is actively occurring. High Geologic hazard areas include active mudflows, earthflows, landslide and avalanche areas. The Forest Service oil and gas regulations at 36 CFR 228.108(j) specify no surface occupancy in areas subject to mass soil movement unless approved in the Surface Use Plan of Operations. Construction in these areas would likely result in accelerated slope movement and related other resource damage. Less restrictive stipulations are not adequate to mitigate the potential effects of accelerated slope movement as a result of road, well pad, or pipeline construction. The best mitigation in these areas of high geologic hazard is avoidance. High geologic hazards have been mapped and are displayed on maps in the EIS.

Moderate Geologic Hazard - Controlled Surface Use

In contrast to areas of high geologic hazard, road, well pad, and pipeline construction in areas of moderate geologic hazard can take place if the geologic hazard is properly considered in the design of the facilities. No Surface Occupancy stipulation is not needed in this environment, but there is a need for special design measures to ensure that these potentially unstable areas do not become an environmental hazard or an economic liability as a result of road, well pad, or pipeline construction (economic liability refers to the costs to reconstruct or the long-term maintenance of a failed road, well pad, etc.). These special design considerations are ensured with the use of the Controlled Surface Use stipulation.

Much of the Analysis Area is classified as having a moderate geologic hazard. On the Forest, moderate geologic hazard areas include: stabilized earthflows, mudflows, and landslides; slopes adjacent to failed slopes or active earthflows, mudflows, and landslides; areas of rockfall; flash flood zones; and areas with potential mining related problems (such as subsidence). These areas have been identified through aerial photo interpretation and are displayed on maps in the EIS.

Roadless Areas

Response to the Draft EIS indicated that Roadless Areas are a very sensitive topic. Many of those responding to the Draft EIS want Roadless Areas and their roadless values protected from the potential for oil and gas activity. Roadless values can be protected by applying No Surface Occupancy stipulations or by exercising the Forest Service's discretionary No Lease authority. The use of Controlled Surface Use stipulations, Timing Limitations, and Standard Lease Terms normally would not preclude the construction of roads which would result in loss of roadless values. The decision therefore becomes a choice between no roads (No Lease and No Surface Occupancy) and roads (Standard Lease Terms).

No Lease best protects Roadless Area values. No Surface Occupancy may also protect Roadless Area values. However, waiver, modification, or exception to a No Surface Occupancy stipulation in a Roadless Area may result in loss of roadless values. There is a perception by some that waivers, exceptions, and modifications are routine. The Forest Service oil and gas regulations at 36 CFR 228.104 spell out the criteria for the consideration of waivers, exceptions, and modifications. These criteria will be strictly administered. I have decided that certain Roadless Areas and portions of other Roadless Areas will not be available for oil and gas leasing at this time. This decision does not preclude development occurring on existing leases within these Roadless Areas.

The Roadless Area database used in the EIS was developed during the RARE II inventory (1979). The rationale used to decide how to manage a particular Roadless Area was based on the present degree of roadlessness of the Roadless Area, the potential Forest Service management activities (such as timber sales) likely to occur in a Roadless Area, the likelihood of oil and gas development, the uniqueness of the area, and whether or not the area was physically roadable. I also considered the importance of the Roadless Area to the overall Forest oil and gas leasing program.

Many of the Roadless Areas have existing leases and high potential for oil and gas resources. The decisions made here will be reconsidered each time the Forest Plan is revised. A No Lease decision does not preclude future oil and gas leasing, exploration and development if societal demands for these resources significantly increase in the future. However, a decision to lease could result in the loss of future opportunities for Roadless Area or Wilderness designation. Roadless Areas will again be evaluated for Wilderness capability in the Forest Plan revision process, due to be completed in 1997. A No Lease decision may protect future Wilderness options.

Each Roadless Area was assessed using the criteria in *California vs. Block* 483 F. Supp 465 (E.D Cal 1980); 690 F.2d 753 (9th Cir. 1982), as to the Wilderness and roadless values present. Maintaining the roadless values also protects the important associated resource values of wildlife habitat, biodiversity, and unroaded non-Wilderness non-motorized recreation.

I do not believe it is appropriate to develop all Roadless Areas at this time when so much other area on the Forest is available for oil and gas exploration and development. The Reasonably Foreseeable Development scenario remains essentially unaffected by the removal of Roadless Areas from availability. The demand for Roadless Areas and the values they contain will likely increase as the population increases. Roadless Areas are very important to most of the public that responded to the Draft EIS. With the decisions discussed below for each Roadless Area, 36% of the Roadless Area acreage in the Analysis Area is No Lease (13% of Analysis Area is No Lease for roadless character), leaving the remaining 64% of the Roadless Area acreage available for leasing.

