

United States
Department of
Agriculture

Forest
Service

Pike and San Isabel
National Forests
Comanche and Cimarron
National Grasslands

1920 Valley Dr.
Pueblo, CO
81008-1797

Reply to: 1950

Date: February 28, 1992

Dear Reader:

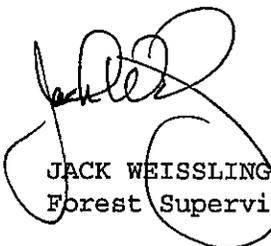
Enclosed are corrections to our Oil and Gas Leasing Environmental Impact Statement and associated documents. None affect the decisions described in the Record of Decision (ROD).

In the ROD on pages 9, 17 and 18, I stated that Discretionary No Lease (DNL) would be applied to "Lands in H.R.762 and S.1029 which are outside Wilderness Study Areas.." They total approximately 76,691 acres. Due to our own oversight, when we prepared the Stipulations Maps (FEIS Appendix D) we inadvertently showed only the areas described in S.1029. They total approximately 45,903 acres outside the Wilderness Study Areas.

To correct our error we prepared the enclosed supplements to the Stipulations Maps that include the additional approximately 30,788 acres in H.R.762. These additional acres increase the total DNL acreage from 100,271 to 131,059 acres. Due to the change in DNL acreage it was also necessary to make the additional corrections shown on the enclosed "errata" pages.

We regret the confusion our error has caused, and the necessity of sending you the resulting correction information.

Sincerely,



JACK WEISSLING
Forest Supervisor

ERRATA

RECORD OF DECISION (ROD)

FINAL OIL AND GAS LEASING ENVIRONMENTAL IMPACT STATEMENT

Pike & San Isabel National Forests
Comanche & Cimarron National Grasslands

NOTE: NONE OF THE FOLLOWING AFFECTS THE DECISIONS DESCRIBED IN THE ROD.

Page 50 **ALTERNATIVE III - NFS Lands Available for Lease with both
Standard and Stipulated Terms Second Paragraph.**

Change 100,271 acres to 131,059 acres. The new number resulted from the addition of acreage in H.R.762 that are additional to those in S.1029. (See revised Table 6, on page 51.)

Page 51 **Table 6 - Availability of NFS Lands for Leasing by Alternative**

Substitute the enclosed corrected Table 6. Changes are for the same reasons stated for the change on Page 50.

END

ERRATA

SUMMARY

OIL AND GAS LEASING ENVIRONMENTAL IMPACT STATEMENT

Pike and San Isabel National Forests
Comanche and Cimarron National Grasslands

NOTE: NONE OF THE FOLLOWING AFFECTS THE DECISIONS DESCRIBED IN THE ROD.

Preface **Abstract.** 8th line. Change 100,000 acres to 131,059 acres. The new number resulted from the addition of acreage in H.R.762 that are additional to those in S.1029.

Page S-16 **Table 1, Availability of Lands by Leasing Alternative**

Substitute the enclosed revised Table 1. Changes are for the same reasons stated for the change in the Preface.

END

Table 1
Availability of NFS Lands for Leasing by Alternative (Revised)

	Alt. I Acres	Alt. II Acres	Alt. III Acres	Alt. IV Acres
Total National Forest and Grasslands	2,752,378	2,752,378	2,752,378	2,752,378
Lands Removed By Law: Wilderness, and WSA	550,872	550,872	550,872	550,872
Total Acres With Federal Mineral Considered in Analysis	2,201,506	2,201,506	2,201,506	2,201,506
Standard Lease Terms	2,035,481	2,194,442	829,238	
Controlled Surface Use	131,897		1,109,219	
Timing Limitation			591,162	
No Surface Occupancy	34,128		203,967	
Discretionary No Lease				
Wilderness Bill S1029 and/or HR762 **				
Greenhorn			712	
Sangre de Cristos			30,802	
Buffalo Peaks			14,172	
Lost Creek			12,605	
Spanish Peaks			18,400	
BLM WSA **				
Aspen Ridge			15,044	
Wild & Scenic Rivers				
South Platte			14,700	
Badger Creek			2,560	
Special Acres				
Cultural Resources			15,500	
Research Natural	4,499	4,499	4,499	
Ski Areas	2,065	2,065	2,065	
Total Acres DNL Not Available	6,564	6,564	131,059	2,201,506
Total Acres Available Oil and Gas Leasing	2,194,942	2,194,942	2,070,447	0

Note: Some stipulations overlap, therefore, the total may add up to more than the total acres administratively available.

** Acres are approximate.

ERRATA

FINAL OIL & GAS LEASING ENVIRONMENTAL IMPACT STATEMENT WITH APPENDICES

Pike & San Isabel National Forests
Comanche & Cimarron National Grasslands

Appendix D Add errata maps A,B,C and D. These segment maps show the areas of proposed wilderness in H.R.762 that are additional to the areas proposed in S.1029, which are shown on the Appendix D stipulations maps you received previously. The additional areas included in H.R.762 were inadvertently omitted.

The added areas are consistent with the Record of Decision (ROD) which placed areas identified in both bills under discretionary no lease (DNL). See page 9 and pages 17 and 18 in the ROD.

The following is provided to aid you in orienting maps A thru D with the township and range indexes on the margins of the Appendix D stipulations maps.

<u>Map</u>	<u>Approx. Townships & Ranges</u>	
(Appendix D - North Portion)		
A. Buffalo Peaks	T10S - T13S	R77W - R80W
(Appendix D - South Portion)		
B. Spanish Peaks	T29S - T33S	R67W - R70W
C. Sangre de Cristo (part)	T25S - T28S	R71W - R73W
D. Sangre de Cristo (part)	T21S - T24S	R72W - R11E

Although the large scale (1 inch = 8 miles) maps on pages II-27 & 28 (Figures II-16 and II-17) are only for the purpose of showing Concentrated RFD Well Locations for Alternative III, discretionary no lease areas are depicted generally. Because of the single purpose of those two maps, they will not be modified to show changes in DNL. The smaller scale (1 inch = 2 miles) errata maps A thru D provide a much better depiction of additional DNL than could be depicted on Figure II-16 and II-17.

NOTE: NONE OF THE ABOVE AFFECTS THE DECISIONS MADE IN THE RECORD OF DECISION.

ERRATA

FINAL OIL AND GAS LEASING ENVIRONMENTAL IMPACT STATEMENT WITH APPENDICES

Pike and San Isabel National Forests
Comanche and Cimarron National Grasslands

- Preface** **Abstract.** 8th line. Change 100,000 acres to 131,059 acres. The new number resulted from the addition of acreage in H.R.762 that are additional to those in S.1029.
- Page II-24** **Fourth paragraph.** Change 100,271 acres to 131,059 acres. The new number resulted from the addition of acreage in H.R.762 that are additional to those in S.1029.
- Page II-31** **Table II-7, Land Distribution by Management Requirement**

Change acres of Discretionary No Lease from 100,271 to 131,059. Changes are for the same reasons stated for the change on Page II-24.
- Page II-35** **Table II-11, Availability of Lands for Leasing by Alternative**

Replace with enclosed revised Table II-11. Changes are for the same reason stated for the change on Page II-24.
- Page II-37** **1st sentence.** Change 100,271 acres to 131,059 acres. Change is for same reason stated for the change on Page II-24.

NOTE: NONE OF THE ABOVE AFFECTS THE DECISIONS DESCRIBED IN THE ROD.

END

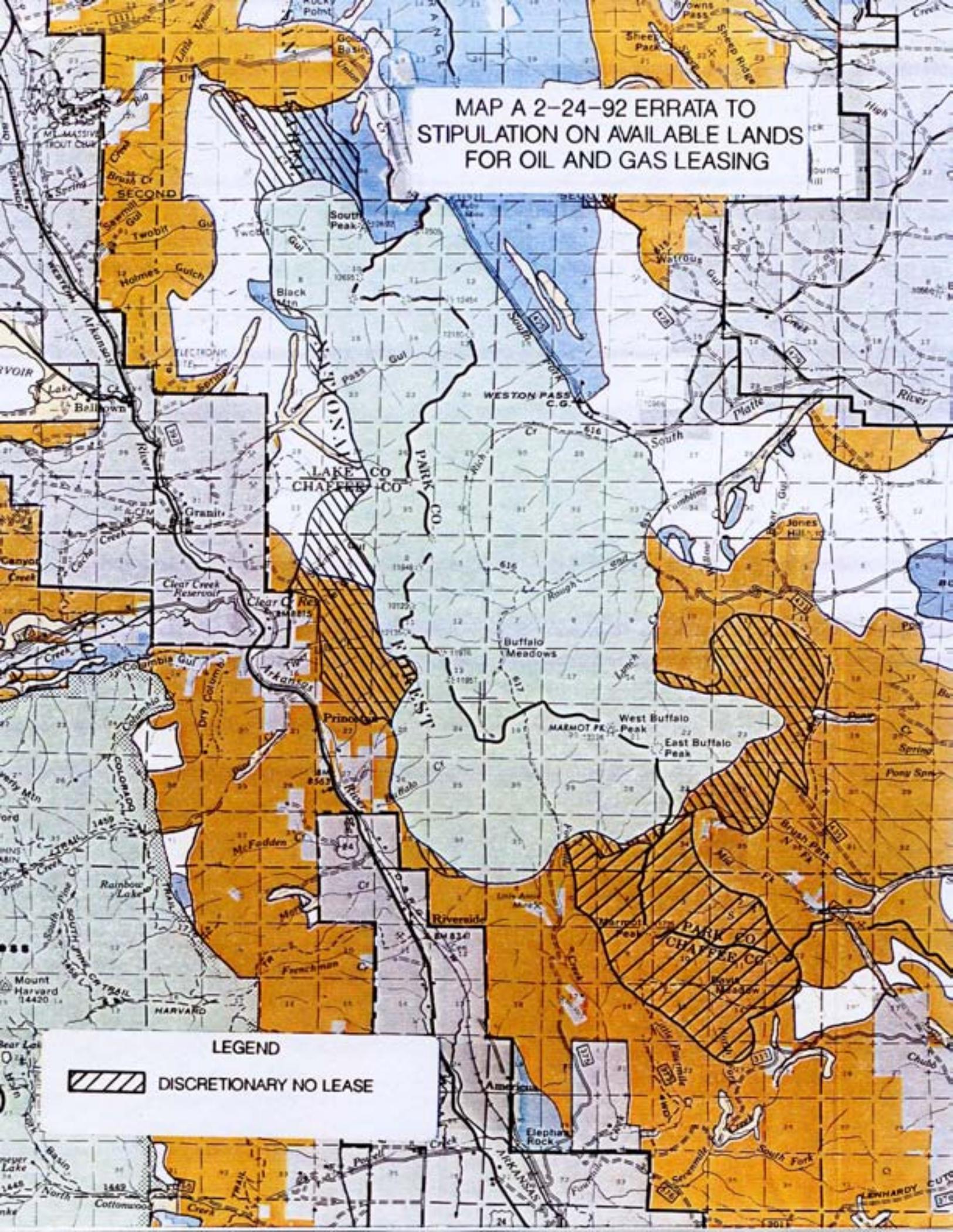
**Table II-11
Availability of NFS Lands for Leasing by Alternative (Revised)**

	Alt. I Acres	Alt. II Acres	Alt. III Acres	Alt. IV Acres
Total National Forest and Grasslands	2,752,378	2,752,378	2,752,378	2,752,378
Lands Removed By Law: Wilderness, and WSA	550,872	550,872	550,872	550,872
Total Acres With Federal Mineral Considered in Analysis	2,201,506	2,201,506	2,201,506	2,201,506
Standard Lease Terms	2,035,481	2,194,442	829,238	
Controlled Surface Use	131,897		1,109,219	
Timing Limitation			591,162	
No Surface Occupancy	34,128		203,967	
Discretionary No Lease				
Wilderness Bill SR1029 and/or HR 762 **				
Greenhorn			712	
Sangre de Cristos			30,802	
Buffalo Peaks			14,172	
Lost Creek			12,605	
Spanish Peaks			18,400	
BLM WSA **				
Aspen Ridge			15,044	
Wild & Scenic Rivers				
South Platte			14,700	
Badger Creek			2,560	
Special Acres				
Cultural Resources			15,500	
Research Natural	4,499	4,499	4,499	
Ski Areas	2,065	2,065	2,065	
Total Acres DNL Not Available	6,564	6,564	131,059	2,201,506
Total Acres Available Oil and Gas Leasing	2,194,942	2,194,942	2,070,447	0

Note: Some stipulations overlap, therefore, the total may add up to more than the total acres administratively available.

** Acres are approximate.

MAP A 2-24-92 ERRATA TO
STIPULATION ON AVAILABLE LANDS
FOR OIL AND GAS LEASING

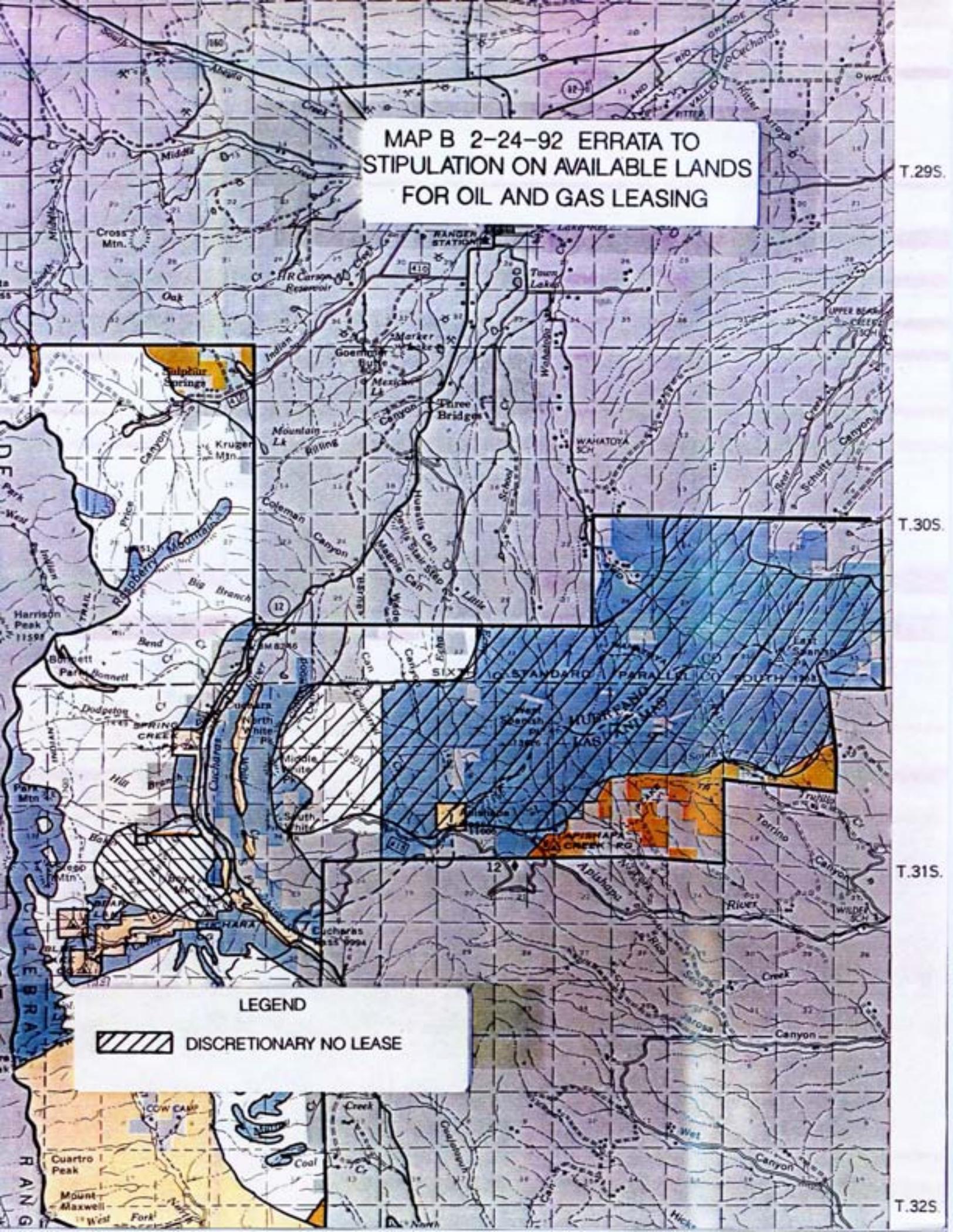


LEGEND



DISCRETIONARY NO LEASE

MAP B 2-24-92 ERRATA TO
STIPULATION ON AVAILABLE LANDS
FOR OIL AND GAS LEASING



T.295.

T.305.

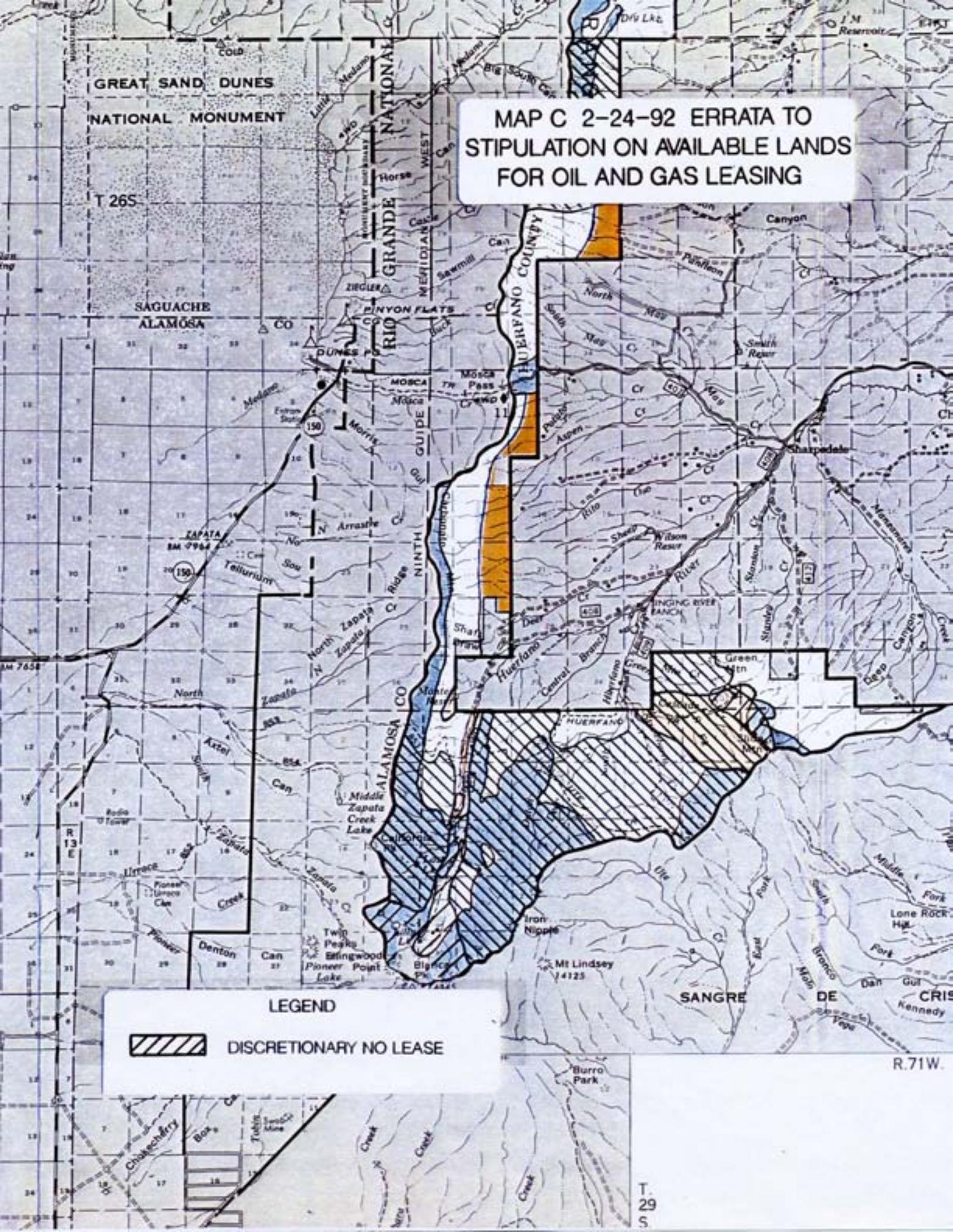
T.315.

T.325.

LEGEND

 DISCRETIONARY NO LEASE

MAP C 2-24-92 ERRATA TO
STIPULATION ON AVAILABLE LANDS
FOR OIL AND GAS LEASING



LEGEND



DISCRETIONARY NO LEASE

T. 29 S

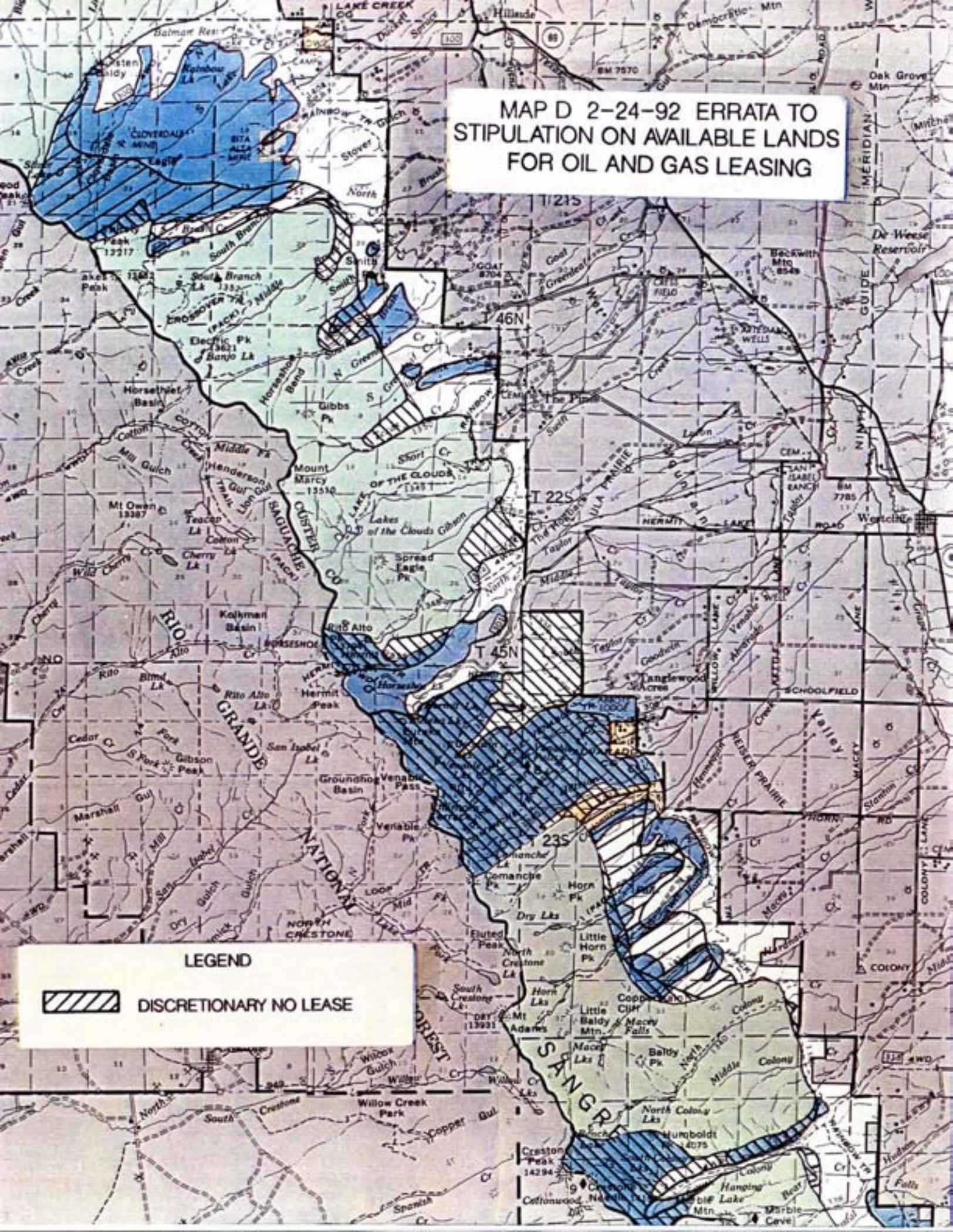
R. 71 W.

