DECISION RECORD for the BIG PINEY-LABARGE COORDINATED ACTIVITY PLAN

This document records the decision made by the Bureau of Land Management (BLM) for managing the BLM administered public land surface and Federal mineral estate in the Big Piney-LaBarge area of western Wyoming. Approximately 135,785 acres of public land surface and 196,841 acres of Federal mineral estate are within the area. The area is located in Sublette and Lincoln Counties near Big Piney, Marbleton, and LaBarge, Wyoming.

DECISION

The decision is to approve the attached coordinated activity plan (CAP) for managing the BLM administered public lands and resources in the Big Piney-LaBarge area. The approved CAP provides for managing the area in a manner that balances multiple uses and sustains long term yield of resources, and promotes stability of local and regional economies, environmental integrity and conservation of resources for future generations. The CAP represents the activity planning stage of the BLM planning process. The CAP refines and elaborates on the decisions made in the Pinedale Resource Management Plan (RMP) that pertain, specifically, to the CAP area.

The approved CAP recognizes the Big Piney-LaBarge area as one which is and will continue to be developed for its oil and gas resources. The CAP also recognizes that there are other important natural resources and values within the area that require consideration and protection from any unnecessary degradation. In planning the implementation, operation and abandonment activities for mineral resource development, consideration must be given to wildlife habitat, livestock grazing, recreation, travel, transmission and transportation rights-of-way, and other land and resource uses in the CAP area.

The Pinedale RMP includes a decision that the BLM administered public lands in the planning area are open to oil and gas exploration and development activities, subject to certain mitigation requirements for the protection of other resources. A reasonably foreseeable development scenario for oil and gas was analyzed in the Pinedale RMP/Environmental Impact Statement (EIS). The environmental assessment (EA) for the CAP area addressed a more current and higher level of expected development than was analyzed in the Pinedale RMP/EIS. With the necessary mitigation and monitoring requirements included, the environmental analysis concluded that no significant adverse impacts would result. Therefore, approval of the CAP accepts a higher level of development for the CAP area. This does not require an amendment to the Pinedale RMP because the RMP decisions do not change.

In addition, although the approved CAP refines the application of some mitigation requirements contained in the Pinedale RMP, this also does not require an amendment to the RMP. The refined application of mitigation for the CAP area is still within the scope, intent and objectives of, and in conformance with, the RMP decisions.

Prior to authorizing site specific actions (e.g., BLM proposed vegetative treatments, fencing or water developments, industry proposed pipelines, applications for permit to drill, etc.), the appropriate level of additional environmental analysis will be performed and documented in compliance with NEPA, and Department of the Interior and BLM manuals. There may also be additional planning and environmental analysis documentation needed as implementation of the CAP progresses.

Major Elements of the Decision

Management Emphasis

The approved CAP places emphasis on providing for two major concerns in the Big Piney-LaBarge area; (1) the ability to efficiently develop the oil and gas resources; and (2) the stabilization and increase of vegetative quality and quantity for livestock grazing, wildlife, watershed and recreational uses, and for improved visual quality and reducing affects of surface disturbance.

The CAP provides for vegetative treatments, improving reclamation efforts on disturbed areas, and protecting wildlife during critical life cycle periods. The CAP also encourages efforts to reduce the heavy deer and antelope populations which winter in the area. Vegeta-

tive treatments will be undertaken through the cooperative planning efforts of all the interests in the area. Initially, about 13,500 acres will be treated. Such treatments as brush beating, chaining and controlled burning will be applied. Evaluation of the effectiveness of these initial treatments will be used in determining further vegetative treatment opportunities in the CAP area.

Best Features of the Alternatives

The approved CAP does not represent, in total, any one of the alternatives studied in the EA for the CAP area. Rather, it combines the most balanced mix of elements from alternatives A, C, D and F, as reflected in the public comments, the input of the various interests, and the issues that were identified. The impacts of the approved CAP are discussed in the Finding of No Significant Impact, to follow.