With the above discussions in mind and my desire to be responsive to the needs of the public regarding Roadless Areas, my goal is to protect existing roadless values where it is consistent with other uses of the Roadless Area. Those Roadless Areas in which timber sales are planned in the 1991 Amended Forest Plan are available for lease. Protection of other Affected Environments located in Roadless Areas is similar to that elsewhere (for example, slopes 60% within a Roadless Area are No Surface Occupancy; also see the discussions of other Affected Environments).

Existing uses in Roadless Areas not available for oil and gas leasing will not be affected by the No Lease designation. Motorized trail use and other motorized and permitted uses in these areas will continue, pending completion of travel management plans for the Forest and/or the Forest Plan revision.

My decision for each Roadless Area within the Analysis Area is listed below:

Raggeds - Standard Lease Terms

Portions of the Raggeds Roadless Area contain timber in the Forest's suited timber base. The existing motorized routes, irrigation systems, narrow shape, and private land make this area difficult to manage as roadless.

That portion of the Raggeds Roadless Area that is within the Keblor Corridor, including Horse Ranch Park, is not available for leasing (No Lease). See the discussion of the Keblor Corridor under Sensitive Areas.

Drift Creek - Standard Lease Terms

This area contains no special resource concerns. The area contains timber in the Forest's suited timber base and has timber sales scheduled for this decade in the Forest Plan. It is currently roaded and leased. The area is open to off-road and off-trail travel by motorized vehicles.

Springhouse Park - Standard Lease Terms

This area contains no identified special features. This area has timber sales scheduled within it, including the Floating Lake Timber Sale. The Floating Lake Timber Sale will potentially result in an extensive road system. The area is also broken by established motorized use.

Electric Mountain - Standard Lease Terms

This area has timber sales scheduled to occur during this decade of the Forest Plan. Roads surround the area and an irrigation ditch passes through the Roadless Area. A trail open to motorized use passes through the area. There are no special features identified in this area.

Clear Creek - Standard Lease Terms

The Clear Creek/Muddy Basin area is a proven producer of natural gas and is very important to the Forest's overall oil and gas leasing program. Almost the whole area is leased. Four producing wells are located within and ten wells capable of production are located immediately adjacent to the area. There are oil and gas well access roads and pipelines and there is a very high potential for further oil and gas development on existing leases. Additionally, Clear Creek has timber sales scheduled to occur during this decade of the Forest Plan.

The Clear Creek Roadless Area was the subject of a petition drive by outfitters who would like to see the current roadless values in the area maintained. Over 1000 signatures were gathered. The outfitters fear further development in the area will result in the loss of their livelihood. No Lease and No Surface Occupancy stipulations were seriously considered for this area based on high public concern. However, the area's importance to the Forest's oil and gas leasing program and the high likelihood of further development on existing leases leads me to not restrict surface occupancy. The Forest will work with the permittee and lessees to minimize the effects of oil and gas activity on outfitters.

Hightower - Standard Lease Terms

This area has timber sales scheduled for this decade of the Forest Plan. It currently has an active timber sale (Ruth Mountain). There are no special features identified in this area and it is not manageable for its roadless characteristics because of existing roads, timber sales, and a utility corridor.

Priest Mountain - No Lease and Standard Lease Terms

Different portions of the Priest Mountain Roadless Area vary in their retention of roadless characteristics. Approximately 52,000 acres are still considered roadless. This Roadless Area was divided into smaller segments to aid in the discussion of the roadless characteristics of the Priest Mountain Roadless Area. Each segment is discussed below:

Currant Creek - No Lease

This portion of the Priest Mountain Roadless Area is still roadless. Its size, shape, and location allow it to be managed as roadless. The Colorado Division of Wildlife considers this area to be important wildlife habitat.

Cunningham Creek - Standard Lease Terms

Roads, reservoirs, and ditches have already severely impacted the roadless values in this part of the Priest Mountain Roadless Area. It is not manageable as roadless.

Priest Mountain - No Lease

This portion of the Priest Mountain Roadless Area is still considered to be roadless. Timber harvest is not expected in the area, as it contains little or no suitable timber. When combined with other portions of the Priest Mountain Roadless Area, it is manageable for its roadless characteristics.

Hubbard Creek - Standard Lease Terms

This part of the Priest Mountain Roadless Area has been affected by the construction of the Overland Ditch and the Stevens Gulch Road. Several timber sales are scheduled for this area over the next few years.

Upper Cow Creek - No Lease

This area is currently roadless. The Forest Plan prescription here is 3A - Semi-primitive Non-motorized. The area does not have any designated routes open to motorized travel. Combined with the Priest Mountain and Flat Tops portions of the Priest Mountain Roadless Areas (described above and below), it is manageable for its roadless characteristics.

West Muddy - Standard Lease Terms

This area contains timber included in the Forest's suited timber base. Timber harvest is expected to occur in this area.

Flat Tops - No Lease

This area is large enough to be managed as roadless. It contains no suited timber, as identified in the Forest Plan. Its high water table prevents the establishment of trees in all but dryer mounds scattered throughout the area.