MAP D 2-24-92 ERRATA TO
STIPULATION ON AVAILABLE LANDS
FOR OIL AND GAS LEASING

LEGEND



DISCRETIONARY NO LEASE



United States
Department of
Agriculture

Forest
Service

Pike and San Isabel NFs
Comanche and Cimarron NGS

1920 Valley Dr.
Pueblo, CO
81008-1797

Reply to: 1950

Date: February 18, 1992

Dear Participant:

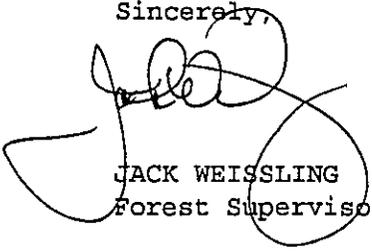
Enclosed is a copy of the Final Environmental Impact Statement (FEIS), Summary, and Record of Decision for oil and gas leasing on the Pike and San Isabel National Forests, Comanche and Cimarron National Grasslands. Also enclosed are related Records of Decisions issued by the Bureau of Land Management Colorado and New Mexico State offices.

A full set of the working, resource base quad, maps represented in Appendix E of the FEIS are available for review at the Supervisor's office in Pueblo. A set will be available on March 5, 1992 at the BLM State office, 2850 Youngfield St., Lakewood, Colorado 80215, for the Pike and San Isabel National Forests, and Comanche National Grasslands. A set for the Cimarron National Grasslands will be available on March 1, 1992 at the BLM State office, P.O. Box 1449, S. Federal Pl., Santa Fe, New Mexico 87504-1449. In addition, each of the Ranger District offices (Leadville, Salida, San Carlos, Pikes Peak, South Park, South Platte, Comanche, and Cimarron) will have maps available on March 5, 1992 which pertain to that specific District.

The decisions made in the Forest Service Record of Decision are subject to appeal pursuant to 36 CFR 217. A description of the Forest Service appeal procedures can be found on page 52 of the Record of Decision. The appeal period will not begin until a legal notice has been published in the Pueblo Chieftain. That notice will be published on February 28, resulting in an April 14, 1992 end of appeal period.

We appreciate the time and effort you have expended to be involved in this process and welcome your continued participation.

Sincerely,



JACK WEISLING
Forest Supervisor

RECORD OF DECISION

FINAL OIL AND GAS LEASING ENVIRONMENTAL IMPACT STATEMENT and FOREST PLAN AMENDMENT 23

PIKE and SAN ISABEL NATIONAL FORESTS COMANCHE and CIMARRON NATIONAL GRASSLANDS

This is the Bureau of Land Management (BLM) decision on the Environmental Impact Statement (EIS). The EIS and plan amendment reflect the Forest Service and BLM environmental analysis and planning review for oil and gas leasing and development.

Decision

The decision is made to accept the Final Oil and Gas Leasing Environmental Impact Statement and Forest Plan Amendment 23 of the Pike-San Isabel National Forests, and Comanche National Grasslands (Forest Service) as the National Environmental Policy Act of 1969 (NEPA) compliance document for BLM oil and gas leasing decisions on lands within the administrative boundaries of the Pike and San Isabel National Forests, and Comanche National Grasslands. This decision includes concurrence with the selected alternative on Forest Service System Lands, and a decision to approve a slight modification of Alternative III relative to cultural and visual resources on split estate lands within Forest Service administrative boundaries (see below for further description of this modification). The decision contained in this Record supersedes those for oil and gas leasing and development in the Royal Gorge Oil and Gas Umbrella Environmental Analysis (CO-050-0-30, signed 02/29/80). The EIS and Forest Plan Amendment meet requirements of the regulations for implementing the Federal Land Policy and Management Act of 1976 (FLPMA)(43 CFR 1600). The BLM cooperated with the Forest Service to complete the EIS/Plan Amendment in compliance with the requirements of NEPA.

Decisions from this EIS will be implemented in the form of lease stipulations, lease notices, and conditions of approval for subsequent field operations on all new leases. The decisions will also be implemented on new operations on existing leases as conditions of approval, where those conditions do not adversely affect lease rights previously granted. Implementation on Forest Service System Lands will be as described in their Record of Decision.

The EIS/Plan Amendment analyzed oil and gas leasing and development on all lands within the administrative boundaries of the Pike and San Isabel National Forests, and Comanche and Cimarron National Grasslands, regardless of surface ownership. The Forest Service is using the EIS/Plan Amendment for making leasing and stipulation decisions on lands which they administer and for which they have decision authority. The BLM is using the EIS in support of its own decisions regarding oil and gas leasing and development within the planning area. The principal BLM decisions, made in cooperation and coordination with the Forest Service, and in

accordance with the EIS, are:

The BLM will lease only those lands where the Forest Service as the Surface Management Agency has, through their plan implementation process, authorized lease issuance. Stipulations, as developed from this plan, will be furnished by the Forest Service to the BLM, and be included on lease documents by the BLM.

The BLM will make approximately 107,000 acres of private surface/federal mineral estate within the administrative boundary of the Forest Service available for oil and gas leasing.

The BLM will protect important wildlife habitat on the split estate lands with the use of No Surface Occupancy, Timing Limitation, or Controlled Surface Use stipulations and/or Lease Notices on oil and gas leases, and Conditions of Approval. These stipulations are identified and analyzed in the EIS.

The BLM will protect visual resources, cultural resources, and private surface owner land use rights at the time of actual oil and gas development. This decision is partially different from the Forest Service decision. The Forest Service applied stipulations on Forest Service Lands to protect certain cultural and visual resources. While the level of resource protection will be the same as analyzed in the EIS, the BLM will accomplish this resource protection on split estate lands it administers for purposes of oil and gas leasing and development through Standard Lease Terms.

ALTERNATIVES

There were four alternatives analyzed in this plan: (I) current Forest Plan, which makes all lands available without the identification of supplemental protection needs until a lease is identified and further analyzed (includes continued leasing of split estate under EA CO-050-0-30); (II) leasing all currently available lands using standard lease terms; (III) leasing approximately 829,000 acres using standard lease terms, 1,272,000 acres using supplemental stipulations, and discretionary removal by the Forest Service of approximately 100,000 acres from leasing; (IV) removing all lands in the analysis area from leasing. The Forest Service analysis does not specifically spell out the instances in the EIS where split estate is involved, however, in all alternatives, when development does occur the basic impacts analyzed are the same for similarly described lands. The BLM selected a slightly different version of the Preferred Alternative (Alternative III) for split estate lands. The modification of the alternative analyzed by the Forest Service is not a modification of resource protection decisions. Rather, it is a modification of the means by which the described resource protection is to be achieved. The modification is that cultural and visual resources will be protected by management under Standard Lease Terms. The difference in agency decisions reflects different agency policies relative to lease stipulation use. Because the same level of protection for these resources will be achieved using mitigation enforceable under the Standard Lease Terms, the environmental consequences are identical to those described by the Forest Service in their preferred alternative.

MANAGEMENT CONSIDERATIONS

This decision was influenced by legal, regulatory, and national policy considerations. The planning area was the administrative boundaries of land managed by the Forest Service. National and local Memorandums of Understanding are in place to define authorities and responsibilities involved in the oil and gas program. This includes the Forest Service lead responsibility in completion of the leasing EIS for these lands. The decisions made by the BLM which differ from the recommendation of the Forest Service, are based on BLM experience showing adequate mitigation of expected impacts to certain resources under Standard Lease Terms. This decision also gives the BLM more flexibility in applying mitigation when considering surface owner requests. This is in line with BLM policy in application of protective stipulations, that additional lease stipulation will not be applied where adequate protection to resources can be accomplished with standard lease terms.

MITIGATION

The Forest Service Plan Amendment mitigation has been developed to protect, avoid, or minimize environmental impacts. The BLM decisions do not alter this practice, and it is BLM policy to implement necessary Conditions of Approval on all operations to obtain resource protection. All split estate development proposals in the EIS area will also involve consultation with the Forest Service before approval of operations, to insure protection of adjacent Forest Service land.

MONITORING

The BLM will depend upon Forest Service monitoring plans to furnish information on any change in environmental conditions, and acquisition of new environmental data which would impact current decisions. Once this information is provided to the BLM, leasing decisions, maps, and data will be altered to reflect these changes.

PUBLIC INVOLVEMENT

The Forest Service planning process, in which the BLM participated, included public involvement which met all BLM standards.

CONSISTENCY

The BLM decisions and the Forest Service Plan Amendment is consistent with plans, programs, and policies of local and state governments as well as other federal agencies.

PUBLIC AVAILABILITY

Copies of the Forest Plan Amendment 23 are available from the Forest Service. A copy of the Maps and Township/Range Sheets to be developed by the BLM for implementation of the decisions on split estate land will be available for viewing in the BLM Canon City District Office and the BLM Colorado State Office.

EFFECTIVE DATE

The BLM decisions, made in accordance with the Forest Service Amendment, generally will become effective immediately upon signature of this document and signature of the Forest Service Record of Decision. The implementation of the decision for split estate lands will occur 90 days after BLM receives the Forest Service Plan Amendment 23 maps.

2/12/92
DATE

Tom Walker
COLORADO STATE DIRECTOR
BUREAU OF LAND MANAGEMENT

UNITED STATES DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

NEW MEXICO STATE OFFICE

RECORD OF DECISION

FINAL OIL AND GAS LEASING

ENVIRONMENTAL IMPACT STATEMENT

AND

FOREST PLAN AMENDMENT

PIKE AND SAN ISABEL NATIONAL FORESTS,

COMANCHE AND CIMARRON NATIONAL
GRASSLANDS

(MORTON AND STEVENS COUNTIES, KANSAS)

This is the Bureau of Land Management (BLM), New Mexico State Office Record Of Decision on the Pike and San Isabel National Forest Environmental Impact Statement (EIS) and Forest Plan Amendment 23. The EIS and Amendment reflect the Forest Service and BLM New Mexico environmental analysis and planning review for oil and gas leasing within Morton and Stevens counties Kansas.

DECISION

The decision is made to accept the Final Oil and Gas Leasing EIS and Forest Plan Amendment 23 of the Pike and San Isabel National Forests, Comanche and Cimarron National Grasslands as the Land Use Planning document for oil and gas leasing decisions. This decision includes concurrence with the selected alternative (Alternative 3) which includes a decision to approve leasing with protective stipulations on Forest Service System Lands and BLMs decision to approve leasing with protective stipulations on split estate lands within Morton and Stevens Counties, Kansas. The EIS and Forest Plan Amendment meet the requirements of the regulations for implementing the Federal Land Policy and Management Act (FLPMA) of 1976 (43 CFR 1600). The Forest Service in coordination with the BLM completed the EIS/Plan Amendment in conformance with the requirements of the National Environmental Policy Act (NEPA) of 1969.

IMPLEMENTATION

The BLM New Mexico will make available for lease only those Forest Service and split estate lands within Morton and Stevens Counties, Kansas as identified by the EIS/Forest Plan Amendment and with those stipulations as described by the EIS/Forest Plan Amendment. For split estate lands within Morton and Stevens Counties the specific oil and gas leasing decision is as follows:

New leases and expired leases that are reissued would be leased with standard lease terms. Mandatory stipulations would be incorporated into each lease where those stipulations apply. In addition, this will include optional stipulations where resource values exist that warrant special protection.

Stipulations

Stipulations utilized by the BLMs Oklahoma Resource Area (ORA) within Morton and Stevens Counties include both mandatory and optional stipulations. A mandatory stipulation is one which addresses protection of a resource which the BLM is required by law, regulation or policy to protect, and which the BLM feels STC would not offer sufficient protection. Mandatory stipulations include:

ORA-1, Floodplain Protection Stipulation

"All or portions of the lands under this lease lie in and or adjacent to a major watercourse and are subject to periodic flooding. Surface occupancy of these areas will not be allowed without the specific approval, in writing, of the Bureau of Land Management."

This stipulation is a result of Executive Order (E.O.) 11988 Floodplain Management of May 24, 1977.

ORA-2, Wetland/Riparian Stipulation

"All or portions of the lands under this lease contain wetland and/or riparian

areas. Surface occupancy of these areas will not be allowed without the specific approval, in writing of the Bureau of Land Management. Impacts or disturbance to wetlands and riparian habitats which occur on this lease, must be avoided, minimized or compensated. The mitigation goal will be no net loss of in-kind wetlands. Such mitigation will be developed during the application for permit to drill process in cooperation with appropriate state and Federal agencies."

The wetland/riparian stipulation is mandated by E.O. 11990 "Protection of Wetlands" of May 24, 1977.

Optional stipulations would be applied to protect a resource value or other land use which would be potentially impacted by normal oil and gas lease operations. These stipulations are optional in the sense that they are not mandated by law or regulation. They will be used only when the value of the resource warrants protection. These optional stipulations include:

ORA-3, Season of Use Stipulation

"Surface occupancy of this lease will not be allowed from date, through date, without the specific approval in writing, from the Authorized Officer of the Bureau of Land Management."

This stipulation restricts the time that the lessee can be on the lease for a period of more than 60 days.

Most season of use restrictions involve wildlife seasonal use requirements or recreation use conflicts with drilling activities.

ORA-4, No Surface Occupancy

"Surface occupancy of this lease will not be allowed."

This stipulation prohibits surface use to protect a resource or use that is not compatible with oil and gas development. The tract could be leased for inclusion in a drilling unit and may be drilled directionally from an off-site location where occupancy is allowed.

Lease Notices

A Lease Notice provides more detailed information concerning limitations that already exist in law, lease terms, regulations, or operational orders.

A Lease Notice also addresses special items the lessee should consider when planning operations, but does not impose new or additional restrictions. A lease notice is not binding or enforceable, it provides the potential lessee with additional information. Lease Notices attached to leases should not be confused with NTLs--Notices to Lessees.

Lease Notices (LN) include:

LN-1: Special Status Species

According to preliminary information all or portions of the lease area could contain Federal and/or state-listed threatened or endangered species and/or other special status species and/or habitats utilized by these groups of species. Any proposed surface disturbing activity may require an inventory and consultation with the U. S. Fish and Wildlife Service, the state wildlife agency and/or the BLM. The consultation could take up to 180 days to complete. Surface occupancy

could be restricted or not allowed as a result of the consultation. Appropriate modifications to the imposed restrictions will be made for the maintenance and operations of producing oil and gas wells.

LN-2, Black-footed Ferrets In Kansas

"If black-footed ferrets occur anywhere in the wild in Kansas, they are presumed to be associated with prairie dogs. All or portions of this lease area lie within a county of Kansas where prairie dog towns have occurred in the past. Therefore, if a prairie dog town of eighty acres or more is found to occur on or near this lease, a black-footed ferret survey may be required before permitting surface disturbing activity which may impact the prairie dog town." LN-2 will be applied to leases issued in the counties which last reported the presence of prairie dog towns. These counties are:

Barber, Barton, Cheyenne, Clark, Clay, Comanche, Decatur, Edwards, Ellis, Ellsworth, Finney, Ford, Gove, Graham, Grant, Gray, Greeley, Hamilton, Harper, Harvey, Haskell, Hodgeman, Jewell, Kearny, Kingman, Kiowa, Lane, Lincoln, Logan, McPherson, Meade, Mitchell, Morton, Ness, Norton, Osborne, Ottawa, Pawnee, Phillips, Pratt, Rawlins, Reno, Rice, Rooks, Rush, Russell, Saline, Scott, Seward, Sheridan, Sherman, Smith, Stafford, Stanton, Stevens, Sumner, Thomas, Trego, Wallace, and Wichita.

Conditions Of Approval

Additional BLM requirements to protect a resource or value that does not affect the lessee's rights or restrict location on the lease can be imposed as a condition of approval of the Application for Permit to Drill (APD).

An example of one such condition utilized to protect migratory birds is as follows:

"All open pits and tanks being used in conjunction with the development of this lease will be netted or otherwise covered no later than four days after final drilling depth is achieved and until such time as they are removed and/or filled and reclaimed. The recommended coverings include hard covers or a screen material of small enough mesh size so as to prevent the entry and the death of migratory birds. The U. S. Fish and Wildlife Service, Division of Law Enforcement has prepared materials which provide more detailed guidelines for covering oil field pits and tanks.

Note; The granting of four working days for completion of covering or netting pits and/or tanks in no way limits your responsibility should migratory birds be discovered dead in tanks or pits within the four day period or during the actual drilling phase."

critical habitat for the state-listed endangered Arkansas River Shiner.

Should this tract (or portions) become available for lease BLM stipulations ORA-1 and ORA-2 and BLM lease notice LN-1 would apply.

STEVENS COUNTY

Tract 1.

T. 31 S., R. 38 W., Sec 10, SE1/4SE1/4

Approximately 40 acres

This tract is located 12 miles north and 5 miles west of Hugoton, Kansas. The Cimarron River crosses the southeast corner this tract creating wetland and floodplain concerns. The KDWP has designated the main stem of the Cimarron River as critical habitat for the state-listed endangered Arkansas River Shiner. The KDWP has requested that no surface disturbing activities be allowed on this tract based on the tract's size and public values as wildlife habitat. The surface estate of this tract was deeded to the KDWP by the BLM for wildlife habitat purposes.

Should this tract (or portions) become available for lease BLM stipulations ORA-1 and ORA-2 and BLM lease notice LN-1 would apply.

Tract 2.

T. 31 S., R. 38 W., Sec 15, W1/2NE1/4

Approximately 80 acres

This tract is located 12 miles north and 5 miles west of Hugoton, Kansas. The Cimarron River crosses this tract creating wetland and floodplain concerns. The KDWP has designated the main stem of the Cimarron River as critical habitat for the state-listed endangered Arkansas River Shiner. The KDWP has requested that no surface disturbing activities be allowed on this tract based on the tract's size and public values as wildlife habitat. The surface estate of this tract was deeded to the KDWP by the BLM for wildlife habitat purposes.

Should this tract (or portions) become available for lease BLM stipulations ORA-1, ORA-2 and ORA-4 and BLM lease notice LN-1 would apply.

Tract 3.

T. 31 S., R. 38 W., Sec 21, SW1/4NE1/4 and NW1/4SE1/4

Approximately 80 acres

This tract is located 10 miles north and 6 miles west of Hugoton, Kansas. The KDWP has requested that no surface disturbing activities be allowed on this tract based on the tract's size and public values as wildlife habitat. The surface estate of this tract was deeded to the KDWP by the BLM for wildlife habitat purposes.

Should this tract (or portions) become available for lease BLM stipulation ORA-4 would apply.

Tract 4.

T. 31 S., R. 38 W., Sec 21, SE1/4SW1/4

Approximately 40 acres

This tract is located 10 miles north and 6 miles west of Hugoton, Kansas. The Cimarron River is adjacent to this tract. The KDWP has designated the main stem of the Cimarron River as critical habitat for the state-listed endangered Arkansas River Shiner.

Should this tract (or portions) become available for lease BLM lease notice LN-1 would apply.

Tract 5.

T. 31 S., R. 38 W., Sec 29, SE1/4SW1/4

Approximately 40 acres

This tract is located 9 miles north and 8 miles west of Hugoton, Kansas. The Cimarron River crosses this tract creating wetland and floodplain concerns. The KDWP has designated the main stem of the Cimarron River as critical habitat for the state-listed endangered Arkansas River Shiner.

Should this tract (or portions) become available for lease BLM stipulations ORA-1, ORA-2 and BLM lease notice LN-1 would apply.

Tract 6.

T. 31 S., R. 38 W., Sec 30, SW1/4SE1/4

Approximately 40 acres

This tract is located 9 miles north and 8.5 miles west of Hugoton, Kansas. The Cimarron River is adjacent to this tract. The KDWP has designated the main stem of the Cimarron River as critical habitat for the state-listed endangered Arkansas River Shiner.

Should this tract (or portions) become available for lease BLM lease notice LN-1 would apply.

Tract 7.

T. 31 S., R. 38 W., Sec 31, SE1/4NE1/4

Approximately 40 acres

This tract is located 9 miles north and 8 miles west of Hugoton, Kansas. The Cimarron River is adjacent to this tract creating wetland and floodplain concerns. The KDWP has designated the main stem of the Cimarron River as critical habitat for the state-listed endangered Arkansas River Shiner.

Should this tract (or portions) become available for lease BLM stipulations ORA-1, ORA-2 and BLM lease notice LN-1 would apply.

Tract 8.

T. 32 S., R. 38 W., Sec 6, Lot 1 and SE1/4NE1/4

Approximately 81.49 acres

This tract is located 8 miles north and 8 miles west of Hugoton, Kansas. The KDWP has requested that no surface disturbing activities be allowed on this tract based on the tract's size and public values as wildlife habitat. The surface estate of this tract was deeded to the KDWP by the BLM for wildlife habitat purposes.

Should this tract (or portions) become available for lease BLM stipulation ORA-4 would apply.

Tract 9.

T. 32 S., R. 39 W., Sec 13, NW1/4SE1/4

Approximately 40 acres

This tract is located 5 miles north and 9 miles west of Hugoton, Kansas. The Cimarron River is adjacent to this tract creating wetland and floodplain concerns. The KDWP has designated the main stem of the Cimarron River as critical habitat for the state-listed endangered Arkansas River Shiner. The KDWP has requested that no surface disturbing activities be allowed on this tract based on the tract's size and public values as wildlife habitat. The surface estate of this tract was deeded to the KDWP by the BLM for wildlife habitat purposes.

Should this tract (or portions) become available for lease BLM stipulations ORA-1, ORA-2 and ORA-4 and BLM lease notice LN-1 would apply.

ALTERNATIVES

There were four alternatives analyzed in this plan: (I) current Forest Plan which makes all lands available without the identification of supplemental protection until a lease is identified and further analyzed; (II) leasing all currently available lands using standard lease terms; (III) leasing approximately 829,000 acres using standard lease terms, approximately 1,272,000 acres using supplemental stipulations, and discretionary removal by the Forest Service of approximately 100,000 acres from leasing; (IV) removing all lands in the analysis area from leasing.

MONITORING

The approved EIS/Forest Plan Amendment provides specific management decisions for Morton and Stevens Counties, Kansas. Implementation monitoring will be performed by periodic managerial review to ensure that all subsequent land use management decisions conform to the Plan and to the established guidelines. On-the-ground actions resulting from management decisions will be monitored by both FS and BLM personnel to establish how effective the management measures are at minimizing environmental impacts.

PUBLIC INVOLVEMENT

The FS planning process sought public opinion, input and involvement throughout the planning and decision making process. This documented public participation meets all BLM standards.

CONSISTENCY

The Forest Plan decisions are consistent with the decisions resulting from the BLM's Kansas Resource Management Plan (ROD 1991) and are consistent with the plans, programs, and policies of other Federal agencies or state and local governments identified during the planning process.

