

**DECISION RECORD**  
**Environmental Assessment**  
**DOI-BLM-LLCON0200-2012-0054-EA**  
**May 2013 Oil and Gas Lease Sale**

**INTRODUCTION:**

The purpose of offering parcels for competitive oil and gas leasing is to allow private individuals or companies to explore and develop oil and gas resources for sale on public markets. The sale of oil and gas leases is needed to meet the “present and future [energy] needs of the American people” 43 U.S.C. § 1702 (c). Production of oil and gas resources on public lands contributes to decreasing the dependence of the United States on foreign energy sources, which is a BLM policy that complies with the Mining and Minerals Policy Act of 1970. Continued leasing is necessary to maintain options for production as oil and gas companies seek new areas for production or attempt to develop previously inaccessible or uneconomical reserves.

**PROPOSED DECISION:**

It is my decision to implement the Proposed Action, as mitigated in DOI-BLM-LLCON02000-2012-0054-EA, authorizing the lease sale of a portion of the nominated oil and gas parcels. It is my decision to offer three parcels, involving approximately 2,244.87 acres of Federal oil and gas minerals in the Kremmling Field Office for leasing in the Colorado State Office May 2013 Oil and Gas Lease Sale (see Attachment C) and to defer the leasing of approximately 1,366.55 acres (involving two parcels) from the lease sale. Lease stipulations (as required by 43 CFR 3131.3) are added to each parcel to address parcel specific concerns or new information not identified in the land use planning process (see Attachment C).

**AUTHORITIES:**

The authority for this decision is contained in 43 CFR 3100.

**PLAN CONFORMANCE:**

The proposed action and alternatives have been reviewed and found to be in conformance with the December 19, 1984 Kremmling Record of Decision and Approved Resource Management Plan, updated February 1999.

**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 and would be analyzed under future site specific NEPA documentation.

**ALTERNATIVES CONSIDERED BUT NOT SELECTED:**

**No Action** -- 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.

**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. The Proposed Action was chosen as being the most environmentally sound alternative. 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. Economic benefits derived from implementation of the Proposed Action considered important and have been analyzed in the EA. Standard terms and conditions as well as special stipulations would apply. Lease stipulations (as required by Title 43 Code of Federal Registration 3131.3) were added to each parcel 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 selected 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 September 5, 2012, this EA was made available for a 14-day scoping period. Comments were received from Colorado Parks and Wildlife, Rocky Mountain Wild and Barbara Vasquez on behalf of Other North Park property owners, The Wilderness Society, National Wildlife Federation, Westslope Colorado Environmental Coalition, Rocky Mountain National Audubon Society, and Rocky Mountain and Wyoming Chapters Sierra Club. Comments were responded to in the EA under Attachment E.

On November 14, 2012, the EA was posted on the Kremmling Website for a 30 day comment period. Comment were received from Timberline Events LLC, Kamalah Chang, Pierre Saint-Laurent, Andrew Ehrnstein, Rick Greer, Justin Savago, Holly Weik, Mark Kempton, Natalie Howard, Red Feather Lakes Community Library, Douglas Pflugh, Lisha Doucet, Neil Clark, Denise, Abate, Robert Baillie, Kyrun Cadmus, Peter Cadmus, David Willett, Rick Robinson,

Michelle Orozco, Robert Jessen, Grayson Graff, Nada Culver, Senior Counsel and Director, The Wilderness Society, Woods Landing Resort, Trout Unlimited, Colorado Wildlife Federation, Northern Colorado Environmental Alliance, Rocky Mountain Wild, and David Mickelson. Comments were responded to in the EA under Attachment E.

**APPEALS:**

The decision of the State Director 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. 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 (pursuant to regulation 43 CFR 316s.4(c)) 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 petition for a stay is required to show sufficient justification based on the standards listed below. 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 CFR4.413) 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.


**Standards for obtaining a stay**

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:

Date:

  
Deputy State Director  
Division of Energy, Lands, and Minerals

May 8, 2013