Big Piney-LaBarge Working Group

A very important part of the decision for managing the CAP area will be the use of a working group, called the Big Piney-LaBarge Working Group (BPLWG), which will review and encourage the continual planning for coordinated resource management in the area. The BPLWG will be comprised of knowledgeable, interested citizens from the local area who will provide advice and recommendations to the BLM on the planning and resource management for the BLM administered public lands in the CAP area. The emphasis will be on resolving conflicts between wildlife and oil and gas development. The BPLWG may also serve as a sounding board for suggestions, complaints and matters of controversy, concerning management of the BLM administered public lands and resources in the area, especially on wildlife related issues. However, the Pinedale Resource Area Manager retains the ultimate decision making authority for the management of BLM administered lands and resources. The working group will not usurp or encroach upon the authorities or rights of any Federal or State agency, industry or any other governmental or private interests. Further details on the make-up, objectives and functions of this working group are presented in following sections of this decision record and in the CAP.

Minerals Management

A limit will not be placed on the level of additional oil and gas well drilling and development which can be conducted in the CAP area. However, because there are concerns and differing opinions regarding the degree of impact that may occur from an additional 600 to 900 wells that may be developed (i.e. within a ten year period as analyzed in the EA for the CAP), should the development level reach 500 wells within the next ten years, an environmental evaluation will be conducted to determine the level of impacts which are occurring. Further, at any point that monitoring indicates a substantial change in impacts, or that levels of impact beyond those analyzed in the EA are starting to occur, environmental evaluations will be initiated.

Of major concern to local public and business interests in the CAP area, is whether seasonal (winter) restrictions on the crucial big game winter ranges in the area will result in winter shut-down of in-field operations and drilling activities. This concern will be resolved through implementation of two provisions of this decision record and the approved CAP. They are, (1) the continual, orderly, coordinated management planning for the area; and (2) the involvement of the BPLWG in the planning and management of the area. For example:

> Opportunities for year-round geophysical exploration and well drilling activities will be included in the annual and long range planning for development and management of the CAP area. Sufficient geophysical exploration and well drilling locations can be identified far enough in advance so that; (1) locations that would potentially conflict with winter concentrations of big game and other wildlife can be scheduled for exploration or drilling during the spring, summer or fall; and (2) locations that would not conflict could be explored or drilled during the winter, if winter drilling is desired or necessary. The main objective of the BPLWG involvement would be to consider and recommend ways to maintain protection of wintering wildlife on crucial winter concentration areas and crucial winter ranges, while accommodating year-round geophysical exploration and drilling.

Reclamation

Improving the reclamation of disturbed lands in the area is also emphasized in the CAP. Use of any measures to improve the success of reclamation efforts will be considered. BLM will bring in experts in the reclamation of sites which are similar to those in the CAP area, to determine if revegetation and other reclamation practices for disturbed lands can be improved. Changes in seed mixtures and other reclamation procedures, such as transplanting and recontouring, will likely require some testing and monitoring to determine which practices are providing the best success and which may

be adopted for improving reclamation results. The BPLWG may also provide suggestions and recommendations for adoption or testing of reclamation practices.

It is important for the reader to understand that, although the analysis assumption for all the alternatives analyzed in the EA for the CAP was that 200 well sites would be reclaimed within the next ten years, industry representatives have since stated that a higher number of reclaimed wells is possible. Thus, reclamation of additional abandoned well sites will be another factor in evaluating the level and rate of successful range, watershed and wildlife habitat improvement within the CAP area.

Wildlife

Deer and Antelope Crucial Winter Range

Standard use restrictions (e.g., seasonal restrictions from November 15 to April 30) will continue to be applied as stipulations in future oil and gas leases. In the case of pre-existing oil and gas leases, that do not contain seasonal restriction stipulations for these crucial winter ranges, the BPLWG will review annual plans for drilling and field development activities and provide recommendations to the BLM concerning what activities would be appropriate during the winter months. Standard winter use restrictions will not be applied as conditions of approval (COAs) on applications for permit to drill (APDs) and on field development activities within deer and antelope crucial winter ranges, when recommendations of the BPLWG, to allow winter drilling and other field development activities, have been approved by the Area Manager. Other last minute or emergency situations must be considered by the Area Manager on a case-by-case basis. Further refinement of the application of these standard use restrictions, as mitigation requirements for geophysical exploration and other types of surface disturbing activities, are included in the CAP.