PUBLIC AVAILABILITY OF THIS DOCUMENT

Copies of this BLM New Mexico Record of Decision can be obtained by contacting Brian Mills (405) 794-9624 at Bureau of Land Management, Oklahoma Resource Area, 221 North Service Road, Moore, Oklahoma 72160. Copies of the EIS and Forest Plan Amendment are available from the Pike and San Isabel National Forest, 1920 Valley Drive, Pueblo, Colorado, 81008.

CONCLUSION

This Record of Decision constitutes the final Bureau action involved in the approval and concurrence of the Pike San Isabel National Forest/ Comanche and Cimarron National Grasslands Forest Plan Amendment and the oil and gas leasing decisions for Morton and Stevens counties, Kansas. Any person adversely affected by a decision of a Bureau Officer in implementing some portion of this Plan may appeal such action to the Interior Board of Land Appeals pursuant to 43 Code of Federal Regulations 4.400 at the time the action is proposed for implementation.

2/11/92
Date


Monte Jordan
Acting State Director, New Mexico
Bureau of Land Management

OIL and GAS LEASING

Record of Decision



PIKE and SAN ISABEL NATIONAL FORESTS
COMANCHE and CIMARRON NATIONAL GRASSLANDS



FEBRUARY 1992

PIKE AND SAN ISABEL NATIONAL FORESTS
CIMARRON AND COMANCHE NATIONAL GRASSLANDS

OIL AND GAS LEASING

FINAL ENVIRONMENTAL IMPACT STATEMENT

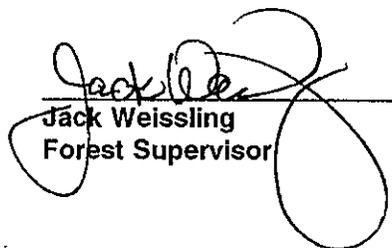
RECORD OF DECISION

Prepared by:

U.S. DEPARTMENT OF AGRICULTURE - FOREST SERVICE
PIKE AND SAN ISABEL NATIONAL FORESTS
CIMARRON AND COMANCHE NATIONAL GRASSLANDS

February 1992

Responsible Official



Jack Weissling
Forest Supervisor

FEB 12 1992

Date

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I. INTRODUCTION

A. PURPOSE AND DESCRIPTION OF THE RECORD OF DECISION (ROD)

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 those for the Forest Service 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, it 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.

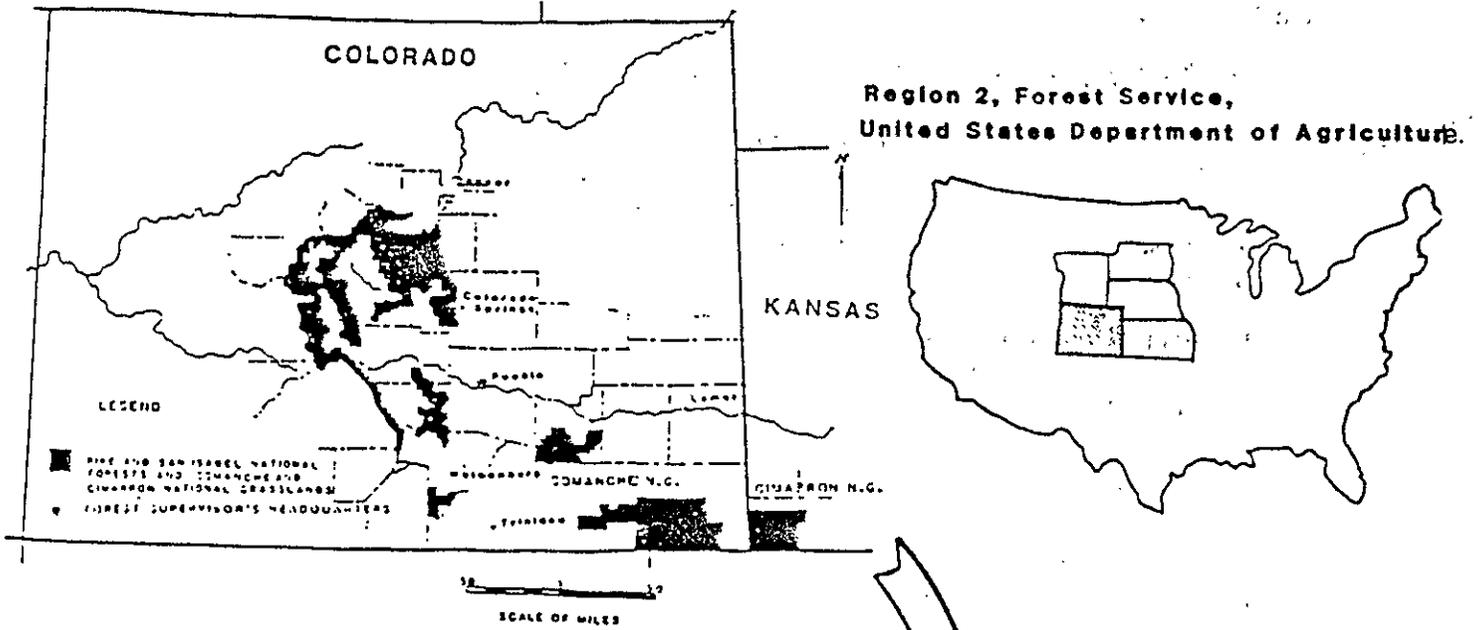
The Forest Service has the authority and responsibility to determine which National Forest System lands are available for oil and gas leasing, and the specific lands which the BLM may offer for lease. It is also responsible for prescribing lease terms that provide reasonable protection to surface resources and values, approving lessee plans of operation, 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.

The Oil & Gas Environmental Impact Statement (EIS) for the Pike and San Isabel National Forests and Comanche & Cimarron National Grasslands (PSICC) (**the Unit**) was prepared in response to the requirements of the implementing regulations for the Leasing Reform Act. Refer to Figure 1 in this document for the location of the Unit and EIS Study Area.

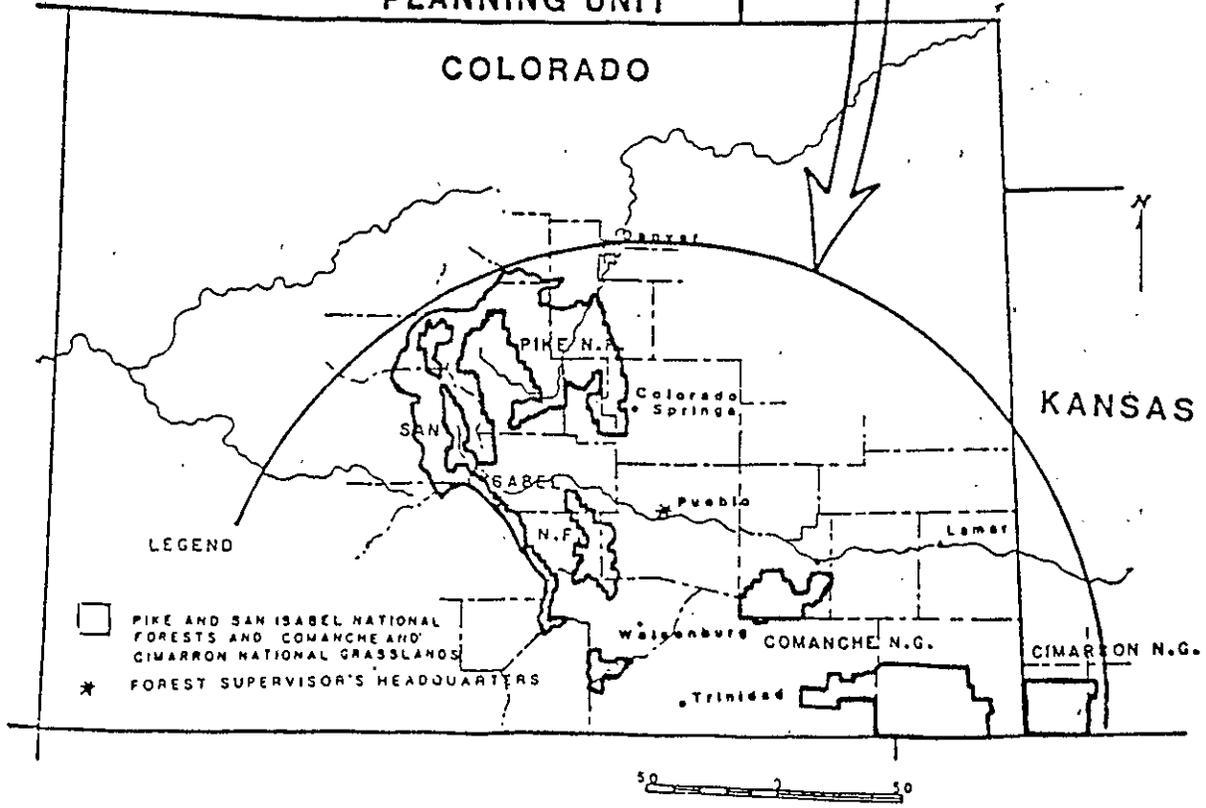
The purpose of this Record of Decision is to document Forest Service decisions regarding: 1) which lands of the Unit will be administratively available for oil and gas leasing in accordance with 36 CFR 228.102(d) and 2) which specific lands are authorized for the BLM to advertise for lease in accordance with 36 CFR 228.102(e). These decisions include the lease terms and stipulations (constraints) that have been determined necessary to protect the surface resources based on disclosure of environmental effects in the Unit Oil and Gas Leasing final EIS (FEIS) and standards and guidelines contained in the National Forest Land and Resource Management Plan (Forest Plan). This ROD also documents the Forest Service decision to amend the Unit 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 of the Department of Interior, require the BLM to review all recommendations and to accept all reasonable recommendations of the surface managing agency. In the present case, such recommendations involve decisions being made by the Forest Supervisor with respect to administrative availability, authorization of specific lands for leasing, and stipulations needed to protect surface and subsurface resources within the Unit.

Figure 1
FEIS Study Area and Vicinity Map



GENERAL LOCATION MAP
PLANNING UNIT



B. PURPOSE AND NEED FOR THE ACTION

The Forest Service will determine which lands in the Unit are administratively available for oil and gas leasing and which specific lands in the Unit the Forest Supervisor will authorize the BLM to offer for lease. There are legal and practical needs for these decisions. The legal needs were described earlier. The Forest Supervisor has several practical reasons for making these decisions at this time. They are as follows:

Outstanding, or Pending, Requests For Lease: During the two-year period between passage of the Leasing Reform Act and publication of the final implementing regulations, firms applied to the BLM for approximately 400 leases on portions of the Unit. At this time 14 of the 400 lease proposals are active and have been mapped in Appendix C of the FEIS. The BLM and the Forest Service could not properly act upon these "Requests For Lease" until the regulations implementing the Reform Act were complete. The Forest Supervisor needs to determine which of these outstanding lease requests to authorize.

Renewal Decisions For Existing Leases: The Unit currently has 450 existing leases. Forty percent of these leases are expected to expire within the 15-year planning horizon of this document. The others are not expected to expire within that 15-year period because they are currently producing oil or gas and have been extended. All lands were analyzed, including those currently leased, so that upon expiration their availability, the required stipulations, and approval or denial of advertisement are known. It is possible that currently-leased lands would not be available for resale or would be available with stipulations that are not in the current lease.

Anticipated Lease Requests: Based on past experience, the Forest Supervisor can expect to receive approximately 90 Requests For Lease on the Unit each year.

In the past the Forest Supervisor reacted to each lease request individually. This involved up to 90 individual analyses each year, for which the Forest Service was neither staffed nor funded. When each lease request is studied on an individual basis, it is difficult for the Forest Supervisor and staff to study the aggregate and cumulative environmental effects of these operations. The Forest Supervisor has chosen to disclose the analysis leading to the availability and authorization of specific lands decisions on a Unit-wide basis. This allows the orderly management of National Forest System lands, resolves potential conflicts in land or resource use in a meaningful way, and studies the aggregate and cumulative effects of oil and gas leasing. The availability and specific lands decisions are described more fully in section III of this ROD.

C. PUBLIC INVOLVEMENT

General comments were received through scoping efforts and used to develop alternatives. Additional comments received in response to the original draft EIS (DEIS) were used to refine alternatives and adjust the analysis process used in the FEIS. Public comments are discussed in Chapters I and VI of the FEIS. Categories of initial scoping issues included:

1. **Effects of oil and gas leasing activities on wildlife, fish, and vegetation.**
2. **Effects on wetlands, floodplains, and threatened and endangered plant and animal species.**

3. **Effects of oil and gas leasing activities on soils and water and air quality.**
4. **Effects of drilling on surface and groundwater supplies and potable water.**
5. **Effects on designated and proposed wilderness areas, wilderness study areas, and potential wild and scenic rivers.**
6. **Recreation opportunities of significant areas should be protected.**
7. **Alpine areas should receive special protection.**
8. **Special management areas that need protection include formally designated and proposed Special Interest Areas, Research Natural Areas, Natural Areas, Manitou Experimental Forest, municipal watersheds.**

Additional comments received from the public are addressed in section II of this ROD.

II. DECISION

A. LEGAL CONTEXT AND FACTUAL BASIS FOR THE DECISIONS

The Forest Service administers the National Forests and National Grasslands. The policies determining how these lands will be administered are found in a number of federal statutes, some of which are summarized on pages I-36 through I-39 of the FEIS. These statutes have been implemented by regulations and many have been interpreted by the courts.

The National Forests and Grasslands administered by the Forest Service are managed under multiple use-sustained yield principles. To accomplish this, each National Forest and National Grassland is covered by a Forest Plan prepared in accordance with the National Forest Management Act of 1976. The Forest Plan for the Pike and San Isabel National Forests and the Cimarron and Comanche National Grasslands was approved in 1984. Management of these lands must be consistent with the Forest Plan. The Forest Plan can be amended to provide for consistency. The Forest Plan is based upon an FEIS and decision document. The oil and gas FEIS is tiered to the Forest Plan FEIS.

Congress has recognized, since establishment of these federal lands, the importance of developing mineral resources on National Forests and Grasslands. The operation of some statutes makes some specific lands unavailable for mineral activities, e.g. the Wilderness Act, the Endangered Species Act, etc.

1. Legal Context

(a) Federal Onshore Oil and Gas Leasing Reform Act of 1987

The Federal Onshore Oil and Gas Leasing Reform Act of 1987, through its implementing regulations, requires a Leasing Analysis. The analysis provides the analytic basis on which a Deciding Officer determines which National Forest System lands are administratively available for leasing. The Leasing Availability decision is a "programmatic" rather than a "site-specific" or "project" level determination. This decision is the first of the 4-staged decisions discussed earlier in this ROD.

The Leasing Reform Act further authorizes the Forest Service to authorize the issuance of oil and gas leases for specific lands. This decision is called a "Leasing Specific Lands Decision".

The leasing analysis, or Oil and Gas Leasing FEIS, provides NEPA compliance for the decisions on availability and specific lands. The leasing specific lands decision is implemented through lease offer and sale, where rights are granted and there is an irreversible, irretrievable commitment of resources. This EIS provides the NEPA documentation for unit-wide decisions on the following specific lands:

- (1) Pending lease requests
- (2) Renewal of existing leases
- (3) Anticipated leases.
- (4) "Split-estates"

The decision will identify the lands that will be available for leasing across the National Forests and Grasslands and those existing, pending and anticipated leases that will be authorized for offer by the BLM. A validation monitoring process shall be established for implementation of the specific lands decisions.

(b) National Forest Management Act ("NFMA")

The concept of compliance with specific key statutes in "stages" is an important part of the forest planning process. With respect to the Forest Plan, only certain types of decisions were made in its Record of Decision that selected one of an array of alternative plans. The Plan identifies management emphases for lands on the National Forest. In a separate NEPA process, individual projects are considered on a site-specific basis. This distinction between plan level and project level decision making is described more fully in the Chief of the Forest Service's administrative appeal decision #2130, August 15, 1988 (Panhandle Land and Resource Management Plan ("LRMP") p.7 and Chief's appeal decision #1467 and 1513, August 31, 1988, p.8 (Flathead LRMP). See also CFEQ v. Lyng 731 F. Supp. 970, 977-78 (D. Colo. 1989).

(c) National Environmental Policy Act ("NEPA")

The U.S. Supreme Court in *Robertson v. Methow Valley Citizens Council* 104 L.Ed.2d 351 (1989) accepted more than one stage of NEPA compliance after a Forest Plan is issued. In the Methow Valley situation, there was a permit stage, which authorized no ground-disturbing activities, and a master plan development stage. The development of the master plan involved another NEPA process and decision by the Government before approving activities that would generate environmental effects.

This is very similar to the process we are using for oil and gas leasing. A Leasing Analysis, a plan level decision, will determine which, if any lands will be available for leasing. The Forest Plan will be amended at the same time so that it is consistent with the decisions made on the basis of the Oil and Gas FEIS. The plan amendment refines the management prescriptions and Forest-wide standards and guidelines as they relate to oil and gas leasing.

A Leasing Specific Lands decision will be made as described above. Neither the Leasing Analysis or Leasing Specific Lands decisions authorize ground-disturbing activities.

At a later time a lessee may file an Application for Permit to Drill (APD). This will be reviewed in a site-specific NEPA process and a decision will be made whether to grant, condition, or deny the application. Any changes or modifications to the approved APD as well as proposals for field development shall go through the same analysis and decision.

2. Factual Basis for the Decision

When the Forest Service authorizes the issuance of an oil and gas lease any one of several actions may result. The lease may never be bought and issued by the BLM. If a lease is issued, the lessee may or may not apply for an APD. If an APD and surface use plan of operations (SUPO) is approved, the well or wells authorized may or may not be drilled. If a well is drilled, it may not find gas or oil. If it does, it may not be in paying quantities sufficient to consider it part of an oil and gas field. This uncertainty is a major distinction between oil and gas leasing and other activities which are authorized by the Forest Service. Most other activities are reasonably certain to proceed to development after the permit or contract is issued.

Even though there is great uncertainty at the time of lease authorization as to whether a well will be drilled and, if so, when and where, the effects of a typical well in a given location can be estimated reliably on the basis of past experience. Because of this it is apparent that the approval of an oil or gas lease is much less likely to produce environmental effects than, for example, issuance of a special use permit or timber sale contract.

(a) Reasonable Foreseeable Post-Leasing Scenario ("RFD")

Since there is such great uncertainty as to whether, when and where a well will be drilled, the regulations implementing the Leasing Reform Act directed use of a process called Reasonable Foreseeable Development Scenario to estimate the number of wells that can be anticipated. This estimate provides the "cause" which is then used to estimate environmental "effects".

For analysis purposes, when RFD is discussed, we have assumed that we are at the APD stage on an existing lease. The proposed well locations and operations were adjusted, when necessary, based on the stipulations applied in alternatives considered in the FEIS. This allows for the disclosure of anticipated effects by alternative. In actual implementation this ROD discloses required stipulations prior to lease offer and sale. Knowing this information allows the lessee to develop a parcel and, at the time of APD, propose operations that maximize development opportunities and minimize resource impacts.

(b) Level of Detail in the EIS ("site-specificity")

As one goes from the Forest Plan, to the Leasing Analysis, Leasing of Specific Lands, single well APD, and field development stages, the site-specificity, or level of detail, increases and the number of acres which constitute the "affected environment" decreases.

(1) Maps

Maps are a critical part of the FEIS analysis. They are used to display the resource values being protected, the level of protection being provided (as required in CFR 228.102(c)(1)), and will be used throughout the implementation process. Because of the large land base being analyzed and the intensities of the resource inventories, the mapping structure of the FEIS is complex.

The maps used for the analysis are resource mylar overlays on the Primary Base Series (PBS) topographic "quads" or maps to a scale of 1:24,000 where one inch on the map is equal to approximately 2000 feet. There are approximately 270 of these quads needed to cover the planning area. Map overlays show each of the resources that could be affected by oil and gas activities. Supplemental stipulations were applied based on the resource values and need for protection. These large maps used in the analysis are extremely bulky and expensive to reproduce and are not included in the FEIS or ROD. Samples of them can be found in FEIS Chapter I pages 43-49 and Appendix E where locations the maps can be reviewed at are identified.

Since these maps will not be readily available for review, printed copies of smaller scale, 1:500,000 (1" equals approximately 8 miles), resource maps have been prepared and are included in FEIS Appendix E. These are not identical copies of the quads but are intended to provide the reader with an understanding of the information included and disclosed in the document.

Several maps help to describe the Affected Environment and are discussed in Chapter III of the FEIS. The Stipulation Base Map is based on the Forest Recreation map at a scale of 1:126,000 or one inch equals two miles and is located in ROD Appendix B. This map displays the stipulations which are a part of the proposed action that will be included in the amendment of the Forest Plan. It is described in FEIS Chapter I and Appendix D.

The "geographic zones", described in the FEIS beginning on page III-35, are shown in Figures III-4 through III-6 at a scale of 1:500,000. The "site" for purposes of considering "site-specificity," is defined for various decisions in several locations within the FEIS including Chapter I page 23 and all of Chapter III.

Mineral Potential Maps are used in connection with formulating the Reasonable Foreseeable Development Scenario (RFD) and can be found in FEIS Appendix I.

"RFD wells" are mapped in FEIS Chapter II. They are wells which have been specifically located with the assistance of the BLM. These wells represent our best projection of where drilling may be likely to occur. These wells are not meant to identify specific well locations that are being approved or authorized for occupancy but are being used to analyze the "probable" effects of leasing as identified in 36 CFR 228.102(c)(4).

(2) Appendices

Appendices to the FEIS disclose critical information used in my decision. These appendices include:

Appendix A - Mitigation - discloses the Standard Lease Terms applied to all leases, identifies the supplemental stipulations (and their conditions) that are applied, and identifies some "Conditions of Approval" that may be applied based on analysis at APD.

Appendix B - Anticipated Activities - the development of the legally required reasonable foreseeable **post-leasing** activity and the anticipated activities that will occur on the Unit not related to oil and gas development. The non oil and gas activities were used in the cumulative effects analysis.

Appendix C - Maps of Leasing Status - this series of maps identifies those lands already leased, those that have split estates, and identified lease parcels that the BLM has provided to us with a request for approval to issue.

Appendix D - Stipulation Base Map - this map displays the availability decision and required stipulations. It meets the requirement of 36 CFR 228.102(c)(1).

Appendix E - Resource Maps - small scale versions of the 1:24,000 scale mylar maps that will be used by the BLM and Forest Service in implementation.

Appendix F - Content Summary of the Administrative Record - generally describes what is in the administrative record and how to use it.

Appendix G - Monitoring and Evaluation - describes the implementation and effectiveness monitoring the Forest Service will use.

Appendix H - Socio-Economic Analysis - describes the basis of the analysis that is discussed in FEIS Chapter IV.

Appendix I - Mineral Potential Maps - identifies the mineral potential of lands within the planning area.

B. DECISIONS RELATED TO LEASING

The Leasing Analysis documented in the FEIS provides the basis for my leasing decisions. The analysis processes used broke the Pike and San Isabel National Forests and Cimarron and Comanche National Grasslands (the Unit) into geographic subunits that were not consistent with administrative subunits or Ranger Districts. The analysis documented three primary subunits: the Mountains, the Cimarron, and the Comanche. The mountain Ranger Districts were combined for reasons discussed in section I of this ROD. Each of the leasing decisions will be discussed in the context of these subunits.

