



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
Nevada State Office
1340 Financial Boulevard
Reno, NV 89502-7147
<http://www.blm.gov/nv>

In Reply Refer To:
3120 (LLNV-E000)

DECISION RECORD

Bureau of Land Management	:	
Nevada State Office	:	Decision Record
1340 Financial Blvd.	:	DOI-BLM-NV-E000-2014-0006-EA
Reno, NV 89502	:	

I have reviewed the Final Environmental Assessment for the March, 2015 Competitive Oil and Gas Lease Sale, Elko District Office, Nevada (DOI-BLM-NV-E000-2014-0006-EA), and have issued a Finding of No Significant Impact (FONSI). It is my decision to approve the Proposed Action as described in the Environmental Assessment (EA). The sale of oil and gas lease parcels would adhere to the following:

Leasing Commitments

- Once the parcels are sold, the lessee has the right to use as much of the leased lands as is reasonably necessary to explore and drill for oil and gas within the lease boundaries, subject to the stipulations attached to the lease and must obtain BLM approval prior to conducting any new ground disturbances.
- Oil and gas leases are issued for a 10-year period and continue for as long thereafter as oil or gas is produced in paying quantities. If a lessee fails to produce oil or gas, does not make annual rental payments, does not comply with the terms and conditions of the lease, or relinquishes the lease; ownership of the minerals reverts back to the federal government and the lease can be resold.
- Prior to any surface disturbing activities, additional NEPA analysis is required.
- Drilling of wells on a lease is not permitted until the lease owner or operator secures approval of a drilling permit and a surface use plan specified under Onshore Oil and Gas Orders.
- All development activities proposed under the authority of these leases are subject to compliance with Section 106 of the National Historic Preservation Act and Executive Order 13007.
- All development activities proposed under the authority of these leases are subject to compliance with Section 7 of the Endangered Species Act.

Resource Conservation Measures

- Direct avoidance of any eligible cultural resources
- Implementation of BLM's Best Management Practices
- Adherence to attached parcel stipulations
- Additional site-specific NEPA analysis prior to any ground disturbing activities
- Conservation of Greater Sage-Grouse habitat

AUTHORITIES

- 1) The Proposed Action is in conformance with the Elko (1987) and Wells (1985) approved Resource Management Plans. Section 1.2 of the final EA documents the conformance with BLM Land Use Plan.
- 2) The Proposed Action is also consistent with all relevant federal, state, and local statutes, regulations, and plans as described in section 1.3 of the final EA.

RATIONALE FOR DECISION

The EA analyzed two alternatives: the Proposed Action and the No Action Alternatives. A project notice was sent to other federal agencies, Native American Tribes, the Nevada State Clearinghouse and interested public on October 6, 2014. The EA was placed on the BLM NEPA Register website for 30 days, until November 7, 2014, for public review. The BLM received over 10,000 comments from individuals and government agencies on the proposed action during the 30-day comment period. Most comments expressed concerns about leasing within wild horse Herd Management Areas (HMA), potential indirect effects from hydraulic fracturing, air quality, water consumption, and groundwater contamination. The final EA is available on the BLM website at www.nv.blm.gov.

The Proposed Action was selected over the other alternative because it meets the purpose and need for action and results in the least amount of environmental impact. The Industry Nominated Parcels alternative was not selected because the number of acres nominated is too large to process in a single lease sale, it contained parcels that were encumbered by wildlife, land status, wilderness, or were not in federal ownership. Additional parcels were deferred from further analysis due to sage grouse conflicts (which is the majority), currently leased, or are in Wilderness Study Areas. The Downsized Industry Nominated Parcels alternative was not selected because two parcels (NV-15-03-013 and NV-15-03-014) were found to have specific Native American concerns within the parcels. This prompted BLM to defer them from the lease sale. The Tribal Community identified traditional uses that could not be mitigated.

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. If an appeal is taken, a notice of appeal and/or request for stay must be filed in writing, on paper, in this office, either by mail or personal delivery. Notices of appeal and/or request for stay that are

electronically transmitted (e.g., email, facsimile, or social media) will not be accepted as timely filed. The notice of appeal is considered filed as of the date our office receives the hard copy and places our BLM date stamp on the document.

If you wish to file a petition pursuant to regulation 43 CFR 4.21 (58 FR 4939, January 19, 1993) (request) for a stay (suspension) of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies 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 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.

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 on 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.

Deputy State Director of Minerals
Nevada State Office

Date