These and other management considerations for deer and antelope crucial winter ranges are described in the CAP. This includes involvement of the BPLWG in initiating recommendations for exceptions and modifications to use restrictions, without being requested by the land users.

Elk and Moose Crucial Winter Range

In comparison to deer and antelope, elk and moose crucial winter ranges involve a much smaller part of the CAP area. Standard use restrictions (e.g., seasonal restrictions from November 15 to April 30) will continue to be applied as stipulations in oil and gas leases, as COAs on APDs and field development activities, and as mitigation requirements for geophysical exploration and other types of disturbance activities, in elk and moose crucial winter ranges. Where weather or habitat conditions are not critical, the BLM may approve an exception to or modification of these restrictions, if requested by the user and if supported by environmental analysis. The BPLWG may also consider and make recommendations on proposed activities in these crucial winter ranges.

Sage Grouse and Raptors

Standard use restrictions for sage grouse breeding, nesting and wintering habitats (e.g., February 1 to July 31 or November 15 to April 30) will continue to be applied as stipulations in future oil and gas leases. Application of two of the standard use restrictions has been refined for sage grouse. These refinements involve two buffer zones that will be required around leks (i.e., grouse breeding areas). Where appropriate, these refinements will be applied as COAs on oil and gas APDs and field development activities, and as mitigation requirements for geophysical exploration and other types of disturbance activities in the CAP area. These provisions are described in detail in the CAP.

Standard use restrictions for raptor nesting and wintering habitats (e.g., February 1 to July 31 or November 15 to April 30) will continue to be applied as stipulations in future oil and gas leases, as COAs on oil and gas APDs and field development activities, and as mitigation requirements for geophysical exploration and other types of disturbance activities in the CAP area. These provisions are also described in detail in the CAP.

Rangeland and Livestock Grazing Management

Rangeland and livestock grazing management activities within the CAP area will be directed toward meeting the objectives established for range, vegetation and livestock grazing management in the Pinedale RMP and in the CAP. Within the CAP area, rangeland monitoring studies will be implemented on all "I" category grazing allotments and, only if needed, on "M" and "C" category allotments. These monitoring studies will be coordinated with and, where possible their locations will be combined with, those monitoring studies for watershed, wildlife habitat, soils and water quality. Any adjustments in livestock grazing use will be pursued first by negotiation and agreement with livestock operators. If this

approach is unsuccessful, then adjustments will be made by livestock grazing decisions, based on monitoring and consultation with livestock operators.

Allotment Management Plans (AMP's) will not be included as part of the CAP because parts of some of the grazing allotments are outside the boundary of the CAP area. However, prior to developing and implementing AMPs, range improvements included in the CAP may be implemented.

Transportation and Off-Road Vehicle Management

The BPLWG will help review and monitor the transportation system and road proposals in the CAP area. The working group will make recommendations to the Area Manager on roads that should be closed and rehabilitated and on the location, consolidation, etc., of road proposals. The working group will also be involved in considering permanent or seasonal road closures and permanent or seasonal closure of portions of the CAP area to off-road vehicular use. Consideration of these transportation and off-road vehicle management concerns will be part of the continual coordinated planning to reduce conflicts between wildlife and other activities in the CAP area.

Surface Disturbance

It is recognized that, in most cases, surface disturbing activities in environmentally sensitive areas can be accomplished economically and without unnecessary degradation, with some advance planning and proper design. Therefore, the surface disturbance restriction is refined for use in the CAP area as follows:

> Any proposed activity or surface use that would involve surface disturbance (e.g., geophysical exploration or construction activities, such as roads, well pads, pumping or storage facilities, pipelines, etc.) must be accompanied by appropriate engineering design, geotechnical analysis, mitigation planning , etc. This information must be of sufficient detail to demonstrate that the environmental aspects of concern will be adequately protected or that affects to them will be adequately mitigated.

The following areas or situations may require more detailed or complex designs, plans or analyses:

— slopes in excess of 25 percent

— within 500 feet of surface water and/or riparian areas

— within 1/4 mile, or the visual horizon (whichever is closer), of historic trails

— construction with frozen material or during periods when soil material is saturated or when watershed damage is likely to occur

ALTERNATIVES CONSIDERED

Six alternative coordinated activity plans (CAPs) for the Big Piney-LaBarge area were considered and analyzed. The environmental impacts of these were presented in the environmental assessment (EA) for the CAP, which was made available for public review from December 11, 1990, to February 15, 1991. The alternatives represented a broad range of reasonable management actions, resource allocations, and development levels.

Alternative A was the proposed plan (CAP) for the CAP area, based on the existing management direction provided in the planning decisions of the Pinedale RMP.

Alternative B represented more emphasis on development and used an interpretation of the provisions of 43 CFR 3101.1-2, which differs from the interpretation used in the other alternatives. This part of the regulations relates to the application of reasonable measures or COAs on APDs or field development activities in cases where surface protection stipulations are absent from an oil and gas lease and protective measures are later found to be necessary. This part of the regulations states, in part "... at a minimum, reasonable measures shall be deemed consistent with lease rights granted provided that they do not: require relocation of proposed operations by more than 200 meters; require that operations be located off the leasehold; or prohibit new surface disturbing operations for a period in excess of 60 days in any lease year ...". In Alternative B, this is interpreted to mean that the stated relocation distance and time period restrictions are the maximum that can be imposed. The interpretation used in the other alternatives is that the stated restrictions are the maximum that can be imposed as "reasonable measures", i.e., without support of further environmental analysis showing that more stringent measures are necessary.

Both alternatives C and D were developed as compromise alternatives.

Alternative C placed less emphasis on development than Alternative B (but more than Alternative A) and was developed to analyze shorter seasonal restriction periods and reduced areal extent for protection of deer and antelope crucial winter ranges.

Alternative D was suggested by the Rocky Mountain Oil and Gas Association (RMOGA), as a compromise alternative emphasizing vegetative improvements in lieu of seasonal restrictions on deer and antelope crucial winter ranges.

Alternative E was developed to analyze a scenario of no restrictions on oil and gas development. It emphasized development and deemphasized environmental protection, in comparison to the other alternatives.

Alternative F was suggested by the National Wildlife Federation, the Sierra Club and the Wyoming Wildlife Federation. It provided for the promotion of more intense wildlife habitat management with emphasis on environmental protection and less surface disturbance with deemphasis on development.

MITIGATION

Mitigation measures, to reduce or eliminate adverse impacts that may result from the allocation and authorization of uses of the BLM administered public lands and resources in the CAP area, are an integral part of the CAP.

MONITORING

The CAP appropriately provides for the design and implementation of monitoring requirements and studies in several of the resource programs in the CAP area. Monitoring will be conducted to evaluate and assure the effectiveness of the management practices on the area in meeting the management objectives. This will include: monitoring of range and watershed improvement and vegetative treatment activities, including those for wildlife habitat improvement; livestock grazing, pending development and implementation of complete AMPs; reclamation of surface disturbing activities, such as those associated with construction of roads, drill pads, transmission lines, etc.; attempts at new reclamation methods or seed mixtures; ground water and surface water quality; and air quality/visibility trends and conditions. The Area Manager will ensure prompt follow-up action where monitoring identifies that management is not being effective in meeting management objectives.

MANAGEMENT CONSIDERATIONS

In addressing the public comments and concerns on the CAP area that were expressed during the public involvement process, the many desires of the varied interests in the area were taken into account in formulating and deciding to adopt the attached CAP. This decision provides the best mix of management actions for the area that will balance multiple uses, sustained long term yield of resources and environmental integrity, with stability of local and regional economies and conservation of resources for future generations. The major constituent interests in the area are benefitted by this decision in the following ways:

The Local Communities

The provision for year-round drilling activities in the Big Piney-LaBarge field will help provide more opportunity for stabilizing the local economy in the area. Various opportunities for creating or maintaining steady jobs and income are associated with the provisions for no limit on well drilling levels, the emphasis on reclamation and on range and habitat improvement activities, the emphasis on resource studies and monitoring, and the increased emphasis on hunting and other recreational opportunities. The local communities will also be represented on the BPLWG, which should foster better communication with all other interests in the area and a better mutual understanding of coordinated resource management in the CAP area and on BLM administered public lands in general.

The Wildlife Interests

Wildlife interests will benefit through a partnership with industry and BLM for wildlife habitat management. Protection for wintering wildlife, including more sensitive species such as elk and moose, will continue to be provided, where needed, through involvement of the BPLWG and the continual, coordinated planning and management in the CAP area. Studies will be implemented to determine the extent of impact that the mineral development in the area has on the deer and antelope herds and their crucial winter ranges. The provisions for range and wildlife habitat treatment practices will improve the crucial ranges, and wildlife habitat in general, over time. There are also provisions for protecting other important wildlife, such as raptors and sage grouse, and their habitat in the area. Forested lands and mountain shrub communities in the area will be managed to provide for improved wildlife cover and other habitat factors. The management activities to be conducted under the various resource programs in the area include mitigation of impacts to wildlife and wildlife habitat.

The Minerals Industry

The industry interests will benefit from the provision for year-round drilling activities for the companies who operate in the CAP area. This includes more stability in field development through work crew retention. Through representation on the BPLWG, the industry will also benefit from the continual, coordinated planning and management of the area, including long range planning and decisionmaking for locating drilling and operating facilities, and realistic environmental protective or mitigative measures and COAs for APDs and field development activities. The provisions for coordinated planning of roads, operational facilities, reclamation efforts, etc., will foster greater efficiency in field development. The industry will also benefit from the sharing and use of information obtained from the studies and monitoring which is to take place.

The Bureau of Land Management

The BLM will benefit from the continued involvement of all the constituent interests in the coordinated planning, management and decisionmaking processes for the CAP area. When the concerns of all interests are considered, better planning and management decisions can be made. The BPLWG will help the Area Manager evaluate all factors, concerning all interests involved, in making management decisions for the CAP area. This involvement will also benefit BLM through fostering a more informed general public and constituent groups about the complexities and realities of multiple land and resource use planning and management. Another very important benefit to BLM will be more efficient, effective and balanced management of multiple resources and land uses in the CAP area.

PUBLIC PARTICIPATION

Public participation has occurred throughout the Big Piney - LaBarge CAP planning and environmental process. As noted in the CAP EA, this effort was spurred by the increased interest and accelerated scheduling for drilling oil and gas wells in the area west of Highway 189, between Big Piney and LaBarge, Wyoming. This level of planning, called Activity planning, is the third tier of the Bureau's planning process.

On March 20, 1990, a draft Big Piney-LaBarge CAP was circulated to the public. The "Dear Reader" letter in the draft explained; "...after this draft CAP has been reviewed, some provisions of the plan may be modified before the plan is summarized as the Proposed Action for an environmental assessment (EA)...". Written comments on the draft CAP were requested.

A public open house and meeting were held at the Marbleton Fire House in Marbleton, Wyoming, on April 5, 1990 to discuss and take comments on the draft CAP. Approximately 130 people attended the meeting. In addition, thirty-eight comment letters were received on the draft CAP. Substantive comments were considered in modifying the CAP as the Proposed Action for the EA and in developing the alternatives for the EA.

On December 11, 1990, the Big Piney - LaBarge CAP EA was distributed to the public. On January 24, 1991, a public open house and hearing were held in Marbleton, Wyoming, with 60 people attending. Forty-seven public comment letters were received on the CAP EA.

Comment letters on the CAP EA were received from the following:

Mike Sullivan, Governor of Wyoming
Wyoming Game and Fish Department
Wyoming Geological Survey
Wyoming Public Service Commission
Wyoming Department of Commerce
Wyoming Department of Agriculture
Wyoming State Land and Farm Loan Office
Wyoming Office of Industrial Siting Administration
Wyoming Association of Professional Archaeologists
National Wildlife Federation/Wyoming Chapter Sierra Club
BHP Petroleum
Western Oil Refining Company
Petroleum Association of Wyoming
Texaco U.S.A.
Celsius Energy Company
Mobil Exploration and Producing, Inc.
Enron Oil and Gas Company
Rocky Mountain Oil and Gas Association
True Oil Company
Cenex
Coastal Oil and Gas Company
Chevron U.S.A.
Exxon U.S.A. Inc.
BWAB Inc.
Mountain States Water Service Inc.
Krause Engineering
Dowell Schlumberger
Green River Valley Cattlemen's Association
Debbie March
Dave Covill
J.D. Lightner
Terrie A. Springman
Dennis J. Brabec
J.R. Schaefer
Darrell E. Ziomke
David Hindman
Warren E. Sorensen
Charles D. Mahoney
Rita J. Libra
Lee Shafer
Robin W. Groose
Tom Heydt
Robin Dean
John H. Melby
Gory K. Knapp
John Tanner
D.C. Getz

Issues Identified by the Public

Many of the public comments raised the same or similar concerns. Therefore, they were grouped into the eight general issues listed below:

1. Oil and Gas Lease Rights
2. Seasonal Wildlife Restriction
3. Oil and Gas Drilling Ceilings or Limits
4. Wildlife Habitat Condition and Mule Deer Population
5. Forage Utilization/Allocation Problems and Allotment Management Plan Implementation
6. Reclamation of Abandoned Oil and Gas Well Locations
7. Surface Disturbance Restrictions
8. Socio-Economic Tradeoffs
9. Air Quality

The BLM responses to the public comments are provided in Appendix DR-1 to this decision record. The comment letters received and the transcript of the January 24, 1991, public hearing are available for public viewing in the Rock Springs District Office and the Pinedale Resource Area Office.

Copies of the Pinedale RMP, the EA for the Big Piney-LaBarge CAP, the EA Decision Record, and the approved Big Piney-LaBarge CAP, are available upon request from the Pinedale Resource Area office or the Rock Springs District Office. The contacts, addresses and phone numbers are:

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FINDING OF NO SIGNIFICANT IMPACT

The alternatives analyzed and described in the Big Piney-LaBarge CAP EA were developed from input obtained through the public involvement process. They provide a broad range of reasonable management action, resource allocation, and development level options and alternatives. Positive elements and mitigation factors from alternatives A, C, D and F, addressed in the EA, were selected to develop the approved CAP. The evaluation and analysis of this combination of elements and factors resulted in identifying that, with two exceptions, the impacts of the approved CAP are the same as those of alternative C. The exceptions being, (1) that the socioeconomic affects of the approved CAP are more beneficial (i.e., the same as those for alternatives D and E); and (2) the cumulative impacts of the approved CAP (mostly resulting from the combined levels of industry development, high big game populations and past livestock grazing practices) are less than any of the other alternatives that featured a level of oil and gas development above 500 wells. The information presented in the Alternative Summary Comparison Table from the CAP EA is provided in Appendix DR-2 to this Decision Record to display the comparative impacts of the approved CAP and the other alternatives studied.

In evaluating and analyzing the approved CAP, no significant impacts or significant cumulative impacts were identified. Therefore, preparation of an environmental impact statement (EIS) for the CAP is not necessary. However, because of some concern about the degree of impact that may result, if new oil and gas development in the area were to reach levels of 600 to 900 additional wells within the next 10 years, an environmental review will be conducted by the BLM, if new development reaches 500 wells before the end of the ten year analysis period. This is not a limit for development in the area. Rather, it is a point where reevaluation of the impact level should occur to be both logical and timely for completion before the 600 well level is reached. Major factors which will be considered at that point will be the success of efforts to improve and increase reclamation, to reduce the deer and antelope populations, to improve the range, vegetation and habitat conditions, to reclaim roads and surface disturbances, and to reduce impacts on riparian areas. The various resource program monitoring studies to be implemented in the area will also provide a gage of the need for further environmental evaluation and documentation.

CONFORMANCE WITH THE PINEDALE RESOURCE MANAGEMENT PLAN

The approved Big Piney-LaBarge CAP (attached) is in conformance with the Pinedale RMP, approved December 12, 1988, and an RMP amendment is not required. The higher level of development accepted for the CAP area will not result in significant adverse impacts and does not change any RMP decisions. In addition, the refined mitigation for the CAP area is within the scope, intent and objectives of the RMP decisions.

Prior to authorizing site specific actions (e.g., BLM proposed fencing or water developments, industry proposed pipelines, applications for permit to drill, etc.), the appropriate level of additional environmental analysis will be performed and documented in compliance with NEPA, and Department of the Interior and BLM manuals. There may also be additional planning and environmental analysis documentation needed as implementation of the CAP progresses.

Ray Brubaker
Wyoming State Director
Bureau of Land Management

8-16-91
Date