1. Availability Decisions and the Basis for the Decisions

In this section I shall identify the lands which I will make administratively available for oil and gas leasing. I have determined that oil and gas leasing can occur on these lands and be consistent with objectives of the management prescriptions and general direction in the Forest Plan. The current Forest Plan direction considers most lands on the Unit available for leasing without identifying the constraints that will apply. These decisions refine the direction and insure that adequate protection for other resources. The protection is provided through application of Standard Lease Terms or the standard terms and supplemental stipulations I am requiring in this ROD.

This is a programmatic decision that identifies the lands industry can choose to invest their preliminary investigation resources in. It allows them to request permission to lease lands based on the knowledge of constraints that will be placed on their lease rights should the specific lands be authorized for lease. This will enable them to have a more efficient exploration program. No rights are granted based on this decision.

(a) Mitigation

It is my decision to apply the constraints identified in Section IV, Table 5 on pages 46 and 47, Stipulation and Lease Notice Summary Listed by Resource, on some lands which I am making administratively available. These constraints are in addition to Standard Lease Terms that apply to all leases and include No Surface Occupancy (NSO), where ground-disturbing activities are not allowed; timing, where exploration or development activities are prohibited for time periods less than yearlong; and Controlled Surface Use (CSU), which restricts portions of exploration or development activities. Lease Notices identify conditions related to existing rights granted, law, standard lease term, or onshore oil and gas order. Conditions on the Unit that are identified by Lease Notices include:

- Research and Special Interest Areas
- Existing Special Use rights granted to other users
- Known Threatened or Endangered species or habitat
- Existing & proposed timber harvest activity

(b) The Mountains (Pike and San Isabel National Forests)

My decision is to make lands administratively available consistent with Alternative III of the FEIS. This availability is documented on the Stipulation Base Map which is Appendix B of this ROD.

I am exercising discretionary no lease (DNL) authority to make the following lands administratively not available for lease. The durations of the no lease requirement are identified:

Lands in HR 762 and S1029 which are outside Wilderness Study Areas recommended for designation. The term of this no lease provision is through the end of the 102nd Congress unless an extension is requested by the chairpersons of the Senate Energy and Natural Resources or House Interior and Insular Affairs Committees.

The South Platte and Badger Creek corridors are removed until they are restudied for designation as Wild and Scenic Rivers. If they are not found eligible they will be available with the constraints identified on the Stipulation Base Map which underlie the Discretionary No Lease cross hatch.

Aspen Ridge is removed until the status of the BLM recommended Browns Creek Wilderness Study Area has been determined. The existing administrative boundary cannot be used as a logical Wilderness management boundary because it is arbitrary. It is reasonable to assume that the final boundary, if the area becomes Wilderness, would logically include some or all of those lands identified on Aspen Ridge. This would provide a Wilderness boundary that is consistent with wilderness management objectives and allows efficient management.

Major cultural resource sites that provide an opportunity to develop interpretive and educational experiences are removed until the Forest Plan Revision determines if they need special management. These sites include:

Boreas Pass DSP&P Railroad Grade	540 acres
Devil's Head Lookout	80 acres
Webster Park Scarred Tree Grove	320 acres
Midland Railroad Grade	560 acres
Clear Creek Historic District	3920 acres
Trout Creek Jasper Quarry	160 acres
Chalk Creek Historic District	5840 acres
Suckerville Springs	80 acres
Monarch Game Drive	320 acres
Mingus Ranch	80 acres
Cave Creek Caverns	160 acres
Marble Mountain Caves	480 acres

Research and Special Interest Areas are not available for leasing unless the individual management plan allows leasing. These areas are discretionarily removed from leasing until plans are complete, if those plans allow oil and gas development. They include:

Hurricane Canyon RNA	520 acres
Saddle Mountain RNA	480 acres
Hoosier Ridge RNA	695 acres
Windy Ridge Bristlecone Pine Area	150 acres
Queens Canyon Geologic Area	1130 acres
Mt Bross Botanical Area	105 acres
West Hoosier Ridge Bot. Area	54 acres
Iron Mountain Bot. Area	100 acres
Lost Lake Bot. Area	160 acres
Lost Park Bot. Area	160 acres
Spout Lake Bot. Area	120 acres
Droney Gulch Bot. Area	20 acres

Discussions relating to these lands can be found in the Public Involvement section of this ROD or FEIS Appendix A.

All other lands including, but not limited to, alpine areas, the WSAs released to multiple use management, the Lost Park road, and Tanner Peak shall be available for oil and gas leasing. This decision is consistent with current direction in the Forest Plan except for developed recreation sites. The Forest Plan calls for withdrawal but the FEIS analysis determined that a No Surface Occupancy stipulation will adequately protect the developed recreation resources and related experiences.

My decision is based on the FEIS analysis. Effects on the Mountains were determined based on analysis of the 4 BLM-identified RFD wells, the "worst case" Concentrated RFD, and 41 other representative wells. Anticipated activity on the Mountains is expected to be exploratory in nature which means that effects will be short term in nature. Site occupancy would occur for approximately 1 to 3 months during

exploratory drilling. Rehabilitation would commence once the exploratory well was abandoned.

These short term effects are projected to occur on only four sites within approximately 2.2 million acres over the next fifteen years. They are most likely to occur on the lands that are currently leased (see FEIS Appendices B and C) and are expected to directly affect less than 30 acres. Stipulations identified in Table 5 on pages 46 and 47 of this ROD will be applied on the Mountains as identified in the Stipulation Base Map and provide adequate protection to result in effects that are insignificant and acceptable. The analysis disclosed in the FEIS does not justify the removal of lands from availability.

(c) Cimarron

My decision is to adopt Alternative III for the Cimarron subunit. The Cimarron National Grassland shall remain available for oil and gas leasing except for the following areas where I am exercising my DNL authority:

Point of Rocks/Beaty Brothers Ranch Site	200 acres
Middle Springs Site	200 acres
Cimarron Research Natural Area	310 acres

Point of Rocks and Middle Springs are cultural resources with a high potential for educational development. Further analysis will occur during Forest Plan revision and these lands may become available depending on the management needs identified then. The Cimarron Research Area shall be formally withdrawn from leasing as identified in the Forest Plan.

The Cimarron River corridor and all other lands are available for leasing with application of the lease constraints identified on the Stipulation Base Map (ROD Appendix B).

The River will be restudied for eligibility as a Wild and Scenic River at the time of Forest Plan revision. A brief review of the suitability requirements indicate to me that the River, if it is eligible would be suitable only as a "recreation" segment. The existing uses of the corridor, including recreation, off-road vehicles (OHV) travel, and oil and gas development defines its character. Over 70% of the corridor is currently leased and those leases have been extended through production. It is doubtful that existing wells would dry up and leases expire during the fifteen year planning period. I do not feel that additional leasing would compromise its eligibility or suitability potential.

I have made these determinations based on the analysis disclosed in the FEIS. The Interdisciplinary Team (IDT) studied numerous existing wells and, based on work with the BLM, projected where future development would occur (see FEIS Appendix B). The analysis identified that 394 of the 100,000 acre Cimarron National Grassland would be further impacted by oil and gas development. Of that, 138 acres would be fully reclaimed before the end of the planning period. Stipulations applied would protect the riparian areas as well as other critical resources. The following supplemental stipulations displayed in Table 5 on pages 46 and 47 are applied on the Cimarron:

NSO	Cultural Resources
NSO	Recreation
NSO	Riparian/Water/Fisheries
CSU	Visuals
Lease Notices	Special Uses
	Research/Special Interest Areas
	Threatened and Endangered Species

The analysis disclosed that the only potentially significant effects of this decision is the depletion of the subsurface mineral resource.

(d) Comanche

My decision is to adopt Alternative III for the Comanche subunit. The Comanche National Grassland shall remain available for oil and gas leasing except for the following areas where I am exercising my DNL authority:

Proposed Vogel Canyon Hist. Dist.	680 acres
Proposed Picture Canyon Hist. Dist.	1840 acres
Campo Research Natural Area	35 acres
Carrizo Frasera Botanical Area	400 acres

Vogel and Picture Canyons are cultural resources with a high potential for educational development. Further analysis will occur during Forest Plan revision and these lands may become available depending on the management needs identified at that time. The Campo Research Area shall be formally withdrawn from leasing as identified in the Forest Plan. The Carrizo Frasera Area is removed until completion of the Area management plan determines compatibility of leasing with area objectives.

All other lands on the Comanche are available for leasing subject to the stipulations identified on the Stipulation Base Map (ROD Appendix B). Lease Notices also recognize the oil and gas leasing requirements of the Lesser Prairie Chicken Zoological Area and Southeastern Colorado Branch Experimental Station. The following supplemental stipulations displayed in Table 5 on pages 46 and 47 are applied on the Comanche:

NSO	Cultural Resources
NSO	Recreation
Timing	Wildlife Critical Winter Range/MIS
CSU	Visuals
Lease Notices	Special Uses
	Research/Special Interest Areas
	Threatened and Endangered Species

I have made these determinations based on the analysis disclosed in the FEIS. The Interdisciplinary Team (IDT) studied numerous existing wells and, based on work with the BLM, projected where future development would occur (see FEIS Appendix B). The analysis identified that 81 of the 350,000 acre Comanche National Grassland would be further impacted by oil and gas development. Of that, 37 acres would be fully reclaimed before the end of the planning period. Stipulations applied would protect the riparian areas as well as other critical surface resources and result in

insignificant and acceptable effects. The only possible significant impact could be to the subsurface oil and gas resource.

2. Forest Plan Amendment

My decision is to amend the Forest Plan to incorporate my leasing availability decisions. The amendment, in its entirety, can be found as ROD Appendix A, and will include:

- (a) Incorporating the lands legally unavailable for leasing as identified in the oil and gas regulations 228.102(b)(1).
- (b) Incorporating the Discretionary No Lease decisions into the Forest-wide Management Requirements through new management direction.
- (c) Incorporating the supplemental stipulations developed by the IDT into the Forest Plan. Existing stipulations described in the Forest-wide Management Requirements shall be replaced.
- (d) Incorporation of the Stipulation Base Map which displays the availability decisions.
- (e) Clarifying the consistency of oil and gas leasing with the management objectives in the following prescriptions:
 - 1A Developed Recreation
 - 1B2 Potential Ski Areas
 - 4D Aspen Management
 - 7B Wood Fiber - other products

This Forest Plan 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 FEIS. It is, by definition, a nonsignificant amendment.

3. Leasing Specific Lands Decisions and the Basis for Them

I am making the specific lands decision for all lands including those with outstanding (pending) lease applications, existing leases that expire within the planning period, split-estate lands where the surface is managed by the Forest Service, and all other available lands. Other available lands include those that, based on current technology, have unknown, low, and moderate mineral potential and in which industry has not indicated an interest.

Through this decision I am authorizing the BLM to advertise a specific lease parcel, upon Forest Service completion of validation monitoring (see Implementation section), on the lands described below. This decision is the commitment of federal resources to a lease based on the constraints applied in the Leasing Availability decision discussed earlier in this ROD. Upon completion of the validation monitoring to determine that the information disclosed in the Oil and Gas Leasing FEIS is accurate for the proposed parcel, the decision to authorize the BLM to offer the parcel will be transmitted. There shall be no authorization for offer of leases on any lands determined earlier to be administratively unavailable for leasing. The FEIS provides compliance with legal requirements because:

- The level of site-specificity in the FEIS is reasonable based on the information available throughout the specific land decision.
- This decision will not be implemented until validation monitoring is completed on each pending or proposed lease parcel.
- Ground disturbance will not be authorized until the APD stage of the 4-stage decision process is completed.

I am making the specific lands decisions based on analysis disclosed in the oil and gas FEIS.

(a) Mountains

I shall not make a leasing specific lands decision for the alpine areas at this time. If an alpine lease parcel is proposed it shall be individually analyzed to determine that a site can be occupied and rehabilitation objectives can be met. All alpine areas, which are currently legally available, have a restrictive Controlled Surface Use (CSU) stipulation applied to them. I believe that it will be extremely difficult for industry to develop an alpine lease parcel that can be occupied because of the topographical characteristics and constraints of the stipulation.

All other lands on the Mountains that are administratively available are approved for leasing subject to the completion of validation monitoring. Validation monitoring to be used in implementation is described in section IV of this ROD. The lands which I am authorizing for lease include Wilderness Study Areas released in 1980 to multiple-use management; the Lost Park road; riparian and wetland areas subject to the NSO stipulation; Tanner Peak because the BLM did not recommend that Lower Grape Creek WSA be designated Wilderness; and developed recreation sites protected with an NSO stipulation. I feel that the application of stipulations identified in the availability decision adequately protects the natural resources of the Mountain subunit.

I am approving lease of these lands, subject to the monitoring, because the level of development projected to occur on the Mountains is extremely low and the information provided in the FEIS that indicates activities on the Mountains will produce isolated, short-term effects to resources that can be adequately mitigated, is persuasive. Effects to recreation users will also be short-term and, to a large degree, mitigated. The disclosure on the Resource Base Quad Maps allow industry and the BLM to develop parcels that can be occupied and implemented consistently with the FEIS and this ROD.

This decision provides opportunities to industry that are consistent with those that have been available under Forest Plan direction. Exploration for resources that are currently critical to the economic security of the nation will continue while minimally impacting the natural resources and recreation opportunities on the National Forests.

(b) Cimarron

My decision is to approve for leasing all lands on the Cimarron that are administratively available. Authorization is subject to the completion of validation monitoring. The lands which I am authorizing for lease include, but are not limited to, the

Cimarron River corridor, sandy soils on the south side of the river, hardlands to the north, and areas along the Sante Fe Trail. The trail itself is protected through application of a No Surface Occupancy (NSO) stipulation. Critical wildlife habitats are protected by timing restrictions and T&E species and habitats identified by lease notices.

The Cimarron provides the greatest known opportunity to provide oil and gas resources on the Unit. It currently provides approximately \$2.0 million annually to the federal treasury. Successful management of the program is in evidence and shall continue. The lands are homogeneous in type and slopes with the inclusion of the Cimarron River system. Leasing activities have not compromised the multiple use activities that occur and are expected to develop on the Grassland.

(c) Comanche

My decision is to approve for leasing all lands on the Cimarron that are administratively available. Authorization is subject to the completion of validation monitoring. The lands which I am authorizing for lease include, but are not limited to, areas along the Sante Fe Trail. The trail itself is protected through application of a No Surface Occupancy (NSO) stipulation. Critical wildlife habitats are protected by timing restrictions and T&E species and habitats identified by lease notices.

The Comanche has had a moderate leasing program that is expected to continue. Successful management of the program is in evidence and shall continue. The lands are homogeneous in type and slopes with the inclusion of intermittent stream banks. Leasing activities do not compromise the multiple use activities that occur and are expected to develop on the Grassland.

C. ISSUES RELATED TO THE DECISIONS

1. Consultation with Others

Consultation with the **Bureau of Land Management** in Colorado and Oklahoma has been continuous through the development of the DEIS, FEIS, and ROD. Consultation with state and other federal agencies, organizations, and the public has been ongoing throughout the analysis process. How the FEIS responds to some of the comments by state and other federal agencies is briefly summarized as follows:

The U.S. Fish and Wildlife Service has been consulted as required by the Endangered Species Act (ESA). They concurred with the "no affect" determination for all species but the black-footed ferret.

The black-footed ferret is not known to exist on the Unit. The species is dependent on prairie dog populations for survival where it does exist. There are numerous prairie dog towns on the Grasslands which are currently being mapped. Existing information, including literature searches, prairie dog surveys, and ferret surveys have indicated that ferrets do not currently inhabit the Grasslands and may never have. In accordance with the ESA, the USFWS feels that the ferret should be analyzed including potential habitat (prairie dog towns) and possible reintroduction sites.

There has been no substantive assessment of the Grasslands for introduction or reintroduction at this time. There is a plague history among the prairie dog popula-

tions that limits sustained food supplies and may affect the possibilities of successful reintroduction.

The Forest Service will analyze well development proposals at the time an application for permit to drill (APD) is received. This analysis will include consultation with the USFWS any time that threatened or endangered species might be affected. I will commit to consultation if prairie dog towns are potentially affected as described in the USFWS January 24, 1992 letter to me until the opportunities for introduction or reintroduction have been determined. This will allow for use of new information regarding black-footed ferrets in future decisions.

The Governor of Kansas, through the Department of Wildlife and Parks, provided information on state listed Threatened or Endangered species which were incorporated in discussions in Chapter IV and Appendix A of the FEIS.

The Governor of Colorado, through the Department of Wildlife, requested that all critical wildlife habitats be protected with a No Surface Occupancy stipulation. Analysis in Chapter IV of the FEIS further discusses the potential effects of the alternatives on wildlife resources. The analysis indicated to me that an NSO stipulation could not be justified to protect habitat.

The U.S. Department of Interior was concerned about the possible impacts of leasing on the Great Sand Dunes National Monument, Florissant Fossil Beds National Monument, National Natural Landmarks, the South Platte River, and the Sante Fe Trail. The effects were more fully discussed in the FEIS and used in my decisions. There would be little or no effect on the Great Sand Dunes National Monument and the Florissant Fossil Beds National Monument because of alpine Controlled Surface Use and wilderness Discretionary No Lease. The Department also expressed a concern related to use of the Concentrated RFD which was used in the FEIS. Additional information on threatened or endangered species was also provided and incorporated.

The EPA was concerned about activities being authorized with this level of analysis and what the additional analysis requirements are. These were more fully explained in Chapter I of the FEIS and Section I of this ROD. The EPA was concerned about the effects of the action on ground water, stream/riparian systems, air quality, and wetlands and how cumulative effects would be assessed. The discussions in Chapter IV of the FEIS have been refined and expanded upon.

Input from other agencies was considered and incorporated where appropriate. The goals and objectives of some state and other federal agencies are considerably different than those of the Forest Service. The FEIS discloses information related to their concerns.

2. Substantive Public Comment and Deciding Officer Response

(a) Issue: Areas of Special Interest

We received comments on the DEIS indicating that areas of special interest to some respondents should be permanently off limits to oil and gas development. Such areas included a National Natural Landmark, roadless areas, proposed wilderness areas, rivers identified for wild and scenic study, and certain high use recreation areas.

While I recognize that many individuals and groups consider specific areas on the Unit as "special" to them and deserving of management restrictions they favor, my decisions relating to them must be based on broader considerations, not the least of which is our Forest Plan direction. They are summarized below.

National Natural Landmark

Public comments pertained to concerns about the effect of leasing in the area that includes the Spanish Peaks National Landmark. Our staff specialists considered this input and have advised me that for National Natural Landmarks, Forest Service Policy (FSM 2373.03) is to protect the natural features of the areas while managing the areas for uses that do not negatively impact the features of the landmark. This direction is consistent with the Memorandum of Agreement between the US Forest Service and the National Park Service regarding National Natural Landmarks.

After considering the concerns expressed, our Forest Plan and policy implications, I am persuaded that the application of Discretionary No Lease (DNL) or No Surface Occupancy (NSO) remains inappropriate and unnecessary for this area because oil and gas activities would not compromise the purposes for which the landmark was designated. Further, in my opinion, it would be inconsistent with Forest Service policy and unnecessary under terms of the Memorandum of Agreement with the National Park Service.

Instead of DNL or NSO, I have decided to apply the Controlled Surface Use (CSU) requirement to protect the landmark area. While this allows oil and gas development, it does protect the natural features of the area.

Roadless Areas

Some public comments stated that all roadless areas should be protected from oil and gas development, others asked the status of Aspen Ridge and Tanner Peak in RARE II. RARE II (Roadless Area Review and Evaluation) was the process used to inventory and evaluate the attributes of undeveloped areas and make recommendations to Congress on possible classification of these areas. Following the inventory process, the evaluation phase determined which areas would be recommended to Congress as suitable for wilderness designation. Lands not recommended as suitable for wilderness were released for multiple use management. Such was the case for Aspen Ridge and Tanner Peak, among many others. The discussion of BLM Wilderness Study Areas, below, talks more about Aspen Ridge.

After considering all points of view, I have decided that the DNL should not be applied to roadless areas because the lands were studied previously during RARE II and found not to be suitable for wilderness designation and subsequently were released to multiple use management. My decision is consistent with direction in our Forest Plan.

Wilderness Bills

We received comments indicating that lands included in wilderness bills S-1029 and HR-762 currently before Congress should be off limits to oil and gas development. Others did not support an approach which holds these lands in limbo while Congress continues the wilderness debate.

After considering the public's comments and in recognition of the widespread interest in the outcome in Congress, I find it only logical and appropriate to put these lands under a temporary DNL to provide protection while Congress debates passage of the referenced legislation, and that my decision will not unduly affect the leasing program since the potential for oil and gas is low on these lands. However, I feel it is necessary to place a time-frame on my decision. To that end, the DNL will apply until the end of the 2nd session of the 102nd Congress. However, if, at the conclusion of the 102nd Congress, the chairperson of the committees in either house with jurisdiction over the subject bills requests the DNL to be extended for a reasonable time, I will honor that request.

Bureau of Land Management Wilderness Study Areas (BLM WSAs)

We received some comments indicating that permanent protection should be extended to all roadless areas contiguous with BLM Wilderness Study Areas (WSAs). Other commenters were opposed to Discretionary No Lease (DNL) for National Forest lands adjacent to BLM WSAs.

Staff specialists considered this input and advised me that, in their judgement, jurisdictional boundaries along sections lines, rather than topographic features, are not logical for management purposes. The team, in consultation with BLM, identified logical management boundaries that would extend onto National Forest and recommended that I consider removing those lands from leasing with DNL.

BLM has considered the three BLM WSAs adjacent to the Unit and documented their findings in a FEIS. The analysis led to their recommendation of only Brown's Canyon for wilderness designation. Brown's Canyon is adjacent to an area of National Forest called Aspen Ridge.

After considering the public's input, advice from my staff, and the BLM'S "Canon City District Wilderness FEIS", I am persuaded to apply a DNL to the Aspen Ridge area. The DNL will remain in effect until the legislative process involving the Brown's Canyon WSA concludes. I've decided this because I agree that the best wilderness boundaries are based on topography, and my decision will not significantly impact the oil and gas program on the Unit due to Aspen Ridge's low mineral potential. I did not apply DNL to other lands adjacent to the remaining two BLM WSAs because the BLM, based on the analysis in their wilderness FEIS, does not recommend them for wilderness classification.

Wild and Scenic Rivers

Some of the comments we received argue that *all* stream corridors with any potential for designation under Wild & Scenic Rivers Act should be under Discretionary No Lease (DNL). Others opposed DNL for this purpose because they felt Congress' intent was clear that only those river segments which it had reviewed and identified to be considered by the managing agencies for potential addition to the system should be studied.

Staff specialists considered this input and reviewed what has happened to this point in time. They have advised me that the Nationwide Rivers Inventory (NRI) issued by the National Park Service (NPS) (1/82) listed Badger Creek, Cimarron River, and a segment of the South Platte as candidates for Wild & Scenic River determination. It is the NRI which determines the rivers to be considered in prepara-

tion of Forest Plans. The three streams were considered using 1970 guidelines, which were the guidelines applicable at the time. A segment of the South Platte was found eligible. The suitability analysis for that segment, which is required by the Forest Plan direction, has yet to be completed.

After considering public comments and other relative information, I can find no persuasive reason, justification, or authority to remove *all* stream corridors on the Unit. Those streams listed in the NRI (Badger Creek, South Platte River and the Cimarron River) will be restudied during the revision of our Forest Plan which will begin in 1984. Eligibility will be determined at the time using guidelines revised in 1982.

In the interim, I decided to discretionarily remove from leasing (DNL) Badger Creek and the South Platte River, and in addition, to place a No Surface Occupancy (NSO) restriction on a corridor one-quarter mile wide on both sides of those streams. I feel the NSO restriction is appropriate in order to adequately protect the site, user experience levels, and other resources along the stream corridors.

The reason I decided not to place the same restrictions on and along the Cimarron River is because over 70% of the Cimarron River corridor is currently under existing leases with development. The analysis of the management alternatives indicates to me that additional leasing will result in nonsignificant additional effects. That, and the application of the riparian No Surface Occupancy (NSO) stipulation on the Cimarron River persuades me that there is no need for removing the river corridor from leasing.

High Use Recreation Areas

We received comments on the DEIS indicating that areas such as the Lost Park Road corridor should be permanently exempted from oil and gas development to protect recreation and other resource values. Others indicated that the No Surface Occupancy (NSO) 1/4 mile buffer around developed recreation sites should be Discretionary No Lease (DNL) with at least a 1 mile buffer.

Staff specialists considered the public's opinions along with other information, and have advised me that mineral management along such features as the Lost Park Road corridor is in compliance with Forest Plan direction and that the stipulations identified in the FEIS will protect the recreational and visual qualities. The specialists also feel that the 1/4 mile NSO buffer around developed recreation sites adequately protects the sites and the current user experience levels.

After considering the public's comments and advice I've received from my staff, I am convinced that DNL is unnecessary along such features as the Lost Park Road corridor because managed mineral activities are consistent with Forest Plan direction and, in the event of leasing, adequate stipulations are available to protect the recreational values involved. I also believe that the staff's conclusion regarding the 1/4 mile buffer around developed recreation sites is sound. However, I have decided to accept the staff's suggestion that oil and gas activities, should they occur, be monitored and, if the reasons for establishing the 1/4 mile distance proves invalid, the width of the buffer may be adjusted based on additional NEPA analysis.

(b) Issue: Cultural Resources

Comments were received on the DEIS indicating an opinion that a Discretionary No Lease restriction for cultural resource areas is unwarranted because, by law, full protection of cultural resources is provided under Standard Lease Terms and Conditions.

Our Forest Archeologist has considered this opinion and advised me that, on the contrary, conflicts can arise between oil and gas development and preservation of significant cultural resources because Standard Lease Terms do not permit us to require well site relocation more than 200 meters, or to require that operations be sited off the leasehold, or to prohibit new surface-disturbing operations in excess of 60 days. The Forest Archeologist recommended that I place a Discretionary No Lease (DNL) on lands containing exceptional resources that merit consideration for site-specific management prescriptions in the Forest Plan revision.

While I understand our respondent's concern that unwarranted additional restrictions be avoided, I decided the DNL to be appropriate under these circumstances. The lands to which the DNL will be applied are cultural areas with significant educational and recreational values. In my judgement, the application of DNL in order to retain these values in their original state for interpretational purposes is warranted.

(c) Issue: Fish and Wildlife

We received comments on the DEIS indicating that fish and wildlife resources should be protected with a No Surface Occupancy (NSO) stipulation or Discretionary No Lease (DNL) because such designations are the only way direct and indirect impacts from exploration and development can be avoided. Comments also indicated that resources of special concern are critical habitats, and threatened and endangered (T&E) species, including lesser prairie chicken, Peregrine falcons, and Mexican spotted owls.

The staff specialists have considered this input and provided me with the following information which was used in my decision.

Critical Habitat

Critical habitat areas considered in the EIS were identified using the Colorado Division of Wildlife's "Wildlife Resources Information Systems" (WRIS) data base. The stipulations that were developed to protect critical habitats were prepared using the restrictions recommended in the narratives that accompany the WRIS data base. Based on the analysis done by our specialists, I conclude that those recommendations afford adequate habitat protection when used in conjunction with the applicable Forest Plan guidelines.

Fisheries Habitat

My review of the public's comments and those of our resource specialists lead me to concur that riparian, wetlands, and floodplain areas are best protected by applying a NSO stipulation. Since fishery resources fall within these areas, they, too, will also be protected appropriately by an NSO requirement.

Threatened and Endangered (T&E) Species

Public concern over the protection of T&E species is appropriate. Fortunately, Standard Lease Terms coupled with requirements of the Endangered Species Act provide for the protection of T&E species and their habitat. Lease Notices with maps of all known T&E species and habitat will be provided for each proposed parcel under authority of the Standard Lease Terms. Maps will be prepared for the three species discussed below as well as all other listed species. These notices will allow industry to propose ground-disturbing activities that will not affect species or habitat. We are committed to consulting with the US Fish and Wildlife Service (USFWS) in every phase of oil and gas operations. Additional analysis will occur at the time an Application for Permit to Drill, and proposed Surface Use Plan of Operations, is received. The USFWS is involved in all NEPA analysis when T&E species are involved. The process I've decided upon for authorizing BLM to lease a specific parcel allows for making unforeseen changes to assure full protection of T&E species. For those reasons, I do not feel any additional constraints or checks and balances on oil and gas operations are necessary.

I believe a few words are warranted about the three species mentioned specifically by some respondents.

Our Lesser Prairie Chicken Natural Area on the Comanche NG is protected by requirements in its "Articles of Designation". Sites used by the chicken have a seasonal closure during the nesting season. Many other areas used by prairie chickens are already under oil and gas leases. When oil and gas activity is likely, we coordinate activities with the Colorado Division of Wildlife to ensure that chicken habitat will not be detrimentally impacted.

Attempts were made to reintroduce Peregrine falcons in the Adobe Peak area in recent years but, because of owl and suspected eagle predation, the fledglings did not survive. No further reintroduction efforts are planned in the area.

We recently located a few pairs of Mexican spotted owls in the Wet Mountains. They are located in areas which are designated No Surface Occupancy.

(d) Issue: Alpine

We received comments on the DEIS requesting that there be no leasing in the areas which are at or above timberline to protect the fragile soils and vegetation as well as recreation opportunities.

Staff specialists considered this input and have advised me that the application of the Controlled Surface Use stipulation (Alpine) minimizes disturbance to fragile alpine vegetation and soils and facilitates timely rehabilitation of surface disturbances. Also, special lease requirements and conditions of approval provide opportunity for additional mitigation of any potential alpine disturbances.

I believe the above is probably an accurate assessment. After also considering the public's concerns, I will make alpine areas available for leasing but will not authorize leasing at this time. I decided to do this because the application of the CSU stipulation considerably limits the opportunity to occupy a site and provide protection of these fragile resources. The only way that I can ensure occupancy and

protection is through a case by case analysis at the time lease parcels are proposed.

(e) Issue: Representative Wells and Site-Specificity

Comments on the DEIS indicated that breaking the Forest up into "zones" to meet site-specificity requirements for NEPA does not consider all eco-zones found on the forest.

Our specialists considered this input and have advised me that the team analyzed the effects of oil and gas development on a broad array of representative environments found on the unit which represent all eco-zones found on the forest. The use of geographic zones and slope classes allowed for the best analysis of such a large area.

After reviewing the information and analysis methods developed for this EIS, I am confident that this analysis provides the best opportunity to meet the requirements and intent of the Oil and Gas Leasing Reform Act. All major ecosystem types have been analyzed for the effects of oil and gas leasing and development. I recognize that there are isolated areas of variation and uniqueness across the Unit. If oil and gas leasing is proposed on any lands with unique conditions the validation monitoring described in this ROD will identify them. Additional analysis will occur for those parcels prior to authorization or denial of lease offer and sale.

(f) Issue: Decisions - Availability and Specific Lands

Comments claim that the DEIS is flawed because we combined the "administratively available" and "leasing specific lands" decisions in the same document in violation of the oil and gas regulations. Comments also allege that the DEIS did not address any of the determinations that the "leasing specific lands" decision is supposed to encompass and that separate NEPA analysis is necessary to make that decision.

I have reviewed the regulations and concluded that there is nothing in them (36CFR Part 228.102) that prohibits combining the "administratively available" and "leasing specific lands" decisions in the same document. In point of fact, documenting both decisions in one document such as this ROD is Forest Service policy (FSM 2822.92).

My review of the analysis that was conducted for representative wells within each geographic zone, in my judgement, adequately addresses the determinations required by the regulations for making the "leasing specific lands decision" required by those regulations.

(g) Issue: Concentrated RFD (Reasonably Foreseeable Development)

We received comments alleging that the Concentrated RFD analysis scenario overstates the impacts likely from foreseeable oil and gas development and potentially diverts analysis from the more likely BLM RFD scenario. Other commenters indicated that the concentrated RFD does not enable sufficient site-specific analysis that complies with NEPA.

The ID team has considered this input and explained to me that the effects of Concentrated RFD were used only for analysis comparison purposes. The range of

effects between the BLM RFD and Concentrated RFD allow us to consider the uncertainty of actual well development locations. While I can understand why this might seem like over-kill to some commenters, it must be remembered that actual well locations proposed at the time of APD are likely to be quite different than predicted in the BLM RFD. To analyze site-specific effects it was necessary to select an array of hypothetical well sites. Our staff feels that the concentrated RFD we used gives sufficient site-specific analysis that complies with NEPA because the wells were clustered on the most sensitive lands found on the Forests, thus presenting a worst case scenario. The more probable BLM RFD effects are used in the cumulative effects analysis.

After considering the public's comments and reviewing our analysis process and the reasons for it, I am confident that, while it may overstate what is likely to occur, the concentrated RFD provides what's necessary to do an adequate site-specific analysis because it provides a worst case scenario. Although not required by NEPA, the concentrated RFD scenario allowed us to look at a range of effects between the more likely RFD and the unlikely concentrated RFD. That enabled us to do the necessary site-specific analysis required by NEPA.

D. COMPLIANCE WITH LEGAL REQUIREMENTS

1. Oil and Gas Leasing Regulations

I have determined that discussions in the main body of the FEIS, its maps and appendices fully comply with the requirements of the regulations. FEIS Table I-2 identifies the locations of information disclosed to meet the requirements of the oil and gas leasing regulations. Critical discussions include:

The development of RFD is described in Appendix B, its application based on alternatives is disclosed in Chapter II, and effects, based on RFD, is discussed in Chapter IV.

Alternative management scenarios are described and mapped in Chapter II.

Maps in Appendices D and E meet the requirements to identify lands that will be open to leasing and the constraints that will be applied based on alternative.

Compliance with the regulation on Leasing Specific Lands regarding the allowance of operations somewhere on each lease, except No Surface Occupancy leases, will occur during the validation monitoring discussed in this ROD.

2. National Environmental Policy Act

I have determined that the disclosure of the FEIS is adequate to meet the requirements of site-specificity. The following factors support the adequacy of site-specificity in the FEIS, and validate the exercise of discretion to combine, in one EIS, the analysis for Leasing Availability and Leasing Specific Lands decisions on two National Forests and two Grasslands.

- (a) Having made the decision to authorize the issuance of a lease I do not know whether the lease will be issued. And, if it is issued, whether, when, or where any well would be drilled on the lease. This is the nature of the oil and gas business.

- (b) NEPA documents are expensive to prepare and, in this circumstance, individual documents would provide no more benefit than a single EIS.
- (c) Lease stipulations are mitigation measures identified during the availability analysis based on the effects of a typical well on known affected resources. If warranted, stipulations in addition to Standard Lease Terms are required.
- (d) There are no ground-disturbing activities resulting directly from the Leasing Availability and Leasing Specific Lands decisions, accordingly, no direct environmental effects.
- (e) There are three stages in the leasing process which are irreversible, irretrievable commitments of resources. They are Leasing Specific Lands, APD, and field development stages. This FEIS has a level of detail or "site-specificity" commensurate with the limited rights granted in a federal oil and gas lease based on the Specific Lands Decision.
- (f) No specific lease proposal will result in lease issuance until after validation monitoring has been completed. If on-the-ground validation monitoring shows that any of the findings required by the Forest Service oil and gas regulations are inaccurate, or that the FEIS is inadequate, a new NEPA process will be conducted on the particular lease parcel in question.
- (g) The first time there is a specific proposal and site for ground disturbance is when an application for permit to drill and a proposed surface use plan of operations is filed by the lessee. Ground-disturbing activities may be authorized only:
 - (1) after additional site-specific NEPA
 - (2) after approval of the APD and SUPO
 - (3) Subject to the lease stipulations applied based on this ROD.
- (h) Forest Service regulations provide for denial of permission to drill or amendment of an approved SUPO.
- (i) In view of the foregoing there is no need to include additional detail in the FEIS. Such detail could only be estimated in light of the speculative nature of the oil and gas business.

III. BACKGROUND AND BASIS FOR THE DECISIONS

A. LEGAL CONTEXT IN WHICH DECISIONS ARE MADE

1. Prior to the 1987 Leasing Reform Act

The Secretary of the Interior, through the Bureau of Land Management, was responsible for authorizing the sale of leases for all available federal lands, including the lands of the National Forest System. Individuals or firms wishing to lease parcels of the National Forests or Grasslands would make a "Request For Lease" for a specific parcel of land to the BLM. The BLM would then ask the Forest Service to make a recommendation regarding sale of the lease. Officers of the Forest Service would determine the stipulations necessary to protect the resources but only the Secretary of the Interior

possessed the authority to apply stipulations to a lease. The final decision was appealable to the BLM.

2. After the 1987 Leasing Reform Act

The Reform Act made two significant changes in the way leasing decisions are reached. First, it expanded the role of the Secretary of Agriculture in the leasing decision process. The Secretary's officer now identifies the NFS lands on which leases can be sold and determines the stipulations to be applied to each lease.

Second, the Reform Act established a staged decision process for sale of a lease and approval of a permit to drill and operate. That is, before a firm can drill an exploratory well or extract oil or gas from National Forest System lands, the Forest Service must authorize sale of a specific lease (the preliminary decision), and then approve or disapprove a detailed Surface Use Plan of Operation at the time of an application for permit to drill (the substantive decision). The 10th Circuit Court in *Park County Resource Council v. United States Department of Agriculture*, 817 F.2d 609 (1987) and the U.S. Supreme Court in *Robertson v. Methow Valley Citizens Council*, 104 L.Ed.2d 351 (1989), upheld the use of more than one stage of NEPA compliance.

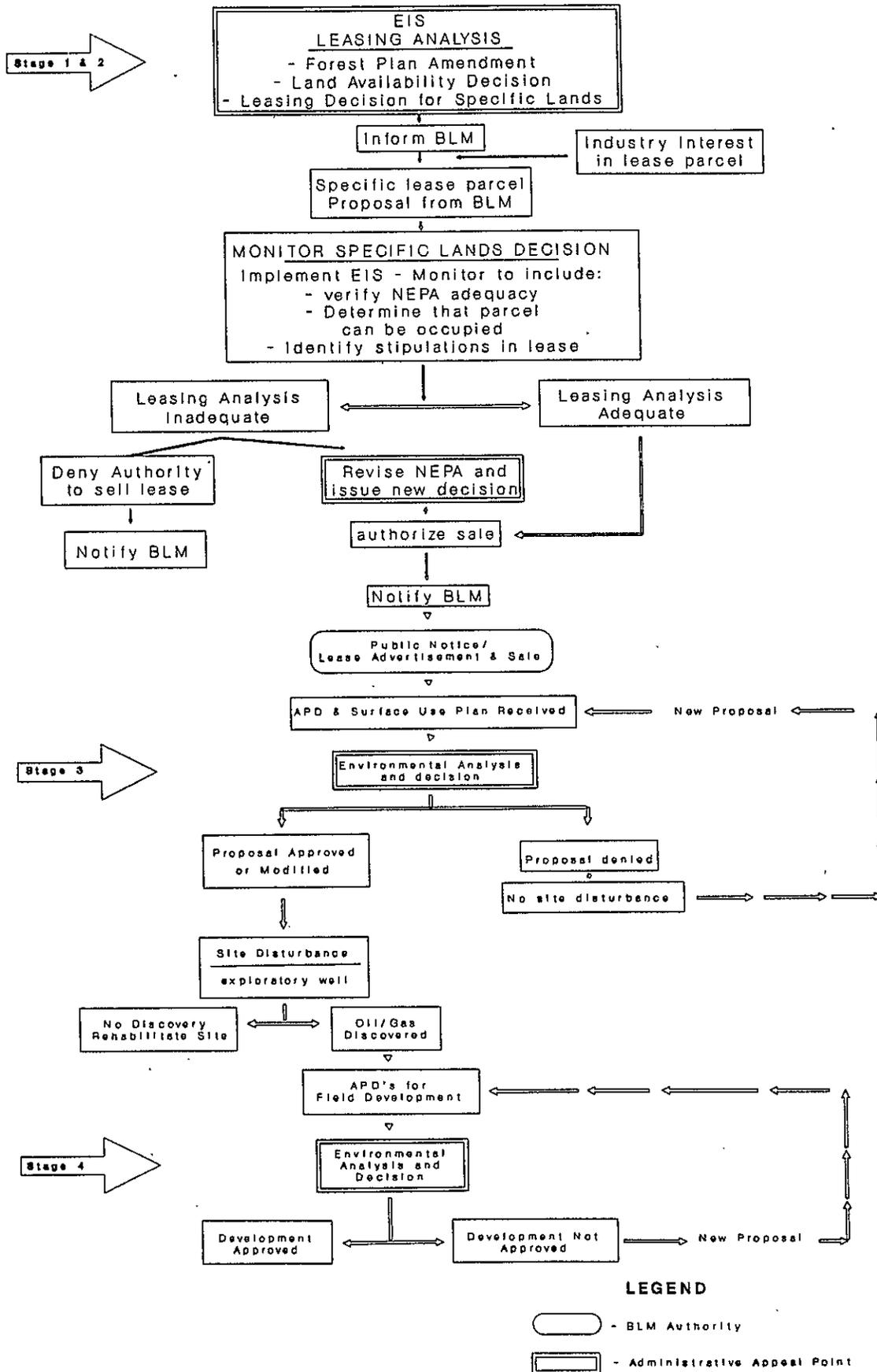
The legally required, staged decision process is designed to accommodate the speculative nature of oil and gas exploration and development. Exploration for oil and gas resources is costly and speculative requiring long-term planning by many loosely associated, mutually-dependent industries. As documented in Chapter I of the FEIS, many lands will never be leased, a small percentage of leases will have exploratory wells drilled on them, and only about 15 percent of exploratory wells drilled in the United States result in a paying discovery of oil or gas.

Lessees must select the optimum combination of geologic characteristics, technology, capital, available equipment, and market conditions to commit to risk a drilling operation. As a result, federal land leases are bought, relinquished, expire, and may be bought and sold again many times without ever being drilled upon. The major distinction between oil and gas leasing and other activities authorized by the Forest Service is the uncertainty of development after the permit is issued.

The Forest Service must ensure that future activities will neither unduly harm the environment nor unduly interfere with other uses of these public lands. The regulatory framework created to implement the Reform Act includes staged permitting of oil and gas exploration and development. Those stages include public disclosure at the following decision points: (1) determination of lands available for leasing, (2) decision to lease specific lands, (3) approval or denial of an Application for Permit to Drill (APD), and (4) approval or denial of a field development proposal. These stages are displayed in Figure 2.

Analysis documented in the FEIS supports the first two decision points only. Additional site-specific NEPA will be completed prior to stages 3 and 4. The staged process is designed to minimize the risk of undisclosed irreversible or irrevocable environmental impacts. Each decision is based on environmental analysis and is administratively appealable. Descriptions of stages 3 and 4 and Figure 2 have been adjusted since the FEIS to better reflect the leasing process that will be used. The stages include:

**Figure 2
Leasing Flow Chart**



(a) Stage One, Lands Available for Leasing

36 CFR 228.102(d) - Area or Forest-wide Leasing Decisions (Lands Administratively Available for Leasing)

The decision to make lands available for leasing is based on disclosure provided in a "Leasing Analysis" (228.102(c)). The Leasing Analysis is a "programmatic" rather than a "site-specific" or "project" level activity. The programmatic decision will identify which, if any, lands will be available for leasing and the constraints that will be applied on those available lands. Constraints may include the limitation of rights by Standard Lease Terms or application of one or more supplemental stipulations. The Forest Plan will be amended at the same time so that it is consistent with the decisions made in this ROD on the basis of the FEIS. No rights are granted by the government to other parties when the Leasing Availability Decision is made.

The determination of lands that will be administratively available, and subsequent decision authorizing leases, are based upon analysis of the environmental effects of actions connected to leasing. Those projected effects are based on reasonably foreseeable development, as defined by the regulations.

Since there is no actual lease or drilling site at the leasing analysis or specific lands stages the regulations require the Forest Service to *"project the type/amount of post-leasing activity that is reasonably foreseeable as a consequence of conducting a leasing program consistent with that described in the proposal and for each alternative and analyze the reasonable foreseeable impacts of post-leasing activity"* as a part of the analysis. This projected activity called reasonably foreseeable development, or RFD, generates the social and environmental effects that are disclosed.

(b) Stage Two, Leasing Decisions for Specific Lands

36 CFR 228.102(e) Leasing Decisions for Specific Lands

The Leasing Reform Act requires that the Forest Service authorize the BLM to offer oil and gas leases on specific lands. The regulations implementing the Leasing Reform Act require the following before authorization can be given for one or more leases to be issued by the Bureau of Land Management:

Verifying that oil and gas leasing on the specific lands has been adequately addressed in a NEPA document, and is consistent with the Forest Land and Resource Management Plan.

Ensuring that conditions of surface occupancy identified in section 228.102(c)(1) are properly included as stipulations in resulting leases.

Determining that operations and development could be allowed somewhere on each proposed lease, except where stipulations will prohibit all surface occupancy.

The Forest Service has decided to administratively combine the analysis for Leasing Availability and Leasing Specific Lands into one EIS. Both decisions will be documented in a single Record of Decision. The Forest Service will implement the decisions to authorize the BLM to advertise sale of a lease after validation monitoring of the proposed parcel.

When this combined Record of Decision for the availability and specific lands decision is signed, there is no authority granted to the BLM to advertise any lease. Under the terms of the interagency agreement signed by the Chief of the Forest Service and Director of BLM the BLM will work with industry to provide specific lease proposals to the Forest Service. After the lease proposal has been received and reviewed by the Forest Service, the Forest Supervisor may authorize the BLM to lease the specific parcel. Validation monitoring is the process that will be used to review a lease proposal and is described in section IV of this ROD. Any supplemental stipulations, beyond those required by the Standard Lease Terms, must be attached to the lease at the time it is advertised. Once the lease has been sold the right to apply for permission to drill is granted to the lessee.

(c) Stage Three, Application for Permit to Drill

36 CFR 228.107 Review of Surface Use Plan of Operations

After purchase, a lessee may propose to develop the lease and will request approval of an Application for Permit to Drill (APD) and attached Surface Use Plan of Operations (SUPO). That proposal, generally for exploration, will be analyzed in a future site-specific NEPA document and an appealable decision to approve, modify, or deny the proposal will be made. If the proposal is approved, ground-disturbing activities may occur. If not approved, the lessee may make another proposal which will be subject to the same analysis. Any changes or modifications to the proposal shall also be analyzed.

(d) Stage Four, APDs to Develop a Field

36 CFR 228.106(d) Supplemental Plans

If oil or gas resources are found through exploratory activities it may be determined to be a significant discovery of oil or gas resources. If the lessee wishes drill a number of development wells to extract the resource they will be required to provide a development plan. That plan will include anticipated development such as the number of wells to be drilled, location of roads, pipelines, tank batteries and other facilities. The Forest Service will analyze the plan and approve, modify, or deny it in a decision document. If not approved, the lessee may make another proposal which will be subject to the same analysis.

In summary, there are as many as four decisions made in the process from the determination of lands administratively available decision through final development of an oil or gas field. The availability decision will determine which, if any, lands will be identified as available for leasing. The Forest Plan will be amended so that it will be consistent with the decision made on the basis of the FEIS and requirements of the 1987 Reform Act. A Leasing Specific Lands decision will be made, as described above, to authorize offer of a lease parcel for sale. Neither of these two decisions authorizes ground-disturbing activities. At a later time, a lessee may file an application for permit to drill (APD) an exploratory well. The APD and surface use plan of operations (SUPO),

as well as future development plans, will be analyzed using the NEPA process and decisions will be made whether to grant or deny the proposal and proposed modifications. All development, including that of a discovery, will be consistent with the decisions made as a result of the analyses.

When the Forest Service makes a specific lands decision to authorize the issuance of an oil and gas lease, the lease may or may not be sold and issued. If a lease is issued, an APD may or may not be proposed. If an APD is proposed, the APD may or may not be approved. If the proposal is approved, it may or may not be economically feasible to develop and produce oil or gas. These activities are different than others authorized by the Forest Service that are reasonably certain to proceed to development.

3. BLM Regulations Implementing the Oil and Gas Reform Act

The 1987 Federal Onshore Oil and Gas Leasing Reform Act also resulted in a number of changes related to BLM regulations regarding issuance of leases (43 CFR 3101). Key regulations applicable to the decisions being made include:

43 CFR 3101.7-1 General Requirements

National Forest system lands, whether acquired or reserved from the public domain, are not to be leased over the objection of the Forest Service. In addition, acquired lands are to be leased only with the consent of the Forest Service. Both acquired and reserved lands are found within the Unit.

43 CFR 3101.7-2 Action by the Bureau of Land Management

Where the Forest Service authorizes leasing of National Forest System lands with required stipulations, the BLM must incorporate the stipulations into any lease which it may issue and may add additional stipulations. The BLM cannot issue a lease where the Forest Service objects to leasing or withholds consent.

4. Pike and San Isabel National Forests, Cimarron and Comanche National Grasslands (Unit) Forest Plan

The Forest Plan FEIS and Record of Decision (ROD) were approved on October 24, 1984. This long-range land and resource management plan provides integrated guidance for all natural resource management activities as required by the National Forest Management Act of 1976. The Forest Plan decisions were based on the analysis and alternative selection in the Final Environmental Impact Statement. The Forest Plan established goals and management direction for the entire Unit. The Oil and Gas Leasing FEIS tiers to the analysis documented in the Forest Plan FEIS regarding Lands Administratively Available for Leasing. It tiers directly (40 CFR Parts 1502.20 and 1508.28) to Chapters I, III, IV and VI and Appendices C, F, H, J and K of the Forest Plan FEIS. Copies of the Forest Plan FEIS are available for review in the Forest Supervisor's Office, at all Ranger District Offices on the Unit, and in the Regional Forester's Office, Denver, Colorado. At the time the Forest Plan was developed, the implementing regulations for the Federal Onshore Oil and Gas Leasing Reform Act were not available (36 CFR 228). The Forest Plan ROD did identify the management areas where oil and gas leasing were consistent with other resource objectives. The Oil and Gas Leasing FEIS reconsidered the availability decisions in the Forest Plan and provides the analysis needed to make specific leasing decisions.

(a) Forest-wide Goals, Objectives and Standards

Forest-wide goals, objectives, and management standards are detailed in the Forest Plan (pgs. III-3-241). Forest General Direction that relates specifically to oil and gas leasing is found on pages III-54-61 and discusses availability and restrictions that may be applied to lease rights.

The goal of minerals management on the Unit (Forest Plan page III-5) is to "encourage mineral exploration, development, and extraction consistent with management of surface resources." The Unit is host to energy resources and strategic minerals and is responding to demand by making these products available for development. The Forest Plan recognizes that extraction of these mineral resources is important to the national public interest. The Forest Plan also recognizes that recreation, wildlife habitat, and other resources are important. Measures will be taken to minimize adverse impacts from mineral extraction to these values. In some cases, areas may not be available for oil and gas development.

(b) Management Area Goals and Standards

Forest Plan Management Areas are geographic subunits with common management goals. The Forest Plan identifies 21 different Management Areas, each with specific management direction including standards and guidelines. All of the Management Areas are mapped in the Forest Plan and are described in Chapter III (pgs. 86-242).

Both the Forest Plan and the Forest Plan EIS are incorporated into this document by reference. Some standards and guidelines are being amended as a result of the analysis documented in the FEIS. Current direction provides for monitoring through use of a BLM-provided checklist prior to authorizing specific lands for oil and gas leasing. A new process has been developed monitoring that decision. Areas currently identified in the Forest Plan for protection by a No Surface Occupancy (NSO) stipulation are:

- (1) Slopes steeper than 60 percent.
- (2) High erosion hazard rating.
- (3) High geologic hazard rating.
- (4) Low visual absorption capacity that prevents reclamation to the established visual quality objective.
- (5) A conclusion that the action will jeopardize the survival or recovery of federally listed threatened or endangered wildlife or plant species.
- (6) Intrusion on the critical or essential habitat of a federally listed T&E wildlife or plant species or upon the plant or animal itself.
- (7) Intrusion upon the habitat of an individual plant or animal species listed by a State as threatened or endangered.

(c) Relationship of the Forest Plan to Decisions in This ROD

The ROD for the Forest Plan and the alternative selected in this ROD are not in total agreement. The enclosed Amendment, number 13, will bring the Forest Plan into agreement with the decisions made in this ROD based on analysis done as a part of the FEIS.

The Forest Plan ROD identified all lands, excluding those in existing or proposed wilderness areas as available for consideration for oil and gas leasing unless determined unavailable after further analysis. The decisions in this ROD identify areas that are NOT administratively available for oil and gas leasing at this time. Standards and guidelines in the Forest Plan are consistent with this ROD except for those being changed by the Amendment.

B. OIL AND GAS LEASING

The BLM is responsible for issuing oil and gas leases on federal lands and on private lands for which the federal government has mineral rights.

Competitive and noncompetitive leases may be obtained to allow for oil and gas exploration and development on lands owned or controlled by the federal government. The Federal Onshore Oil and Gas Leasing Reform Act of 1987 requires all public lands available for oil and gas leasing be offered first by competitive leasing at an oral auction. Noncompetitive oil and gas leases may be issued only after no competitive bids have been received. Competitive leases are issued for a period of 5 years, while noncompetitive leases are issued for a 10-year period. Both types of leases continue for the period oil and gas are produced in paying quantities. The maximum size of a competitive lease is 2,560 acres, a noncompetitive lease is 10,240 acres.

1. Competitive Leasing Process

The BLM advertises and conducts oral auctions to sell oil and gas leases. Auctions generally occur on a quarterly basis when there are available parcels of land. A Notice of Competitive Lease Sale is the advertisement tool. It is posted at least 45 days before the date of the auction. The Sale Notice identifies any lease stipulations or restrictions on surface occupancy.

There are three ways federal lands may be identified for lease:

- (a) Leases that expire, terminate, get canceled, or are relinquished.
- (b) Informal expressions of interest from potential lessees or the Bureau of Land Management (for management reasons).
- (c) Lands filed for noncompetitive leases (effective January 3, 1989).

On the day of the auction, successful bidders must submit a properly executed lease bid form, which constitutes a legally-binding offer, and make the following payments:

- (a) A share of the sale costs (\$75 per lease),
- (b) One year advance rental (\$1.50 per acre), and
- (c) Not less than the \$2-per-acre minimum bonus. The balance of the bonus bid must be received within 10 working days of the auction.

2. Noncompetitive Leasing Process

Noncompetitive leases may be issued only for parcels that failed to receive a competitive bid. Lands in expired, terminated, canceled, or relinquished leases are not available for non-competitive leasing until they have been offered competitively. After an auction, all lands that were offered competitively without receiving a bid are available for issuance of noncompetitive leases for a period of 2 years.

Offers must be submitted on a BLM-approved form, and they must include the following payments:

- (a) \$75 nonrefundable filing fee, and
- (b) One year advance rental (\$1.50 per acre).

3. Lease Restrictions

A lease does not convey an unlimited right to explore or an unlimited right to develop oil or gas resources found under the land. Leases are subject to terms and conditions derived from statutes and regulations. Additional measures to minimize adverse impacts to resources are generally characterized in a lease as stipulations and modify the rights the government grants to a lessee. The stipulations are known by potential lessees prior to any sale and are applied to drilling proposals. A detailed discussion of stipulations is in Appendix A of the FEIS.

(a) Standard Lease Terms and Conditions

The Standard Lease Terms are contained in Form 3100-11 (U.S. Department of Interior, Bureau of Land Management, June 1988), Offer to Lease and Lease for Oil and Gas. Under the Standard Lease Terms, the lessee has the right to use as much of the leased lands as is necessary to explore for, extract, remove, and dispose of oil and gas deposits underlying the leased lands. These rights are subject to restrictions derived from specific, nondiscretionary statutes (such as the Clean Air Act), and reasonable measures that may be required to minimize adverse impacts to other resource values, land uses or users. Such reasonable measures include, but are not limited to, modification to siting or design of facilities, timing of operations, and specification of interim and final reclamation measures.

Under the Standard Lease Terms, the lessee is required to conduct operations in a manner that minimizes adverse impacts to the land, air, water, cultural, biological, visual, other resources, and other land uses or users. The lessee is required to complete inventories or short-term special studies in accordance with Standard Lease Terms to determine the extent of potential impacts to resources. If threatened or endangered species, objects of historic or scientific interest, or substantial unanticipated environmental effects are encountered at any time the lessee/operator must immediately contact the Forest Service. The lessee will not conduct any operations that would result in the destruction of such species or objects.

(b) Supplemental Stipulations

The Standard Lease Terms can be modified by supplemental stipulations attached to a lease. These additional stipulations are developed to meet resource concerns that cannot be mitigated by available lease terms. All stipulations which are applied in this decision are included in the Forest Plan Amendment found as ROD Appendix A and result in modification to existing region-wide stipulations. These supplemental stipulations were developed and applied to fairly large land areas displayed on the Stipulation Base Map (ROD Appendix B). Resource Base Quad Maps provide the most specific resource information mapped for the analysis. Exceptions exist within these mapped areas and are detailed on each individual stipulation.

C. SCOPE OF THE EIS

1. Geographic Scope

(a) Availability Decision

The geographic scope of the FEIS analysis area for determination of lands Administratively Available for leasing is identified by the boundaries in Figure 1 of the FEIS and this ROD.

Lands in southeastern Colorado and southwestern Kansas were made part of the San Isabel National Forest in 1954 and named Comanche National Grassland and Cimarron National Grassland in 1960. The Pike and San Isabel National Forests were administratively combined in 1973. The Forests and Grasslands combined (the Unit) include 2,752,378 acres of National Forest System land. Split-estate lands, those for which the federal government holds the mineral rights but has no surface ownership, are included in the EIS and constitute 107,973 acres. These lands are located within or adjacent to the National Forest System boundaries. The Unit is characterized by a large amount of intermingled land ownership with private individuals, corporations, and the State of Colorado as adjacent owners. The Bureau of Land Management manages adjacent federal lands.

The current Forest Plan makes the majority of lands on the Unit available for oil and gas leasing using Standard Lease Terms without the identification of stipulations or any site-specific analysis. Slopes over 60% with high geologic hazard ratings, watersheds with extreme sedimentation problems, and areas where threatened or endangered species are affected have special management requirements.

There are 550,872 acres included within the EIS analysis area that have been legally or administratively excluded from the leasing analysis. Table 1 identifies those lands.

(b) Leasing Decision for Specific Lands

The geographic scope of the specific lands analysis is also identified by the boundaries in Figure 1. Decisions regarding leasing specific lands is made in section II for all lands that are found to be administratively available. This includes all National Forest System lands and split-estate lands with federal minerals regardless of their current lease status. Lands currently unleased, leased and held by production, leased but not held by production are included.

Table 1
Lands Excluded From Analysis

Designation	Acres
NFS Lands with Non-federal Minerals	134,014
Designated Wilderness: Collegiate Peaks	82,248
Mt. Massive	27,980
Lost Creek	105,090
Mt. Evans	34,127
Holy Cross	9,489
Wilderness Study Areas: Buffalo Peaks	36,060
Sangre de Cristo	61,657
Greenhorn Mtn.	22,300
Special Areas: U.S. Air Force Academy	8,858
Manitou Municipal Watershed	4,722
Colo. Springs Watershed	9,514
Manitou Experimental Forest	14,812
TOTAL ACRES EXCLUDED FROM ANALYSIS	550,872

2. Land and Mineral Ownership Within the Study Area

There are two general categories of ownership pertinent to the discussion of oil and gas leasing within the EIS study area: surface ownership and mineral rights ownership. Because mineral rights are not necessarily tied to the surface ownership, another layer of mineral ownership patterns underlies the surface ownership.

The intersection of the two ownership layers results in numerous possible ownership combinations, which are generalized into four major categories for purposes of the FEIS:

- Federal surface - federal minerals
- Nonfederal surface - federal minerals
- Federal surface - nonfederal minerals
- Nonfederal surface - nonfederal minerals

Each category represents a different level of federal management authority over oil and gas leasing.

Federal surface - federal minerals lands are administered by the Forest Service where the subsurface mineral estate is federally owned. In this case the federal agencies have maximum control of both the surface and subsurface and can define the terms of oil and gas exploration and development. Any lease will contain stipula-

tions in accordance with federal regulations and Forest Service management direction, such as the Forest Plan.

Nonfederal surface - federal minerals represents what is termed a split estate, that is, where the surface and mineral rights are owned by different parties. For split estates with nonfederal surface and federal minerals, the BLM has the responsibility for enforcing mineral leasing policies and regulations. Each lease may contain special stipulations in accordance with federal regulations and based on the Forest Plan. The lessee must agree to comply with the lease stipulations prior to the issuance of the lease. The landowners rights are not directly affected by the requirements placed upon the lessee. Prior to entering upon the nonfederal surface, the lessee must attempt to reach an agreement with the private surface owner as to the requirements for the protection of surface resources and reclamation of disturbed areas and/or damage payments in lieu of surface protection and reclamation measures.

Federal surface - nonfederal minerals is another type of split estate, and can result in oil and gas development over which the federal government has limited control. The federal government, by law, must grant reasonable access and allow development of private minerals. The subsurface estate is the dominant estate. Prior to entering upon the federal surface, the lessee should attempt to reach an agreement with the surface owner as to the requirements for the protection of surface resources and reclamation of disturbed areas and/or damage payments in lieu of surface protection and reclamation measures. Stipulations in accordance with federal regulations and guidelines, such as the Forest Plan, that apply to the federal surface are considered in determining reasonable access. In most instances, negotiations between the Forest Service and the nonfederal holders of the mineral rights can mitigate many of the adverse environmental effects associated with oil and gas exploration and development.

Nonfederal surface - nonfederal mineral rights are not limited by Forest Service or BLM policies and guidelines. They must, however, comply with other applicable federal, state, and local laws.

3. Present Leasing Status of the Lands Involved

Of the total **2,752,378** National Forest System (NFS) acres within the EIS analysis area, **134,014** acres are underlain by nonfederal minerals and are not affected by the FEIS and ROD. Of the **2,618,364** acres of federal minerals, **416,858** are legally or administratively unavailable resulting in **2,201,506** acres legally available for leasing. Of those, **260,397** are currently leased and will be subject to the requirements of this decision only upon expiration of the existing leases. There are currently **1,911,109** acres of unleased NFS land subject immediately to the ROD (see Table 2).

There are **107,973** acres of split-estate lands with federal minerals. Of that **6,529** acres are currently leased leaving **101,444** acres unleased and subject immediately to the ROD.

The federal government does not have the authority to impose new or more restrictive stipulations on existing leases. Stipulations identified in the Unit FEIS or in the Forest Plan can only be imposed when new leases are issued. Resource guidelines and stipulations identified in this ROD will be incorporated into new leases when the lease package is prepared.

When an oil and gas well on a lease is producing in "paying" amounts the lease is automatically extended, or "held by production." Adjacent lessees may enter into agreements that communitize leases. All leases under agreement with a paying lease are "held by production." Leases are "held by production" until they fail to produce at a "paying" rate, as determined by the BLM.

**Table 2
Leasing Status**

Land and Status	Acres
NFS Acres being Analyzed within Unit	2,201,506
Private Surface Split-Estate	107,973
TOTAL Lands being Analyzed	2,309,479
NFS Acres Currently Leased	290,397
Split-Estate Acres Currently Leased Federal Minerals/Private Land	6,529
Total Acres Analyzed that are Currently Leased	296,926
NFS Acres Unleased	1,911,109
Split-Estate Acres Unleased	101,444
Total Unleased Acres	2,012,553

4. Administrative Scope

The analysis in the FEIS includes all of the federal mineral estate, both unleased and leased, in the EIS study area. It is anticipated that up to 108 leases NOT held by production representing about 188,528 acres will expire and become available within the next 5 years. Very little mineral estate leased and held by production is expected to become available over the next 5 years. The BLM expects that many of the wells forecast by the Reasonably Foreseeable Development (RFD) (FEIS Appendix B) will occur on leased lands held by production. New producing wells will continue to hold these leases until production ceases.

D. SCOPE OF THE ENVIRONMENTAL ANALYSIS

The analysis process is more fully discussed starting on page I-26 of the FEIS and supports decisions on availability as well as the leasing of specific lands.

Forest Service regulations 36 CFR 228.102(c)(2), (3) and (4) direct the Forest Service to:
 "(2) Identify alternatives to the areas listed in paragraph (c)(1) of this section, including that

of not allowing leasing, (3) Project the type/amount of post-leasing activity that is reasonably foreseeable as a consequence of conducting a leasing program consistent with that described in the proposal and for each alternative, (4) Analyze the reasonable foreseeable impacts of post-leasing activity projected under paragraph (c)(3) of this section."

The analysis that is documented in the FEIS is complex and relates to both availability and specific lands decisions which are the first two of the four staged decisions discussed in section C.2. of this ROD. Several parts of the FEIS address the various requirements of NEPA for both decisions. Included among these are affected environment, projected action, projected effects, and mitigation.

Required discussions for the availability and specific lands decisions are often combined in this document. Reasons for doing this include the following: 1) The Forest Service has no information about specific well hole locations or other ground-disturbing activities at the time of either decision, whether they are made together or separately, in several environmental analyses or a single analysis; 2) The same level of resource information is known about the lands that are being analyzed for both decisions; 3) Both decisions are made knowing the location of, and development that has occurred on, existing leases. This includes the activities associated with typical drilling operations, the effects of those activities on particular resources, and the effectiveness of various mitigation measures. The primary difference between the two decisions is that a specific proposed boundary is known when monitoring the specific lands decision for a proposed lease parcel. At neither time is a specific well site identified.

Because there is no specific ground-disturbing proposal until APD a basic assumption was made for the purposes of the analysis. In the analysis, if an area was available in the alternative being discussed it was assumed that authorization to lease had been granted. To determine the effects of projected post-leasing activities, a hypothetical Application for Permit to Drill (APD) and Surface Use Plan of Operations (SUPO) were applied to lands being analyzed (the RFD process). All supplemental stipulations required in the alternatives were applied to the SUPO to compare effects.

In implementation, the decision to authorize lease offer on specific lands will be made in the Record of Decision but actual authorization will not be granted for individual parcels until validation monitoring has been completed. Analysis of actual proposed ground-disturbing activity does not occur until the APD stage.

1. The Analysis Process

The land availability decision, the decision to amend the Forest Plan to incorporate the availability decision, and the decision to authorize specific lands for leasing are separate, sequential decisions, based on one analytical process. The three decisions are based on knowledge of the effects oil and gas leasing could have on the lands and natural resources of the Unit as identified in the FEIS, and the ability to satisfactorily mitigate or forestall those effects.

(a) Leasing Availability Alternatives

In order to determine which lands to make administratively available (Stage 1) the Supervisor has considered a number of alternatives for managing land availability. These alternatives result in different availability patterns. They include:

- (1) Determining which lands are administratively available on a request basis, as directed in the Forest Plan,
- (2) Making all lands of the Unit administratively available for leasing under Standard Lease Terms,
- (3) Making some lands administratively available for leasing with a pattern of Standard Lease Terms, supplemental stipulations, and Discretionary No Lease, and
- (4) Making all lands of the Unit administratively unavailable for leasing.

These four management alternatives comply with the procedural requirements of both NEPA and the oil and gas regulations. They also allow the document to disclose the site-specific effects of development on hypothetical well sites generated by the Reasonably Foreseeable Development (RFD).

(b) Reasonably Foreseeable Development (RFD)

Oil and Gas Regulations require a projection of the type/amount of post-leasing activity that is reasonably foreseeable as a consequence of conducting a leasing program under each alternative. These are considered by NEPA to be connected actions. The regulations also require that the impacts of this reasonably foreseeable development (RFD) be analyzed in order to make the availability decision. These projections help determine the potential direct, indirect, and cumulative impacts resulting from oil and gas leasing and development.

The RFD was developed in cooperation with the BLM and consists of the number and types of wells projected to be drilled, their general locations, and associated development (FEIS Appendix B). Development includes construction of drill pads, roads, tank batteries, power lines, and pipelines. Locations of roads and drill pads were projected to facilitate analysis of site-specific impacts. These locations were developed for analysis purposes, but are not the only locations available. Site-specific analysis of actual locations will occur at the APD stage.

Each well drilled requires construction of a level pad of one to five acres and contains the drilling rig, reserve pit, storage tanks and other necessary equipment. Crew quarters may also be temporarily located on the pad. Roads constructed to allow access for drilling and ongoing operations and maintenance to access well sites are usually closed and reclaimed after abandonment.

Power for well site operations is provided by powerline or on-site generators. Powerlines have lower maintenance costs and reduced noise and air pollution problems but generators are used at remote sites far from the existing power grid. If a well produces natural and/or hydrogen sulfide gas, the gas must be piped to a central collection system or flared and consumed on-site. Produced water must be piped away or stored in tank batteries on-site for periodic removal by truck. As production areas develop isolated wells with on-site power generation, flaring and oil storage can be tied into existing systems. Practicality and past practice indicate that new power and pipe lines are routed along road corridors.

When the well is completed, the portions of the pad not required for ongoing operations are rehabilitated and revegetated. If the well is plugged and abandoned, the entire pad and access road are reclaimed.

The Pike and San Isabel National Forests and the Comanche and Cimarron National Grasslands could not effectively be analyzed as one unit because there is much variation between the subunits, including RFD. The RFD projections for the Unit are as follows:

- The Mountains, or the Pike and San Isabel National Forests - 1 exploratory well every 4 years over the next 15 years for a total of 4 wells.
- Comanche National Grassland - 3 wells, 1 exploratory and 2 production, per year over the next 15 years for a total of 45 wells.
- Cimarron National Grassland - 11 production wells per year over the next 15 years for a total of 165 wells.

(1) On the Mountains

There has been very little oil and gas activity on the Mountain districts which have a wider range of slope classes, greater variety in road densities, and no historical oil or gas development. One stratigraphic test well was drilled for exploratory purposes in the 1960's. The anticipated activity identified by the BLM of 4 wells was "placed" on currently leased land for analysis purposes. Current leases are the most likely areas to be drilled upon.

The effects of one exploratory well at each of these four sites were determined. Two of the wells are on lands with high mineral potential in the Rampart Range. One is located east of South Park on moderate potential lands. The fourth well is located on moderate potential lands in the northeastern section of the Wet Mountains. The wells disturb a total of 18 acres and are mapped in Chapter II of the FEIS.

While the BLM-provided RFD (BLM RFD) is realistic, a study of these four widely distributed hypothetical wells does not allow examination of the full range of possible effects of oil and gas development on the mountain resources. Therefore, the Forest Service devised a concept of Concentrated Reasonably Foreseeable Development (RFD). The Concentrated RFD is the four hypothetical wells distributed in a manner that the Interdisciplinary Team (IDT) thought would be most impactful to the resources most affected by oil and gas development. The Concentrated RFD located all wells in the Jackson Creek watershed which is over its sediment threshold, has decomposing granitic soils, and moderately high recreation use. The Concentrated RFD disturbed 29 or 44 acres depending on the alternative being applied.

The effects of both the BLM and Concentrated RFDs are disclosed in order to identify a range of direct and indirect effects. If the array of effects could be mitigated and still allow the drilling activity to occur, the IDT was reasonably certain that impacts from 4 wells drilled anywhere in the mountains could be adequately mitigated. This disclosure provides the information to make the availability decision and resultant Forest Plan Amendment.

(2) On the Grasslands

There has been considerable oil and gas activity on both of the Grasslands during the last 50 years. Historical information provided the basis for the RFD and projected disturbance. Statistical analysis identified that all wells on the Cimarron were very similar in the number of acres which were directly affected through ground-disturbance. The analysis further indicated that future development could be predicted within acceptable statistical standards. The same analysis was completed for the Comanche with similar results. The 210 BLM RFD wells on the Grasslands were not actually located on the ground but were statistically projected because the ground disturbance is so similar. This statistical analysis will lead to a slightly exaggerated total effect by alternative.

The Grasslands are a relatively homogeneous land base with four primary ecosystem types. These types were characterized as soil/land types, and include Hard Lands, Sandy Lands, Canyon Lands, and Riparian. They are described below.

Hard Lands - Nearly level to gently undulating upland plains with loam surfaces and silty clay loam subsoils. These well drained soils have moderate water-holding capacities and a dominant short-grass prairie vegetation.

Sandy Lands - Rolling to hilly uplands with sandy loam and loamy sand soils. These excessively drained soils are a result of wind deposition and have mid-grass and tall-grass prairie vegetation.

Canyon Lands - Canyon escarpment and steep terrain has shallow soils on rocky bluffs. The excessively drained sandy and limy loams have severe revegetation limitations. Dominant vegetation is short grasses and pinyon-juniper.

Riparian - Depressions in landscape and narrow stream channels, with the exception of the Cimarron River that have deep alluvial soils. Vegetation includes cottonwood, cedar, willow and drought resistant herbaceous plants.

Cimarron

Statistical analysis indicates that 95% of the wells already existing on the Cimarron disturbed less than 2.39 acres per well and the average disturbance was 2.0 acres. For the purpose of the analysis the IDT used 2.39 acres disturbed per well on the Cimarron. Total effects were rounded to the nearest whole acre. The following table indicates the total acres disturbed by major soil/land type on the Cimarron:

**Table 3
Disturbed Acres - Cimarron NG**

	Major Soil/Land Type		
	Sandy Lands	Hard Lands	Riparian
Disturbed acres	241	136	17

Comanche

Statistical analysis indicated that 95% of the wells already existing on the Comanche disturbed less than 1.81 acres per well and the average disturbance was 1.41 acres. For the purpose of the analysis the IDT used 1.81 acres disturbed per well on the Comanche. Total effects were rounded to the nearest whole acre.

**Table 4
Disturbed Acres - Comanche NG**

	Major Soil/Land Type			
	Sandy Lands	Hard Lands	Canyon Lands	Riparian
Disturbed Acres	54	23	2	2

(c) Resource Information

The IDT used existing resource inventories, aerial photograph interpretation and personal knowledge to develop resource overlays for approximately 270 1:24,000 scale or USGS quad base maps covering the Unit. These resource overlays provide site-specific resource information for use in implementing the leasing specific lands decision. While the exact location of future wells is unknown, the resources are known as well as the effects of drilling and mitigation using Standard Lease Terms and supplemental stipulation. The following are the resources mapped on the overlays:

Overlay 1

Areas with high erosion potential
Steep slopes > 60%
Geologic Hazards on slopes > 60%

Watersheds:
within 10% of sediment threshold
exceeding sediment threshold
municipal water supplies

Overlay 2

Slopes, 0-15%, 16-40%, over 40%
Non Forested areas

Alpine zone
Riparian, wetland/flood plain areas

Overlay 3

Wild & Scenic Rivers
Visual Quality Retention Zones
Active & Planned Timber Sales
T&E Fish Locations
Research Natural Areas

Developed Recreation Sites
Cultural Resource Sites
Special Use Ski Areas
T&E (Botanical & Zoological)
Special Interest Area

Overlay 4

Aberts Squirrel; Concentration and Production Areas
Bald Eagle; Concentration, Feeding, Migration/Resting, and Winter Concentration Areas
Bighorn Sheep; Lambing, Winter Concentration, and Production Areas, Salt Lick, Severe Winter Range
Elk; Calving and Resident Population Areas, Migration Routes, Severe Winter Range, Winter Concentration Area
Golden Eagle; Active Nest Site, Feeding, Nesting, and Winter Concentration Areas
Mule Deer; Production and Concentration Areas, Severe Winter Range
Mountain Goats; Concentration and Production Areas, Salt Lick
Mountain Plover; Nesting and Observation Areas
River Otter; Overall Distribution
Pronghorn; Concentration and Winter Concentration Areas, Winter Range
Peregrine Falcon; Active Nest Site, Hunting Territory, Nesting Area
Scaled Quail; Concentration Area
Turkey; Concentration Area, Roost Site, Winter Range
White-tailed Deer; Concentration Area
White Pelican; All Biological Features

(d) Effects Determination

The direct and indirect effects of both the BLM and Concentrated RFD on the mountain environment were analyzed and the full range of direct and indirect effects that may occur from leasing were displayed in the FEIS. All significant direct and indirect effects are captured in Table IV-69 of the FEIS.

Resource Specialists identified past, present, and future multiple use activities and analyzed them along with the BLM-provided RFD to determine the cumulative effects of leasing and past and future development on resources. These cumulative effect discussions begin on page IV-95 of the FEIS.

(e) Administrative Record

Information critical to the analysis is listed in FEIS Appendix F, Content Summary of the Administrative Record. The record includes all additional information that was used in the analysis and not directly documented in the FEIS.

(f) Leasing Decision for Specific Lands

The leasing decision for specific lands was made in section II of this ROD on the basis of information disclosed in the FEIS and the ability to verify that oil and gas leasing on the specific lands has been adequately addressed, that conditions of occupancy are included as stipulations in the leases, and that operations and development could be allowed somewhere on each proposed lease.

In order to make the specific lands decision across the Unit and assess possible site-specific effects of oil and gas activity across the various environments that occur on the Unit, representative wells were located in all of the geographic zones and on each of the soil/land types on the Grasslands. The wells were also used to justify the supplemental stipulations as required in the availability analysis.

Even though there is great uncertainty at the time of lease authorization as to whether, when, or where a well will be drilled, the effects of a typical well in a given location can be estimated reliably on the basis of past experience.

The specific lands leasing decision will go through a monitoring process prior to the authorization of the BLM to advertise a specific lease parcel for sale. This monitoring process will include map and on-the-ground field review to ensure consistency with the information disclosed in the document. Based on proposed lease parcel boundaries the Forest Service will monitor NEPA requirements, site occupancy, and application of identified stipulations to the proposed lease documents. If any of the monitoring results are unsatisfactory, the consent will be denied or supplemental NEPA analysis will be completed. A copy of the monitoring form can be found as Exhibit 1 of this ROD.

IV. IMPLEMENTATION

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

1. The decision to amend the Forest Plan will be effective upon public notice. This Record of Decision is public notice and will be sent to all those who have requested notice of Forest Plan amendments and those who have participated in this analysis process. In addition, notice of this decision will be published in local newspapers.
2. In accordance with 36 CFR 228.102(d), the Forest Supervisor shall promptly notify the BLM as to the area or forest-wide leasing decisions that have been made, that is, identify lands which have been found administratively available for leasing.
3. In accordance with 36 CFR 228.102(e), the Forest Service will complete validation monitoring, attach the stipulations identified in this ROD, and transmit outstanding, or pending, lease proposals to the BLM for all specific lands authorized for lease.

Attached for illustrative purposes as Exhibit 1 are monitoring forms that replace those in Exhibit I-1 of the Oil and Gas Leasing FEIS and Exhibit 1 of the Summary. These forms implement the planning regulation requirements documented in FSM 1922.7 and may be modified to improve practical use without any need to amend this ROD.

Evaluation of the monitoring results will identify if the assumptions used in the FEIS are correct or if there is a better way to meet Forest Plan, planning, or oil and gas direction. Evaluation may result in amendment to the Forest Plan and may be used to recommend changes in laws, regulations, and policies that affect both the plan and plan implementation.

(a) Using the EIS, its Maps and Appendices

When a lease proposal is received by the BLM the requested parcel will be overlaid on the Stipulation Base Map, ROD Appendix B, and the Resource Base Quad Maps displayed in Appendix E of the FEIS to determine protection requirements. The interested party decides at that time whether to continue their efforts. If they show further interest the BLM may request Forest Service authorization for leasing. At that time the District Ranger will review the decisions made in this ROD on the basis of the analysis disclosed in the FEIS. Forest Service staff will complete validation monitoring by:

Monitoring Step I - FEIS Review

The FEIS will be reviewed to see if a well site was analyzed that is similar to the conditions found on the proposed parcel. This includes to:

Insure that the environment on the requested parcel has been adequately described in Chapter III or IV.

Identify that the projected effects of development analyzed in the FEIS is consistent. Effects disclosure identified in the FEIS will be consistent unless exploration and development effects have, or are projected to exceed, effects identified as acceptable in the ROD.

Complete appropriate portions of the validation monitoring form.

Monitoring Step II - Map Review

The proposed lease parcel will be superimposed onto the Stipulation Base Map (ROD Appendix B) and the Resource Quad Maps (FEIS Appendix E) to identify all resources involved and applicable stipulations. Stipulations identified in the ROD and the map review are attached to the validation monitoring form for field review.

Monitoring Step III - Field Review

Using the map information, an on-the-ground field review will be made of the proposed parcel. The Oil and Gas Lease Monitoring Form, Exhibit 1 of this ROD, will be used for carrying out this step of the process.

Monitoring Step IV - Authorization

Upon completion of Steps I, II, and III, the Forest Service will notify BLM as to the applicability of the "specific land decision" for that proposed parcel and apply stipulations to the lease. If the decision in the ROD is not applicable to the proposed parcel authorization to lease is disapproved and additional NEPA analysis will be done.

4. 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 application and the proposed Surface Use Plan of Operations to the Forest Service. An environmental analysis, tiered to the FEIS, will be completed on the APD proposal. This decision is not being made in this ROD. The Deciding Officer may:

- Approve the plan as submitted,
 - Approve the plan subject to specific conditions of approval, or
 - Disapprove the plan with stated reasons (36 CFR 228.107).
5. If an oil or gas field is discovered through exploration efforts the lessee may request that development of the field be authorized. A field development plan will be provided and appropriate NEPA analysis conducted. The proposal will be approved, modified, or disapproved, requiring a decision document (36 CFR 228.106). This decision is not being made in this ROD.

V. MITIGATION

Table 5 lists the stipulations in Appendix A of the FEIS which were developed to reduce the environmental effects of an oil and gas leasing program on surface resources. The measures identified were not used in all alternatives but are applied on the identified number of acres by this ROD. The stipulations will be incorporated as a part of each lease. They represent the best means to avoid or minimize environmental impacts that may arise from the project and meet the integrated resource management direction of the Forest Plan. In addition, these stipulations represent all known practicable means to avoid or minimize adverse environmental effects from the alternative. The effectiveness of these measures is cited in the FEIS, Chapter IV, by alternative for each resource.

VI. MONITORING AND EVALUATION

Monitoring needs are discussed in Appendix G of the FEIS. Monitoring is the evaluation of project implementation to determine how well objectives of the FEIS are being met and to determine the effects of project implementation on the environment. Depending on the stage of the implementation, monitoring will vary in intensity by resource element being monitored.

Monitoring and evaluation will occur at the lease proposal stage and the APD stage. At the lease proposal stage, the leasing analysis decisions made on the basis of the FEIS will be monitored for validation, as illustrated in the implementation discussion in section II.D of this ROD. This monitoring will occur prior to authorizing the BLM to advertise any given lease parcel for sale. Implementation and effectiveness monitoring requirements will be determined at the APD and APD Amendment stages, when actual location of ground-disturbing activities is known.

Effectiveness monitoring of the selected alternative will occur throughout implementation as well construction is proposed, approved or denied, and as wells are drilled, operated, abandoned and sites rehabilitated. The purposes of monitoring and evaluation will be:

**Table 5
Stipulation and Lease Notice Summary Listed by Resource**

Resource	Stipulation/ Lease Notice	Rationale for the Stipulation	Forest Acres	Cimarron Acres	Comanche Acres
Cultural:Santa fe Trail	NSO	Prevent degradation of the Sante Fe National Historic Trail.	0	10,273	15,229
Municipal Water-sheds	NSO	Conserve & protect community supplies.	48,211	0	0
Recreation	NSO	Protect developed recreation investments and experiences.	34,590	1,600	480
Riparian/ Water/ Fisheries	NSO	Protect wetland and riparian ecosystems which support water quality and aquatic life.	108,116	8,480	11,942
Soils	NSO	Slopes steeper than 60% with high geologic hazard to prevent soil loss and water degradation.	34,128	0	0
Wildlife	Timing	Areas of critical winter range for mule deer, pronghorn antelope, bighorn sheep, elk, and turkey. From December 1 to April 15.	280,000	0	75,000
Wildlife	Timing	April 15-July 1 for elk, bighorn sheep, pronghorn, deer, and goat reproduction. March 1-June for Prairie Chickens. March 1-July 31 critical raptor nesting areas. November 15-April 15 Bald Eagle and turkey winter habitat. March 1-July 1 Curlew and plover nesting, resting, and staging.	200,000	0	0

Table 5 (Continued)
Stipulation and Lease Notice Summary Listed by Resource

Resource	Stipulation/ Lease Notice	Rationale for the Stipulation	Forest Acres	Cimarron Acres	Comanche Acres
Soils	CSU	Slopes over 60%, severe erosion potential on slopes over 40%, or Severe erosion potential on slopes over 35% when bedrock depth is less than 20 inches.	698,064	0	22,010
Alpine	CSU	All alpine areas to prevent loss of ground cover.	238,649	0	0
Special Interest Area	CSU	Protect the values of the Spanish Peaks National Natural Landmark.	26,550	0	0
Visuals	CSU	Protect the values along federal and state highway corridors, nationally designated trails, major water features, recreation complexes, and high use Forest System roads.	216,283	12,818	35,174
Water	CSU	In watersheds exceeding, or within 10% of exceeding sediment threshold.	291,831	0	0
Research/Special Interest Areas	Lease Notice	To identify areas where restrictions already apply.	3,694	310	13,567
Special Uses	Lease Notice	To identify already authorized uses of National Forest lands that may affect development opportunities.	21,609	4,503	1,740
Threatened or Endangered Species	Lease Notice	To identify known resources that may affect development opportunities.	14,279	0	9,612
Vegetation	Lease Notice	To identify present or future planned timber harvest activities.	19,814	0	0

- To determine if approved operations for oil and gas exploration or development activities fulfill the purpose and need for which they were designed, or if modification of the operations is needed.
- To determine if the implemented alternative is responsive to public issues.
- To discover unanticipated and/or unpredictable effects from approved oil and gas activities and require necessary corrective actions.
- To determine if mitigation measures are effective.
- To ensure that leasing decisions are being implemented as scheduled.
- To provide continuing evaluation of consistency with state and local plans and programs.

Oil and gas resource exploration and development activities will be allowed on NFS lands only under the authority of a surface use plan of operations (SUPO) which has been approved by the Forest Service. A review of detailed plans for operation is conducted by a Forest Service Officer in conjunction with a BLM Minerals Specialist on the site location. A thorough review of proposed activities and the potential for impacts on existing resources is conducted. Monitoring of operations for impacts to surface resources is carried out by Forest Service staff to ensure compliance of approved activities in accordance with the approved SUPO. Infractions or non-compliance are brought to the attention of the operator and the BLM. Corrective action is required within a reasonable time frame commensurate with the significance of the infraction.

Monitoring plans will be required and prepared for specific surface resources as described in Appendix A of the FEIS. These monitoring plans will be used to monitor implementation of management activities which impact surface resources and the human environment.

VII. NATIONAL FOREST MANAGEMENT ACT FINDINGS

The National Forest Management Act requires all projects and activities be consistent with the Forest Plan. Following is a brief discussion related to each of the applicable elements as identified in 36 CFR 219.27 and FSH 1909.12, 5.31a..

- A. **Consistency:** Through the site-specific analysis for this project and additional analysis, several points of inconsistency with the Forest Plan were discovered. These inconsistencies, as well as the change in the administrative availability decision for some lands are being changed by amending the Forest Plan. The amendment was discussed in section II of this document and is attached as Appendix C.
- B. **Suitability for Timber Production:** This is not applicable as this project does not deal with timber harvest.
- C. **Clearcutting and Even-aged Management:** This is not applicable as this project does not deal with timber harvest.
- D. **Vegetative Manipulation:** This is not applicable as this is not a project designed to manipulate vegetation.

VIII. ALTERNATIVES CONSIDERED

The National Environmental Policy Act (NEPA) implementing regulations (40 CFR Part 1502.14) require rigorous evaluation of reasonable alternatives, including "No Action", to minimize possible environmental effects. The National Forest Management Act (NFMA) directs the Forest Service to develop specific management direction for oil and gas activities on the Pike and San Isabel National Forests, Comanche and Cimarron National Grasslands. The Oil and Gas Regulations (36 CFR 228.102(c)) require that environmental documents prepared for leasing decisions on National Forest System lands identify alternatives as to the lands to be made administratively available for oil and gas leasing.

The major public issues considered in the development of alternatives are as follows:

1. Potential adverse effects of oil and gas development on Forest resources.
2. Concern that alternatives not be developed based on mineral potential which may change as technology and information change over time.
3. Effects on areas being considered for wilderness designation or as potential wild and scenic rivers.
4. Social and economic effects
5. Mitigation of impacts

Four alternative strategies to manage oil and gas leasing were studied in detail. This section describes those Alternatives. They differ in the location and amount of lands made available for leasing as well as the application of mitigation through supplemental lease stipulations. See Tables 6 and 7 for availability acreage by alternative. Each alternative looked at management on 2,309,480 acres (2,201,507 acres of NFS lands and 107,973 acres of privately owned lands).

ALTERNATIVE I - Current Management (No Action)

Under this alternative, the Forest Service will continue to lease all legally available NFS lands except those removed under the Discretionary No Lease (DNL) based on Forest Plan direction. Research Natural Areas and Ski Areas are to be withdrawn from leasing, but the withdrawal process has not been completed. Research Natural Areas with management plans that allow leasing will be implemented. The BLM will issue leases on split-estate lands with federal minerals within National Forest or National Grassland boundaries. This is a "NO ACTION ALTERNATIVE" because there will be no deviation from the existing management direction in the Forest Plan. The National Environmental Policy Act (NEPA) requires the study of the No Action alternative for use as a baseline in comparing the effects of the other alternatives.

ALTERNATIVE II - All NFS Lands Available for Standard Development

Under this alternative, the Forest Service will lease all legally available NFS lands except those removed under the Discretionary No Lease (DNL) authority. Those removed under DNL authority include Research Natural Areas areas and Ski Areas where Forest Plan direction specifies withdrawal from leasing. The BLM will authorize leasing on private surface split-estate lands. The Oil and Gas Regulations require the Forest Service to analyze potential impacts from post-leasing activities as a result of the projected Reasonably Foreseeable

Development. All NFS lands being analyzed as a result of the projected RFD will be available subject only to the terms and conditions of the standard oil and gas lease form. Protective measures for post-leasing activities will be determined at the time of APD subject to approval of a surface use plan of operations.

This alternative is not consistent with current management direction in the Forest Plan. The application of Standard Lease Terms will conflict with Forest-wide standards and guidelines on some lands. The level of protection would be limited to that which could be applied using existing laws, executive order, and other statutory requirements. Lands on which Forest Plan direction would not be met, were leasing to occur, include slopes over 60% with high erosion potential and watersheds with extreme sedimentation.

ALTERNATIVE III - NFS Lands Available for Lease with both Standard and Stipulated Terms

Under this alternative, NFS lands will be made available for oil and gas leasing subject to supplemental lease stipulations. The supplemental stipulations of this alternative are designed to assure protection of surface resources in the affected environment. The BLM will authorize leasing private surface split-estate lands. Supplemental site-specific stipulations are applied when necessary for the protection of surface resources and the human environment. This reduces the amount of land available under Standard Lease Terms. Protective restrictions imposed by supplemental stipulations may exceed the Forest Plan requirements and further restrict surface activities. For example, a supplemental stipulation may require longer timing restrictions than the standard lease term of 60 days to protect the use of critical habitat during specific periods.

Under this alternative 100,271 acres are removed, for a variety of reasons, from leasing through application of the Discretionary No Lease (DNL) authority. Legislatively proposed wilderness outside of Wilderness Study Areas (WSAs) is removed until legislation is passed designating them as wilderness or until the 102nd Congress ends. Aspen Ridge, on a ridge contiguous to a BLM WSA recommended as wilderness is under DNL because it might logically be included in the Wilderness. The South Platte and Badger Creek corridors shall be removed until studies for wild and scenic river eligibility have been completed. Many diverse cultural resource sites will be removed until the Forest Plan revision, when the need for special management or release to multiple-use will be determined. Oil and gas activities allowed upon release of any of these lands to multiple-use management will be consistent with the Record of Decision for this document.

ALTERNATIVE IV - No NFS or Split-Estate Lands Available for Leasing

Under this Alternative, no NFS lands or split-estate lands will be available for future oil and gas leasing. Existing federal oil and gas leases which are not extended by production will be allowed to expire. Exploration and development could occur on existing leased lands subject to Standard Lease Terms and applicable supplemental stipulations. Information on NFS lands currently under lease is available at the Forest Supervisor's Office, 1920 Valley Drive, Pueblo, Colorado. A map of leased lands is found in Appendix C of the FEIS.

The projected RFD is not affected by this alternative because the most probable location for drilling is on currently leased lands. There are 135,031.95 acres of NFS lands currently under lease.

**Table 6
Availability of NFS Lands for Leasing by Alternative**

PROPOSED CONSTRAINTS NFS LANDS	Alt. I Acres	Alt. II Acres	Alt. III Acres	Alt. IV Acres
Standard Lease Terms ONLY	2,035,481	2,194,442	829,238	0
Supplemental Stipulations				
Controlled Surface Use	131,897		1,109,219	
Timing Limitation			591,162	
No Surface Occupancy	34,128		203,967	
Total Supplemental Stipulations *	166,025	0	1,372,268	0
Discretionary No Lease				2,309,479
Wilderness Bill S.1029				
Greenhorn			712	
Sangre de Cristos			24,728	
Buffalo Peaks			7,858	
Lost Creek			12,605	
BLM WSA				
Aspen Ridge			15,044	
Wild & Scenic Rivers				
South Platte			14,700	
Badger Creek			2,560	
Special Acres				
Cultural Resources			15,500	
Research Natural	4,499	4,499	4,499	
Ski Areas	2,065	2,065	2,065	
Total DNL Acres Not Available	6,564	6,564	100,271	2,309,479
Total Acres Available for Oil and Gas Leasing	2,194,942	2,194,942	2,101,235	0

Note: * Some stipulations overlap, therefore, the total may add up to more than the total acres administratively available.

**Table 7
Availability of Split-Estate Lands for Leasing by Alternative**

PROPOSED CONSTRAINTS SPLIT-ESTATE LANDS	Alt. I Acres	Alt. II Acres	Alt. III Acres	Alt. IV Acres
Standard Lease Terms ONLY	107,273	107,973	60,326	0
Supplemental Stipulations Controlled Surface Use Timing Limitation No Surface Occupancy	700		40,589 23,553 1,063	
Total Supplemental Stipulations *	700	0	65,205	0
Discretionary No Lease	0	0	0	0
Total Acres Available for Oil and Gas Leasing	107,973	107,973	107,973	0

Note: * Some stipulations overlap, therefore, the total may add up to more than the total acres administratively available.

IX. ENVIRONMENTALLY PREFERRED ALTERNATIVE

Alternative IV - No NFS or Split-Estate Lands Available for Leasing is the environmentally preferred alternative. Under this alternative no lands would be made administratively available for leasing and consequently there would be no leasing of specific lands. No unleased federal minerals would be considered for lease issuance. Existing leases would be valid until they expired. The short-term effects of this alternative are greater because all anticipated activity would be limited to those lands which are already leased.

X. FOREST SERVICE APPEAL PROCEDURES

Under the authority of the Federal Onshore Oil and Gas Leasing Reform Act, and the implementing regulations in 36 CFR 228.102, the Forest Service is responsible for; 1) 36 CFR 228.102(d), Area or Forest-wide leasing decisions (lands administratively available for leasing); and, 2) 228.102(e), Leasing decisions for specific lands. Therefore, decisions relating to surface uses on National Forest System lands are subject to appeal pursuant to 36 CFR 217. 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 ROD in the *Pueblo Chieftain* newspaper. The Notice of Appeal should be sent to:

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

Legal notice of the ROD is published in newspapers throughout southeastern Colorado and southwestern Kansas.

XI. CONTACT PERSON

For additional information, contact:

Dan Bishop, Staff Officer
Pike and San Isabel National Forests
Cimarron and Comanche National Grasslands
1920 Valley Drive
Pueblo, CO 81008
Phone (719) 545-8737

EXHIBIT 1

NEPA/NFMA Validation Monitoring Checklist
for
Oil and Gas Leasing Proposals

PSICC form # 2820-01

District _____ Date Received _____

Proposed Parcel Identification _____

Parcel Location _____

Legal Description _____

Procedural Steps

- 1) Map proposal to 1/2" to the mile and 1:24,000 scales on mylar.
- 2) Overlay smaller scale mylar on the Stipulation Base Map to determine what stipulations are required and what quad or quads have to be referenced.
- 3) Overlay the 1:24000 scale mylar on identified Resource Base Quad maps (Resource maps) and overlays.
- 4) Identify and map the resources found on the Resource maps and overlays for all lands within the lease parcel. A listing of the resources that may be mapped are found on the "Field Monitoring Review" form.
- 5) Obtain copies of the stipulations applicable to the resources identified in 4 above.
- 6) Attach maps to the "Field Monitoring Review" form, conduct site visit and complete form.
- 7) Map any resource, and document any stipulation, variations found during the on-site review.
- 8) Compare validation monitoring results with disclosure in the Oil and Gas LEasing FEIS and ROD.

Findings

- 1) Is the proposed parcel identified as available for oil and gas leasing in the Forest Plan? Yes _____ No _____
- 2) Was the proposed parcel authorized in the Oil and Gas Leasing ROD for advertisement by the BLM? Yes _____ No _____

Findings (cont)

3) Is the proposed parcel adequately addressed in the Oil and Gas Leasing FEIS or other NEPA document? Yes____ No____

Evaluation

Evaluate the results of validation monitoring. Discuss changes in actual conditions on the ground, mapping of resources, and application of stipulations.

Recommendations

The BLM should proceed with advertisement of the lease parcel. Yes____ No

Additional NEPA analysis is needed. Yes____ No____

Date

District Ranger

NEPA/NFMA VALIDATION
FIELD MONITORING REVIEW

Proposed parcel identification _____ Date reviewed _____

Proposed parcel legal location _____

DECISIONS DOCUMENTED IN THE OIL AND GAS LEASING ROD

<u>Resource Value</u>	<u>Resource identified in EIS¹</u>	<u>Lease Notice Required</u>	<u>DNL Apply?</u>	<u>Supplemental Stip Required</u>			<u>RECOMMENDED CHANGES</u>		
				<u>NSO</u>	<u>CSU</u>	<u>Timing</u>	<u>Yes</u>	<u>No</u>	<u>Describe Changes²</u>
<u>SOILS</u>									
Areas of high erosion potential									
Steep slopes > 60%									
Geologic Hazards on slopes > 60%									
Geologic Hazards on slopes > 35%									
<u>WATER</u>									
Wetlands/Floodplains									
Riparian areas									
Municipal Watersheds									
Watersheds within 10% of or exceeding threshold limit									
<u>SPECIAL AREAS</u>									
Research Natural Areas									
Special Interest Areas									
Spanish Peaks NNL									
<u>RECREATION</u>									
Developed Recreation Sites									
Visual Quality Areas									
Cultural Resource Sites									
<u>OTHER³</u>									
Alpine areas									
Active & Planned Timber Sales									
T&E plant/animal/fish locations									
Special Use Ski Areas									
Other Special Uses									

¹ Provide map attachment

² Changes may include adjustments to resource maps or stipulations

³ Monitoring to be completed by qualified botanist or ecologist

DECISIONS DOCUMENTED IN THE OIL AND GAS LEASING ROD

<u>Resource Value</u>	<u>Resource identified in EIS</u>	<u>Lease Notice Required</u>	<u>DNL Apply?</u>	<u>Supplemental Stip Required</u>			<u>RECOMMENDED CHANGES</u>		
				<u>NSO</u>	<u>CSU</u>	<u>Timing</u>	<u>Yes</u>	<u>No</u>	<u>Describe Changes</u>
WILDLIFE									
	Aberts Squirrel								
	Concentration Area								
	Production Area								
	Bald Eagle								
	Concentration Area								
	Feeding Area								
	Migration/Resting Area								
	Winter Concentration Area								
	Bighorn Sheep								
	C1 Lambing Area								
	C2 Production Area								
	C3 Salt Lick								
	C4 Severe Winter Range								
	C5 Winter Concentration Area								
	Elk								
	D1 Calving Area								
	D2 Resident Population Area								
	D3 Migration Routes								
	D4 Severe Winter Range								
	D5 Winter Concentration Area								
	Golden Eagle								
	E1 Active Nest Site								
	E2 Feeding Area								
	E3 Nesting Area								
	E4 Winter Concentration Area								
	Mule Deer								
	F1 Production Area								
	F2 Severe Winter Range								
	F3 Concentration Area								
	Mountain Goats								
	G1 Concentration Area								
	G2 Production Area								
	G3 Salt Lick								
	Mountain Plover								
	H1 Nesting Area								
	H2 Observation Area								

DECISIONS DOCUMENTED IN THE OIL AND GAS LEASING ROD

<u>Resource Value</u>	<u>Resource identified in EIS</u>	<u>Lease Notice Required</u>	<u>DNL Apply?</u>	<u>Supplemental Stip Required</u>			<u>RECOMMENDED CHANGES</u>		
				<u>NSO</u>	<u>CSU</u>	<u>Timing</u>	<u>Yes</u>	<u>No</u>	<u>Describe Changes</u>
<u>WILDLIFE (cont)</u>									
River Otter									
I1 Overall Distribution									
Pronghorn									
J1 Concentration Area									
J2 Winter Concentration Area									
J3 Winter Range									
Peregrine Falcon									
K1 Active Nest Site									
K2 Hunting Territory									
K3 Nesting Area									
Scaled Quail									
L1 Concentration Area									
Turkey									
M1 Active Nest Site									
M2 Concentration Area									
M3 Roost Site									
M4 Concentration Area									
M5 Winter Range									
White-tailed Deer									
N1 Concentration Area									
White Pelican									
O1 All Biological Features									

Describe any inconsistencies with either the Forest Plan or the Oil and Gas Leasing FEIS that were identified in field monitoring. Discuss their significance.

Monitoring completed by : _____ date: _____
 (name and title) _____ date: _____
 _____ date: _____
 _____ date: _____

DECISIONS DOCUMENTED IN THE OIL AND GAS LEASING ROD

<u>Resource Value</u>	<u>Resource identified in EIS</u>	<u>Lease Notice Required</u>	<u>DNL Apply?</u>	<u>Supplemental Stip Required</u>			<u>RECOMMENDED CHANGES</u>		
				<u>NSO</u>	<u>CSU</u>	<u>Timing</u>	<u>Yes</u>	<u>No</u>	<u>Describe Changes</u>
WILDLIFE									
	Aberts Squirrel								
	Concentration Area								
	Production Area								
	Bald Eagle								
	Concentration Area								
	Feeding Area								
	Migration/Resting Area								
	Winter Concentration Area								
	Bighorn Sheep								
	C1 Lambing Area								
	C2 Production Area								
	C3 Salt Lick								
	C4 Severe Winter Range								
	C5 Winter Concentration Area								
	Elk								
	D1 Calving Area								
	D2 Resident Population Area								
	D3 Migration Routes								
	D4 Severe Winter Range								
	D5 Winter Concentration Area								
	Golden Eagle								
	E1 Active Nest Site								
	E2 Feeding Area								
	E3 Nesting Area								
	E4 Winter Concentration Area								
	Mule Deer								
	F1 Production Area								
	F2 Severe Winter Range								
	F3 Concentration Area								
	Mountain Goats								
	G1 Concentration Area								
	G2 Production Area								
	G3 Salt Lick								
	Mountain Plover								
	H1 Nesting Area								
	H2 Observation Area								

DECISIONS DOCUMENTED IN THE OIL AND GAS LEASING ROD

<u>Resource Value</u>	<u>Resource identified in EIS</u>	<u>Lease Notice Required</u>	<u>DNL Apply?</u>	<u>Supplemental Stip Required</u>			<u>RECOMMENDED CHANGES</u>		
				<u>NSO</u>	<u>CSU</u>	<u>Timing</u>	<u>Yes</u>	<u>No</u>	<u>Describe Changes</u>
<u>WILDLIFE (cont)</u>									
River Otter									
I1 Overall Distribution									
Pronghorn									
J1 Concentration Area									
J2 Winter Concentration Area									
J3 Winter Range									
Peregrine Falcon									
K1 Active Nest Site									
K2 Hunting Territory									
K3 Nesting Area									
Scaled Quail									
L1 Concentration Area									
Turkey									
M1 Active Nest Site									
M2 Concentration Area									
M3 Roost Site									
M4 Concentration Area									
M5 Winter Range									
White-tailed Deer									
N1 Concentration Area									
White Pelican									
O1 All Biological Features									

Describe any inconsistencies with either the Forest Plan or the Oil and Gas Leasing FEIS that were identified in field monitoring. Discuss their significance.

Monitoring completed by : _____ date: _____
 (name and title) _____ date: _____
 _____ date: _____
 _____ date: _____

ROD APPENDIX A
FOREST PLAN AMENDMENT

**LAND AND RESOURCE MANAGEMENT PLAN
PIKE AND SAN ISABEL NATIONAL FORESTS;
COMANCHE AND CIMARRON NATIONAL GRASSLANDS**

**Amendment 23
February 1992**

REASON FOR THIS AMENDMENT

The ROD for the Forest Plan allows oil and gas leasing on most lands under the Unit's administration. Agency regulations implementing the 1987 Oil and Gas Leasing Reform Act identified new requirements for a Forest-wide Leasing Analysis. The Leasing Analysis has been completed and the resulting decisions are being incorporated into the Forest Plan.

Section II B. of the Oil and Gas Leasing ROD contains detailed discussions of how the leasing stipulations in this Forest Plan Amendment will be applied once a lease application is received. Appendices C, D and E of the FEIS discuss various maps that are necessary for understanding how the stipulations that constitute a portion of this Forest Plan amendment will be applied.

SIGNIFICANCE

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 FEIS. It is, therefore, a non-significant amendment based on the definition in 36 CFR 219.10(f) and will be approved by the Forest Supervisor as part of the decision associated with the Oil and Gas Leasing FEIS.

IMPLEMENTATION

The decision will be implemented upon public notice. This Decision Notice is public notice and will be sent to all those who have requested notice of Forest Plan amendments and those who have participated in the Oil and Gas Leasing analysis efforts. The Decision will be published in newspapers of record on the Unit.

This Forest Plan Amendment consists of four parts:

- Forest-wide Management Requirements
- Management Area Prescriptions
- Standard Lease Terms, Lease Notices and Supplemental Stipulations
- Stipulation Base Map

Forest-wide Management Requirements

The Forest-wide management requirements, or General Direction, under Management Activity "Minerals Management, Oil, Gas and Geothermal (GO2 and 4)," on pages III-54 through III-61 in the Forest Plan will be changed to incorporate the Leasing Availability decisions in the ROD. These changes incorporate the supplemental stipulations and discretionary no lease applied in the ROD.

Superseded Pages

III-55 through 61

New Pages

III-55a through d
III-56 through 59
III-60a through d
III-61

Management Area Prescriptions

Management Prescription Summary, General Direction and Goals, for Management Areas 1A, Developed Recreation Sites; 1B2, Potential Ski Areas; 4D, Aspen Management; and 7B, Wood Fiber - Other Products, are changed to add the following statement:

Mineral and energy resource activities are generally compatible with the goals of this management area subject to appropriate stipulations provided in Management Activities G000-G07 in Forest Direction.

Superseded Pages

III-76, 86, 144, 179

New Pages

III-76, 86, 144, 179

Standard Lease Terms, Lease Notices and Supplemental Stipulations

Appendix F in the Forest Plan (Stipulations for Lands Under the Jurisdiction of Department of Agriculture) and Amendment 5, dated July 24, 1987, will be replaced by the stipulations, lease notices and standard lease terms applied by the Oil and Gas Leasing ROD.

Superseded Pages

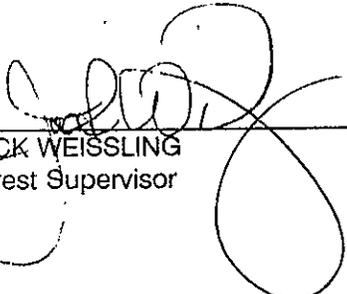
F-3 through 8
Amendment 5, dated July 24, 1987

New Pages

F-3 through 19
remove

Stipulation Base Map

The 1/2 inch per mile map displaying the availability determinations made in the Oil and Gas Leasing ROD is appended to the Forest Plan as a part of this decision. The Stipulation Base Map is included in the FEIS as Appendix D and represents the site-specific information disclosed on the working maps that will be used in implementation. The working maps (quads) will be maintained at the Forest Supervisor, Ranger District, and State BLM offices. The use of these maps is described in section IV of the Oil and Gas Leasing ROD.



JACK WEISSLING
Forest Supervisor

FEB 12 1992

date

MANAGEMENT
ACTIVITIES

GENERAL
DIRECTION

STANDARDS &
GUIDELINES

CONTINUATION OF:	02	Recommendations for or consent to issuance of leases or permits:
Minerals		
Management-Oil,	1.	Unclassified Lands
Gas and		
Geothermal		
(G02 and 04)		
	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.	Lands on the Forests and Grasslands are generally available for leasing unless they have been legally withdrawn or have been identified for discretionary no lease (DNL) in the Oil and Gas Leasing ROD and incorporated Stipulation Base Map. These areas of no lease include: WSAs identified in 2c, lands outside recommended WSAs that are included in proposed Wilderness legislation (2d), and cultural resource sites proposed for interpretive development which shall be analyzed at the time of Forest Plan revision.
	(1)	Withdrawal of lands from operations of the mineral leasing acts will be requested only in exceptional situations because Federal decisions on mineral disposals under these acts are discretionary on a case-by-case basis.
	(2)	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.
	(3)	Standard lease terms listed on USDI, BLM Form 3100-11 apply to all leases. They require that the "Lessee shall conduct operations in a manner that minimizes adverse impacts to the land, air, and water, to cultural, biological, visual, and other resources, and to other land uses or users.
	(4)	No Surface Occupancy (NSO) is the most restrictive stipulation available and is intended for use only when standard lease terms and other, less restrictive, stipulations are determined insufficient to adequately protect the public interest. The analysis record must show that a no-lease alternative was considered when applying the NSO stipulation.

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MANAGEMENT
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CONTINUATION OF:

Minerals
Management-Oil,
Gas and
Geothermal
(G02 and 04)

The No Surface Occupancy Stipulation will be applied for the following purposes:

- (a) Protecting the physical manifestations and immediate environment of the Santa Fe National Historic Trail, including inherent interpretive, educational, and recreational values for the segment potentially impacted.
 - (b) Protecting the investment of facilities within the all developed recreation sites, to protect the recreation experience and safety of visitors, and to protect the natural environment that initially made the site desirable for development.
 - (c) Protecting wetlands, riparian areas, and floodplains of any defined drainage or location containing these specific ecosystem types. Wetlands and floodplains are protected pursuant to Executive Orders 11990 and 11988, respectively, and all policy or direction proceeding from those orders.
 - (d) Preventing mass movements of earth such as landslides.
 - (e) Maintaining or improving water quality to meet Federal or State standards.
 - (f) Preventing significant or permanent impairment to soil productivity.
 - (g) Conserving and protecting community water supplies.
- (5) The Timing Limitation (often called seasonal) Stipulation prohibits fluid mineral exploration and development activities for time periods less than yearlong. A timing stipulation is not necessary if the time limitation involves the prohibition of new surface disturbing operations for periods of less than 60 days (43 CFR 3101.1-2). The Timing Limitation Stipulation will be applied for the following purposes:

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CONTINUATION OF:

Minerals
Management-Oil,
Gas and
Geothermal
(G02 and 04)

- (a) Protecting mule deer, pronghorn antelope, bighorn sheep, elk, mountain goat, and turkey during critical use periods of their winter ranges.
- (b) Minimizing disturbances during the reproductive seasons as noted below:
 - (1) Elk calving, bighorn sheep lambing, pronghorn and deer fawning and goat kidding areas.
 - (2) Prairie chicken dancing grounds and nesting areas.
 - (3) Critical raptor nesting areas.
 - (4) Bald eagle and turkey winter habitat.
 - (5) Curlew, and mountain plover nesting, resting, staging areas.
 - (6) Aberts squirrel winter habitat.

- (6) The Controlled Surface Use (CSU) Stipulation is intended to be used when oil and gas activities are allowed on all, or portions, of the lease area year-round but, because of special values or resource concerns, lease activities must be strictly controlled. The CSU Stipulation is used to identify constraints on surface use or operations which may otherwise exceed the mitigation provided by Section 6 of the standard lease terms and the regulations and operating orders. The CSU Stipulation is less restrictive than the NSO or Timing Limitation stipulations, which prohibit all activity on all, or portions, of a lease for all, or portions, of a year. The CSU Stipulation should not be used in lieu of an NSO or Timing Limitation stipulation but should be limited to areas where restrictions or controls are necessary for specific, rather than all, activity.

The stipulation should explicitly describe what activity is to be restricted or controlled, or what operation constraints are required, and must identify the applicable area and the reason for the requirement. The legal subdivision, distance, location, or geographic feature, and resource value of concern must be identified in the stipulation and be tied to a land use plan and/or NEPA document.

The Controlled Surface Use Stipulation will be applied for the following purposes:

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CONTINUATION OF:
Minerals
Management-Oil,
Gas and
Geothermal
(G02 and 04)

- (a) Preventing significant or permanent impairment of soil productivity.
- (b) Protecting off-site areas by preventing impacts from accelerated soil erosion.
- (c) Maintaining or improving water quality to meet Federal or State standards.
- (d) Preventing detrimental impacts such as gully erosion, streambank failure, soil compaction, and severe rutting which could cause long-term damage or permanent impairment to soil productivity.
- (e) Protecting the significant and contributing geological features of the Spanish Peaks National Natural Landmark, and its scenic and recreational values.
- (f) Minimizing the potential for cumulatively significant impacts in fragile alpine ecosystems.
- (g) Protecting the natural, cultural and historical scenic values on lands with the visual resource classification of Fg1B, Fg1C, Fg2A, Fg2B, Mg1A, and/or Mg1B.
- (h) Preventing the siting of collection facilities, well sites or exploration activities within the foreground and middleground zones on lands with the visual resource classification of Fg1A, Fg1B, Fg1C, Fg2A, Fg2B, Mg1A, or Mg1B.
- (i) Meeting the objective of the Clean Water Act (CWA 1977) and Federal Water Pollution Control Act (FWPCA 1972) to restore and maintain the physical, chemical, and biological integrity of the nation's water on watersheds that have been identified as being over sediment threshold or within 10% of exceeding sediment threshold.

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CONTINUATION OF:
Minerals
Management-Oil,
Gas and
Geothermal
(G02 and 04)

- (7) Lease Notices are attached to leases to transmit information at the time of lease issuance to assist the lessee in submitting acceptable plans of operation, or to assist in administration of leases. Lease Notices are attached to leases in the same manner as stipulations, however, there is an important distinction between Lease Notices and Stipulations. Lease Notices do not involve new restrictions or requirements. Any requirements contained in a Lease Notice must be fully supported in either a law, regulation, standard lease term, or onshore oil and gas order.

Lease notices may be applied to leases for the following purposes:

- (a) Protecting unique ecosystems, threatened and endangered plant and animal species, and the integrity of research activities within existing and proposed research natural areas and other special interest areas.
 - (b) Protecting the operational capabilities of existing special use recreation and communication sites.
 - (c) Meeting legal requirements for the protection of threatened and endangered species.
 - (d) Minimizing potential conflicts with active or planned timber sales under 2400-3(T) or 2400-6(T) contracts.
- (8) Conditions of Approval (COA) may be generated at the time of site-specific analysis when a Surface Use Plan of Operations has been received for exploratory drilling, or production activities resulting in ground disturbance. COAs may not unduly hinder or preclude the lessee's opportunity to exercise valid existing lease rights and may only be applied if they are consistent with the lease terms or are the result of information that was unknown at the time of leasing.
- (9) Federal minerals which underlie private lands are known as "split-estate" minerals and 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 of these split-estate lands that are located within the external boundaries of

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Geothermal
(G02 and G4)

the Pike and San Isabel National Forest and Cimarron and Comanche National Grasslands. The Forest Service will also be responsible for determining the stipulations and conditions of approval that are needed to ensure adequate surface protection, where the federal decision to offer a lease has the potential to affect the surface of adjacent or intermingled NFS lands.

- c. Recommend against or deny consent to BLM for issuance of leases where operational damages on surface resources, including the impacts of surface-based access, product transportation and ancillary facilities necessary to production and related operations, would be irreversible and irretrievable, with no surface occupancy stipulation (Forest Service (R-2) Supplement F to Form 3109-3) would prevent the effective recovery of the Federal mineral resource, as determined by the BLM. Negative recommendations or consent denials will be based on site-specific consideration of the following criteria:
- (1) Slopes steeper than 60 percent.
 - (2) High erosion hazard rating.
 - (3) High geologic hazard rating.
 - (4) Low visual absorption capacity that prevents reclamation to established visual quality objective (VQO).
 - (5) A conclusion by the Forest Service (FS) and/or the United States Fish and Wildlife Service (USFWS) that the action will jeopardize the survival or recovery of federally listed threatened and endangered (T&E) wildlife or plant species.
 - (6) