

DECISION RECORD
Environmental Assessment
DOI-BLM-CO-N050-2015-0092-EA
Lease Parcel Review May 2016

PROPOSED DECISION:

It is my decision to implement the Preferred Alternative as identified in the Environmental Assessment (EA) for the May 2016 Competitive Oil & Gas Lease Sale, Little Snake Field Office, DOI-BLM-CO-N050-2015-0092-EA, in which 2 parcels of land will be offered for lease in the May 2016 oil and gas competitive lease sale.

Terms/Conditions/Stipulations:

For all parcels, standard terms and conditions, as well as the lease notices and stipulations identified by parcel in ATTACHMENT C in the EA, would apply to the lease parcels.

AUTHORITIES:

The authority for this decision is contained in 43 Code of Federal Regulations (CFR) § 3100.

PLAN CONFORMANCE:

The proposed action and alternatives have been reviewed and found to be in conformance with the approved Little Snake Record of Decision and Resource Management Plan (RMP) as amended by the Northwest Colorado Greater Sage-Grouse Approved Resource Management Plan Amendment (October 2011, amended September 2015).

COMPLIANCE WITH MAJOR LAWS:

The proposed decision and proposed oil and gas leases with stipulations are in compliance with all applicable law, regulations, and policies, including the following:

- Endangered Species Act
- Migratory Bird Treaty Act
- Clean Water Act
- National Historic Preservation Act
- Clean Air Act

MONITORING:

No monitoring would be required in the sale and issuance of the lease parcels. Should the parcels be developed, monitoring may be required.

ALTERNATIVES CONSIDERED:

Preferred Alternative – The Preferred Alternative analyzes the sale and issuance of nominated parcels identified in Attachment C with standard stipulations recommended at the time of nomination as well as additional stipulations identified through analysis. Lease stipulations (as required by 43 CFR§ 3131.3) were added to each parcel as identified to address site specific concerns.

No Action Alternative -- Under the No Action alternative, the BLM would not sell nor issue any of the leases that have been nominated. Surface management would remain the same and ongoing oil and gas development would continue on surrounding federal, private, and state leases.

Alternatives Considered but not Analyzed in Detail: BLM considered, but dismissed from detailed analysis, an alternative that would lease Federal mineral estate in all 20 nominated parcels available for leasing. Eighteen of the twenty nominated parcels fall within Priority or General Habitat Management Areas for Greater Sage-Grouse; these eighteen parcels were deferred to a future lease sale.

RATIONALE FOR DECISION:

The decision to approve the proposed action is based upon the following: 1) consistency with the approved resource management plan; 2) national policy; 3) agency statutory requirements; 4) relevant resource and economic issues; 5) application of measures to avoid or minimize environmental impacts.

1. This decision is in conformance with the approved Little Snake Record of Decision and Resource Management Plan (RMP) as amended by the Northwest Colorado Greater Sage-Grouse Approved Resource Management Plan Amendment (October 2011, amended September 2015).
2. It is the policy of the Bureau of Land Management (BLM) as derived from various laws, including the Mineral Leasing Act of 1920, as amended [30 U.S.C. 181 *et seq.*] and the Federal Land Policy and Management Act of 1976, to make mineral resources available for disposal and to encourage development of mineral resources to meet national, regional, and local needs.
3. The decision is consistent with all federal, state, and county authorizing actions required for implementation of the Preferred Alternative.
4. Economic benefits derived from implementation of the proposed action are considered important and have been analyzed in the EA. Eighteen parcels in greater sage-grouse habitat were deferred to a future lease sale.
5. Standard terms and conditions as well as special stipulations would apply. Lease stipulations (as required by 43 CFR § 3101.1-3) were added to each parcel as identified to address site specific concerns or new information not identified in the land use planning process.

FINDING OF NO SIGNIFICANT IMPACT:

Based on the analysis of potential environmental impacts contained in the referenced environmental assessment (EA), and considering the significance criteria in 40 CFR § 1508.27, a Finding of No Significant Impact (FONSI) was prepared. The preferred alternative will not have a significant effect on the human environment. Therefore, preparation of an environmental impact statement is not necessary. This finding is based on the context and intensity of the alternatives as detailed in the FONSI.

PUBLIC COMMENTS:

On November 12, 2015, this EA was made available for a 30-day public comment period. The BLM received 6 comments as a result of this comment period; 3 letters from environmental organizations, 1 letter from a corporate organization, 1 letter from a government agency, and 1 letter from a private individual. All comments were received electronically identifying a variety of concerns for the parcels. The review of these comments is included as Attachment F in the EA.

On August 16, 2013, the Bureau of Land Management provided notice parcels of land would be offered in a competitive oil and gas lease sale on February 12, 2016; this lease sale notice initiated a 30-day protest period for the lease sale, which was then extended until March 29, 2016. Two protests were received.

APPEALS:

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4 and Form 1842-1 (copy attached). If an appeal is taken, your notice of appeal must be filed in this office (at the above address) within 30 days from your receipt of this decision. The appellant has the burden of showing that the Decision appealed from is in error.


If you wish to file a petition for a stay of the effectiveness of this Decision during the time that your appeal is being reviewed by the Board, the petition for stay must accompany your notice of appeal. A copy of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals (IBLA) and to the appropriate Office of the Solicitor (see 43 CFR §4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted. A petition for a stay is required to show sufficient justification based on the standards listed below.

Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

1. The relative harm to the parties if the stay is granted or denied;
2. The likelihood of the appellant's success of the merits;
3. The likelihood of immediate and irreparable harm if the stay is not granted, and;
4. Whether the public interest favors granting the stay.

Approved by:



Lonny R. Bagley, Deputy State Director
Division of Energy, Lands, and Minerals

Date:



5/11/2016