Bronco Knob - Standard Lease Terms

This area contains timber identified as suitable in the Forest Plan and timber is scheduled to be harvested (Monument Timber Sale).

Upper Leon Creek - Standard Lease Terms

The shape and size of this Roadless Area and the presence of roads within and immediately west of the area, make it unmanageable for roadless characteristics.

Battlement Mesa - No Surface Occupancy

The Battlement Mesa Roadless Area is still considered roadless and parts are likely to remain roadless forever, because of the steep and difficult terrain. The area contains important bighorn sheep habitat, areas of high geologic hazard and no suitable timber. No Lease was considered for this Roadless Area, but was not selected. It is an area important to the Forest's oil and gas leasing program. Because of the size and shape of the Roadless Area, the oil and gas resources could potentially be accessed with directional drilling. Less restrictive stipulations were considered but rejected because of the surface resource concerns mentioned above.

Nick Mountain - Standard Lease Terms

The Nick Mountain Roadless Area has timber identified as suitable and scheduled for harvest during the next decade. No Lease and No Surface Occupancy were considered, but are not consistent with scheduled timber harvest in the area.

Kannah Creek - No Lease

Kannah Creek has been mentioned in past Wilderness legislation. Although the Kannah Creek Roadless Area is not currently being considered for Wilderness, this area is still considered roadless and contains other important surface resource values. The factors considered in making the No Lease decision for this Roadless area include: it has a Primitive Recreation Opportunity Spectrum (ROS) classification, it is the City of Grand Junction's watershed, no timber sales are planned within the Roadless Area, it is currently managed as non-motorized, it has slope stability problems, it is visually sensitive, and there is high public interest in maintaining the roadless character, here. The nature of these factors in this relatively small area preclude the use of the less restrictive stipulations considered for this Roadless Area.

West Elk - No Lease and Standard Lease Terms

The West Elk Roadless Area has been divided into two general areas, the area west of Coal Creek and the area east of Coal Creek. West of Coal Creek existing coal leases, coal exploration activities, and roads and spurs have compromised the roadless values. Standard Lease Terms will apply west of Coal Creek. East of Coal Creek, this part of the West Elk Roadless Area is part of the Kebler Pass Corridor. The decision for the Kebler Pass Corridor is No Lease; see the discussion of the Kebler Pass Corridor under Sensitive Areas below.

Whetstone Mountain and Flat Top Mountain - No Lease

The Whetstone Mountain and Flat Top Mountain Roadless Areas are part of a block of land just south of the Town of Crested Butte. The factors considered in making the No Lease decision in this area include: no timber management is scheduled in this area, the area receives very high recreational use including mountain biking from nearby Crested Butte, it contains the Town of Crested Butte's watershed, it is very steep and rugged, it has low and no known potential for oil and gas resources, this area is not considered important to the Forest's oil and gas leasing program, and there is very strong local support for retention of the roadless values of this area. Less restrictive stipulations were considered, but because of the surface resource values mentioned above and my desire to be responsive to local concerns, No Lease is appropriate.

There is an existing lease in the south central part of the area. Had there been no lease here, the whole area would not have been included in the Analysis Area because of its low and no known potential for oil and gas resources. The lease expires in 1998. However, the lease rights of the existing lessee will not be affected by this decision. The lessee has the right to explore for and develop oil and gas resources on his leasehold in accordance with the terms and conditions of the lease.

Tabeguache and Roubideau Roadless Areas - No Lease

Both the Tabeguache and Roubideau Roadless Areas are still considered roadless. Although mentioned in recent Wilderness legislation, they are not being considered for Wilderness, but in the current Wilderness Bill they would be withdrawn from mineral entry and leasing. No Lease is consistent with withdrawal from mineral entry and leasing. Other factors I considered in deciding not to make these areas available for leasing include: there are no timber sales scheduled in these areas, both areas have areas of high geologic hazard, Roubideau has big game winter range and a newly re-established bighorn sheep herd, and there is strong public support in designating these areas Wilderness.

Kelso Mesa - Standard Lease Terms

Only a small portion (1200 acres of 34,000 acres) of this Roadless Area is included in the Analysis Area. It has no known potential for oil and gas resources and the potential for leasing and exploration is low. It was included in the Analysis Area only because it was within two miles of a lease at the time the Analysis Area was formulated. The lease has since expired. Application of stipulations on other Affected Environments will protect resource concerns if this area is leased in the future.

Campbell Point and Johnson Creek - Standard Lease Terms

Only small portions of these Roadless Areas are included in the Analysis Area. Applying stipulations on other Affected Environments will take care of the resource concerns in these Roadless Areas. These areas contain no special features and no comments were received specifically addressing these Roadless Areas. The presence of roads below the Campbell Point Roadless Area lessens the "roadlessness" of the Campbell Point Roadless Area.

Research Natural Areas - No Lease

The proposed Tabeguache Research Natural Area (650 acres) is within the Analysis Area. The Forest Service Manual guidance states: At the time a Research Natural Area is established, procedures for withdrawal from mineral entry and mineral leasing should be initiated (FSM 4063.35 - R2 Supplement #1). My "No Lease" designation is consistent with the above FSM direction.

Sensitive Areas - No Surface Occupancy

Sensitive areas were identified during the Forest Plan timber amendment. Because of the high public concern, these lands were not included in the suited timber base. No Surface Occupancy is consistent with the level of public concern, although in the case of the Kebler Pass Corridor, No Lease is more appropriate, based on public comment (see below).

Kebler Pass Corridor - No Lease

The Kebler Pass Corridor is a Sensitive Area that receives extremely high recreational use. The corridor is between the West Elk and Raggeds Wildernesses and has very high scenic and recreational values. It is also a designated Scenic Byway. The Kebler Pass Corridor includes small portions of the West Elk and Raggeds Roadless Areas. There is very strong local support to not lease in the Kebler Corridor.

Retention Visual Quality Objective- Low Visual Absorption Capability - No Surface Occupancy

These areas occur on highly visible steep slopes along major travelways. Any disturbance in these areas would be highly visible and difficult to rehabilitate. Other stipulations were considered, but given the visual sensitivity of these areas and the difficulty of rehabilitation, No Surface Occupancy best protects the resource.

Retention Visual Quality Objective and Scenic Byway Corridors - Controlled Surface Use

The objective in these areas is to retain existing visual quality. These areas also have a high Visual Absorption Capability, i.e., they can absorb some development. Controlled Surface Use allows us enough control to mitigate the potential for visual impacts.

Semi-primitive Non-motorized (3A Management Areas) - No Surface Occupancy

These areas have values (Semi-primitive Non-motorized) similar to those in Roadless Areas although they are usually much smaller. Oil and gas activity is not compatible with the recreation uses and experiences in this Affected Environment.

Administrative Sites - No Surface Occupancy

At Administrative Sites, the Forest Service generally has a substantial investment in facilities, roads and buildings. These sites are used by Forest personnel throughout the normal operating season for oil and gas activity. Oil and gas activity within the confines of an Administrative Site would likely disrupt administrative use.

Recreation Complexes - No Surface Occupancy

Recreation Complexes are high use and high density recreational areas. They include campgrounds, picnic grounds, interpretive sites, visitor centers, overlooks, permitted recreation residences and lodges/resorts, ski areas, and administrative sites. Surface occupancy by oil and gas activities is not compatible with these resources. Less restrictive stipulations would not adequately protect the recreational values here, i.e., oil and gas activity allowed by Controlled Surface Use, Standard Lease Terms, or Timing Limitations would interfere with the recreational uses and experiences in Recreation Complexes.

Major Ski Trails - Controlled Surface Use and Timing Limitations

Due to the season of use for these Recreation Complexes, the use of Controlled Surface Use and Timing Limitations will adequately protect these areas and the recreational experiences that are found there.

Watersheds of Special Interest to Municipalities - Controlled Surface Use

Public concern over water quality influenced the special emphasis on the mitigation of potential impacts in this Affected Environment. Other stipulations, such as No Surface Occupancy and Standard Lease Terms were considered, but rejected. Other activities such as timber harvest are allowed in Municipal Watersheds, but the Forest Service controls the location, duration, and intensity of the timber sale related activity. Controlled Surface Use is consistent with the control of other Forest management activities in Watersheds of Special Interest to Municipalities.

Slopes 40-60% - Controlled Surface Use

On Slopes 40-60% the amount of earthwork required to construct a road, pipeline or well pad increases significantly. Additionally, the erosion hazard increases to high on slopes greater than 40%. No Surface Occupancy was considered, but it is too restrictive, and adequate protection could be given to the soil resource with appropriate mitigation applied during and immediately following ground disturbance. Standard Lease Terms would not allow enough control over the application and design of mitigative measures.

Slopes > 60% - No Surface Occupancy

The erosion hazard on Slopes > 60% is very high and the area that would be disturbed would be excessive, with little potential for successful rehabilitation. There is also a higher potential for mass soil movement. Although not specific to a percent slope, the Forest Service oil and gas regulations (36 CFR 228.108(j) Watershed Protection) supports No Surface Occupancy on "steep slopes". The Controlled Surface Use stipulation was deemed inadequate because of the low rehabilitation potential on these slopes.

Wildlife Special Habitats

Big Game Winter Range - Controlled Surface Use and Timing Limitations

Big game animals are on their winter range in most years from December 1 to April 30. Timing Limitations restricting activity from these areas during this time period effectively reduces the impact to wintering big game. Applying Controlled Surface Use stipulations to control road location in big game winter range lessens the overall impact to the habitat. Standard Lease Terms may not accomplish the desired mitigation in big game winter range. Since big game animals are on their winter range for only a portion of the year, stipulations prohibiting surface occupancy are not necessary.

Elk Calving Areas - Controlled Surface Use and Timing Limitations

Elk typically occupy their calving areas on the Forest from April 16 to June 30. Restricting oil and gas activity during this time period results in little direct effect to elk. Controlling road location in elk calving areas with Controlled Surface Use stipulations lessens the impact on the calving habitat values. Standard Lease Terms may not accomplish the desired mitigation and No Surface Occupancy is not necessary since the animals are on their calving grounds for a relatively short period of time.

Migration Routes and Staging Areas - Controlled Surface Use and Timing Limitations

Like Big Game Winter Range and Elk Calving Areas, Migration Routes and Staging Areas are used by big game for only short time periods during the year. Timing Limitations will be in effect for Migration Routes from March 1 to May 30, and November 1 to December 31; and from October 15 to December 31 for Staging Areas. Controlled Surface Use stipulations will control the location of roads, pipelines, and well pads in this special wildlife habitat. These areas will be determined at the APD stage. Standard Lease Terms may not accomplish the desired mitigation and No Surface Occupancy is not necessary since the animals occupy these areas for short time periods.

Bighorn Sheep Lambing/Breeding Areas - No Surface Occupancy

A bighorn sheep herd of concern is located on Battlement Mesa. The herd is declining in numbers and may now only number 25 sheep. The entire range of this species on Battlement Mesa is considered critical to their survival. Because of the concern for the survival of the species, No Surface Occupancy stipulations will be applied to the entire bighorn sheep range on Battlement Mesa. Less restrictive stipulations would not accomplish the desired "no effect" to bighorn sheep habitat.

Summer Range (Concentrated Use) - No Surface Occupancy

On the basis of recommendations from the Colorado Division of Wildlife, this Affected Environment will have No Surface Occupancy stipulations applied to mitigate the potential impacts to summering elk herds. The Colorado Division of Wildlife considers these areas important habitat and believes the cumulative impact of forest activities is driving big game off their summer range too early in the fall. Avoiding disturbance will keep big game on the summer range as long as possible, and off their winter range. In most cases these areas of concentrated summer use are adjacent to private land which is winter and transition range.

I will consider waivers, exceptions and modifications to the No Surface Occupancy stipulation when the operator can demonstrate that summering elk would not be prematurely displaced onto their winter range as a result of proposed operations. This would likely include a study to determine if the operations proposed by the operator will disturb summering elk. I intend to maintain control over the timing and location of oil and gas activity in these areas through the careful use of waivers, exceptions and modifications.

Sage Grouse Leks - No Surface Occupancy, Controlled Surface Use and Timing Limitations

The lek is extremely important habitat to the survival of the sage grouse. The lek and a half-mile buffer around it will be No Surface Occupancy. The nesting habitat around the lek will have Controlled Surface Use stipulations and Timing Limitations that will control road location and not allow surface occupancy from March 1 through May 31. Less restrictive stipulations in the lek would result in some loss of this habitat. Since the leks on the Forest are relatively small in size, No Lease is not necessary.

Threatened and Endangered Species

Threatened and endangered species are protected by the Endangered Species Act. No additional protection of their habitat is required in this decision beyond the protections provided by the Endangered Species Act.

Utility Corridors/Electronic Sites - Standard Lease Terms

We have sufficient authority with Standard Lease Terms to move a lessee from a specific site. These sites are generally small in size and in most cases will be avoided by industry. A Lease Notice may be attached to the lease if a buffer for a specific site is needed.

Primary Rangeland (6B Management Areas) - Standard Lease Terms

The level of the projected activity is such that no significant impact to rangeland resources would occur with or without special stipulations. More restrictive stipulations were considered, but were considered unnecessary in this Affected Environment.

Lands Suited for Timber Harvest - Standard Lease Terms

Special stipulations are not required to protect Lands Suitable for Timber Harvest. Some of these lands may become more economically viable for timber harvest as a result of oil and gas activity.

IV. Public Involvement

Initial Scoping and Formulation of Issues

The issues addressed in the Draft Environmental Impact Statement (DEIS) were formulated through analysis of comments received during the public involvement process.

The public involvement process began with the publication in the Federal Register of a Notice of Intent to Prepare an Environmental Impact Statement. The Notice of Intent was published on October 25, 1990 (Volume 55, No. 207 of the Federal Register). Open house meetings were held to scope the project with the public in Montrose on November 14, 1990; in Paonia on November 28, 1990; and in Grand Junction, Colorado on December 5, 1990. A second round of open house meetings were held on April 7, 8, and 9, 1992, in Grand Junction, Paonia, and Montrose, Colorado. Additionally, informal informational meetings were held with environmental groups and oil and gas industry representatives. The issues that surfaced through public involvement are displayed on pages I-22 through I-27 of the FEIS.

Public Input on the Draft EIS

The Draft EIS was released on August 19, 1992. The review and comment period ended on October 13, 1992. Comments received after October 13th were considered in the analysis. A total of 270 letters were received from 263 reviewers, representing 341 comments on the Draft EIS. After the Draft EIS was published, open house meetings were held in Grand Junction, Paonia, Denver, Montrose, and Crested Butte on September 2, 3, 8, 10, and 24, respectively. About 80 people attended the open houses, with the majority (75) in attendance at Crested Butte.

In response to the comments received on the Draft EIS, additional analysis was conducted prior to the issuance of the Final EIS. This additional analysis primarily concerned the Roadless Areas and resulted in the modification of Alternative 2 - Preferred. Chapter VI of the Final EIS displays the responses to each comment reviewed.

V. Alternatives

Five alternatives for the Oil and Gas Leasing Analysis are identified and described in Chapter II of the Final EIS. The five alternatives analyzed are:

Alternative 1 - No Action - This alternative follows the existing management direction in the Forest Plan. Under this alternative, all lands in the Forest are available for leasing, but no lands are authorized for leasing until additional site-specific analysis is conducted on every lease parcel considered for leasing.

Alternative 2 - Preferred - This alternative makes available and authorizes about 813,000 acres of the Forest for oil and gas leasing. Approximately 138,000 acres of the Forest would not be available for oil and gas leasing.

Alternative 3 - No Lease - None of the Forest would be available or authorized for oil and gas leasing with this alternative.

Alternative 4 - Lease with Standard Lease Terms - This alternative would allow all the Analysis Area to be available and authorized for leasing with Standard Lease Terms only.

Alternative 5 - No Lease in Roadless and SPNM - This alternative is similar to Alternative 2 - Preferred, except that all Roadless Areas and Semi-primitive Non-motorized Areas would not be available for leasing.

Environmentally Preferred Alternative

The Council of Environmental Quality (CEQ) Regulation, 40 CFR 1505 (b), requires the identification of an environmentally preferred alternative. Having reviewed the Final EIS and the administrative record, I conclude that Alternative 3 - No Lease would have the least amount of environmental impact to surface resources.

VI. Monitoring and Evaluation

Monitoring needs are discussed in Appendix H of the Final EIS. Monitoring is the evaluation of project implementation to determine how well the objectives of the Final EIS and Record of Decision are being met and to determine the environmental effects of project implementation.

In order to validate and improve our decision making for future lease issuance under this Final EIS and Record of Decision, leasing progress will be monitored yearly. The annual Grand Mesa, Uncompahgre, and Gunnison National Forest monitoring report will be used as the method for evaluating this monitoring.

All monitoring programs are designed to insure that impacts to the environment are acceptable, and allow mitigating actions to be taken immediately should unanticipated impacts occur. The adequacy of the findings and resource data in the Final EIS will be monitored over time to insure that all leases issued in the future will be in conformance with laws, regulations, and resource management requirements.

The monitoring results will be evaluated to determine the following:

- Whether to continue, modify, or discontinue this decision.
- If additional amendments are needed to the Forest Plan or if supplements are needed to this Final EIS.
- Any additional monitoring needs.

VII. Implementation

The decision identified in the Record of Decision shall be implemented in the following manner:

- 1) The decision to amend the Forest Plan will be implemented upon public notice. This Record of Decision is public notice and will be sent to all parties that have requested notice of Forest Plan amendments and to those who have participated in this analysis process. In addition, a notice of this Record of Decision will be published in local newspapers. The Forest Plan amendment is included as Appendix A. Note that the entire Forest Plan will undergo revision in 1997. As the revision process occurs, this decision may be modified.
- 2) In accordance with 36 CFR 228.102(d), I shall promptly notify the BLM as to the leasing decisions that I have made.
- 3) In accordance with 36 CFR 228.102(e), the leasing decision will be reviewed and the BLM will be authorized to offer specific lands for lease subject to:
 - a) Verifying that oil and gas leasing of specific lands has been adequately addressed in a NEPA document and is consistent with the Forest Plan,
 - b) Ensuring that conditions of surface occupancy identified in the NEPA document are included as stipulations in resulting leases, and
 - c) Determining that operations could be allowed somewhere on each lease, except where stipulations will prohibit all surface occupancy.

4) If the lands in the parcels do not receive a bid at a sale, they will be available for non-competitive offers for a two-year period.

5) Following lease issuance, a lessee/operator may submit an Application for Permit to Drill (APD) and Surface Use Plan of Operations (SUPO). A lessee/operator may not conduct on-the-ground actions without an approved APD and SUPO. The BLM will forward the APD and the SUPO to the Forest Service. An environmental analysis, tiered to this Final EIS, will be conducted on the APD and SUPO proposal. The APD and SUPO decisions are not being made in this Record of Decision. The Deciding Officers of that environmental analysis may:

- a) Approve the plan as submitted,
- b) Approve the plan subject to specific conditions of approval; or
- c) Disapprove the plan with stated reasons (36 CFR 228.107)

VIII. Right To Administrative Review

This Decision is subject to appeal pursuant to 36 Code of Federal Regulation, part 217, "Requesting Review of National Forest Plans and Project Decisions". Any written Notice of Appeal of the Forest Service decision must be fully consistent with 36 CFR 217.9, "Content of Notice of Appeal." The reasons for appeal must be included and two copies must be filed with the Regional Forester within 45 days beginning the day following the date of publication of the legal notice of this Record of Decision in the Grand Junction Daily Sentinel newspaper. The Notice of Appeal should be sent to:

Elizabeth Estill, Regional Forester
Rocky Mountain Region, USDA Forest Service
11177 West Eighth Ave.
P.O. Box 2512720250
Lakewood, CO 80225

IX. Contact Person

For additional information, contact:

Daryl Gusey
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2250 Highway 50
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APPENDIX A

Land and Resource Management Plan Grand Mesa, Uncompahgre and Gunnison National Forests

April, 1993

Amendment #3-2

Description of Amendment

Amends the Plan to reflect decisions made in the 1993 Oil and Gas Leasing Analysis of high to moderate oil and gas potential lands.

This amendment applies only to lands included in the Oil and Gas Leasing Final Environmental Impact Statement and Record of Decision, and only to oil and gas leasing decisions on those lands. Lands not analyzed must undergo environmental analysis following guidelines set forth in 36 CFR 228.102 prior to any lease issuance.

Specific Amendments

1. Reference: 2nd paragraph, page II-59

Change: Delete paragraph.

2. Reference: 3rd paragraph, page II-59.

Change: Delete paragraph and add: "The Forest Service is the responsible agency for environmental analysis of proposed operation on mineral leases on National Forest System lands."

3. Reference: Last paragraph, page II-60.

Change: Delete paragraph.

4. Reference: Second to last paragraph, page II-61.

Change: Delete paragraph.

Explanation: Lease percentages are dynamic as leases expire or new ones are obtained. Reader is referred to the 1993 Oil and Gas Leasing EIS for data as of that date.

5. Reference: Pages II-87, paragraph 6 beginning "Table II-29...".

Change: Replace paragraph with "Table II-29 summarizes the land recommended available for oil and gas leasing within the high to moderate oil and gas potential lands analyzed in 1993. Availability of other lands is determined on a case by case basis as interest in leasing is expressed.

6. Reference: Page II-88, first paragraph.

Change: Delete all but the first sentence.

Explanation: Leasing restrictions will remain as decided in the 1993 Oil and Gas Leasing Decision, and is decided case by case for other minerals. Wilderness is now closed to leasing.

7. Reference: Page II-88, Table II-29. Replace with the following:

Oil and Gas Leasing Summary within High To Moderate Oil and Gas Potential Lands

Leasing Availability	Wilderness Acres (Forest-wide)	Unclassified Acres (Oil and Gas Analysis Area only)
No Lease	467,217	138,270
Lease with Surface Occupancy	0	661,345
Lease without Surface Occupancy	0	151,835

8. Reference: Table III-1, page III-7, section entitled "Minerals".

Change: Delete part of beginning with "Acres Recommended Unsuitable...." to the end of Minerals section of the table.

Explanation: These projections are not direction which belongs in the Plan. The number of acres within the high to moderate oil and gas potential area of the Forest available for oil and gas leasing is displayed in Table II-6 of the Oil and Gas Leasing EIS. Availability of areas for coal and geothermal leasing and lands not analyzed in the 1993 Oil and Gas Leasing EIS will be determined on a case by case basis, depending upon specific interest by industry.

9. Reference: Page III-54.

Change: Delete "Oil and Gas" from the Management Activity Title midway down left side of page.

Explanation: Oil and gas direction is replaced by direction from 1993 Oil and Gas Leasing EIS and Record of Decision. However, direction for other mineral resources remains unchanged.

10. Reference: Page III-54. Just above "Minerals Management - Geothermal"

Change: Add the following:

"Minerals Management - Oil and Gas

01 Where there is any potential conflict in direction between specific provisions of this plan and direction contained in the April 1993 oil and gas leasing decision on affected lands, follow direction contained in the April 1993 Oil and Gas Leasing EIS/ROD, including the associated Oil and Gas Leasing Stipulations Map, for administering Oil and Gas leasing program on the Forest."

1. Unclassified Lands (includes lands that have not been classified for specific management purposes such as wilderness classification):

A. Forest Service authorization of geophysical prospecting will include terms and conditions controlling operating methods and times to prevent or control adverse impacts on surface resources and uses.

B. Authorizations for the BLM to issue leases and permits will include all current standard lease terms and the Regionally approved uniform format for stipulations that may be necessary for additional protection of specific surface resources and uses. The standard lease terms and the uniform format for stipulations are discussed on pages I-15 through I-17 of the Oil and Gas Leasing EIS. The standard lease form is Appendix B and example stipulations are included as Appendix C of the Oil and Gas Leasing EIS. The uniform format for stipulations may be found in the *Surface Operating Standards for Oil and Gas Exploration and Development "Gold Book"*.

C. Authorizations for the BLM to issue oil and gas leases follow the direction for the use of lease terms and stipulations set forth in the Oil and Gas Leasing EIS and Record of Decision. Where Affected Environments overlap, the more restrictive stipulation will apply.

1. **Standard Lease Terms** listed on USDI, BLM Form 3100-11 apply to all leases. They require the lessee to conduct operations in a manner that minimizes adverse impacts to the land, air, water, cultural, biological, visual, and other resources, land uses or users.

2. **No Surface Occupancy** Stipulation will be applied to leases in the following Affected Environments. See the Oil and Gas Leasing EIS for complete descriptions of these areas.

- a. Floodplains
- b. Aquatic/Riparian/Wetland Habitats
- c. Alpine/Tundra Areas
- d. Areas of High Geologic Hazard
- e. The Battlement Mesa Roadless Area
- f. Sensitive Areas
- g. Areas that have Retention VQO and Low VAC
- h. 3A Management Areas (Semi-primitive Non-motorized)
- i. Administrative Sites
- j. Recreation Complexes

- k. Slopes >60%
- l. Bighorn Sheep Lambing/Breeding Areas (Battlement Mesa)
- m. Summer Range (Concentrated Use) for big game

3. The **Controlled Surface Use** Stipulations will be applied in the following Affected Environments. See the Oil and Gas Leasing EIS for complete descriptions of these areas.

- a. Areas of Moderate Geologic Hazard
- b. Areas with Retention VQO
- c. Scenic Byway Corridors
- d. Watersheds of Special Interest to Municipalities
- e. Slopes 40-60%
- f. Big Game Winter Range
- g. Elk Calving Areas
- h. Migration Routes and Staging Areas
- i. Sage Grouse Leks

4. **Timing Limitations** will be applied for the following purposes. See the Oil and Gas Leasing EIS for complete descriptions of these areas.

- a. Minimizing disturbance to big game during critical use periods on their winter ranges (December 1 through April 30).
- b. Minimizing disturbances during the reproductive seasons as follows:
 - (1) Elk calving and mule deer fawning (April 15 to July 1).
 - (2) Sage grouse leks and nesting areas (March 1 - June 1).
- c. Minimizing disturbance during migration as follows:
 - (1) Elk and mule deer migration routes (March 1 to May 30 and November 1 to December 31).
 - (2) Elk and mule deer staging areas (October 15 to December 31).

5. **Lease Notices** may be applied to leases to transmit information to the lessee at the time of the lease to assist the lessee in submitting an acceptable Surface Use Plan of Operations or to assist in administration of leases.

6. **Conditions of Approval** may be attached to permits authorizing drilling operations based upon site specific analysis of the Surface Use Plan of Operation

that accompanies the Application for a Permit to Drill. These conditions may not unduly hinder or preclude the lessee's opportunity to exercise existing lease rights.

7. Federal minerals which underlie private lands are subject to the same mineral leasing laws and requirements as Federal minerals which are beneath Federally owned surface. The Forest Service will inform the Bureau of Land Management if there is no objection to offering a lease consisting of these type of lands within the boundaries of the Grand Mesa, Uncompahgre and Gunnison National Forests. The Forest Service will be responsible for determining the stipulations and Conditions of Approval that are needed to ensure adequate protection of the surface resources when the Federal decision to offer a lease has the potential to affect the surface of adjacent or intermingled National Forest System lands.

D. The following Affected Environments will not be available for oil and gas leasing and the BLM will not be authorized to lease these areas. See the Oil and Gas Leasing EIS for complete descriptions of these areas.

1. All of the following Roadless Areas:

- a. Tabeguache
- b. Roubideau
- c. Kannah Creek

2. Parts of the following Roadless Areas:

- a. Priest Mountain - The Flat Tops South, Upper Cow Creek, Priest Mountain, and Currant Creek

3. The area identified as the Kebler Pass Corridor in the Oil and Gas Leasing EIS. This includes parts of the West Elk and Raggeds Roadless Areas and other Affected Environments.

4. The area identified as the Whetstone block in the Oil and Gas Leasing EIS/ROD. This includes the Whetstone Mountain Roadless Area, part of the Flat Top Mountain Roadless Area, and various Affected Environments.

2. Designated Wilderness, Congressionally designated Wilderness Study Areas, and Further Planning Areas which Congress has not yet taken action:

A. No oil and gas leases will be issued.

11. Reference: Page III-110, Second paragraph.

Change: Following "mineral exploration and development", add "where allowed and in accordance with stipulations".

12. Reference: Appendix H, Title page, Page H-1 and Table of Contents

Change: Change title of the section to "Mineral Leasing Stipulations (Other Than Oil and Gas)". On page H-1 delete "G02" from paragraphs 1 and 5.

Explanation: New stipulations for Oil and Gas were developed in the 1993 Oil and Gas Leasing Analysis. Appendix H stipulations still apply for all other leasable minerals.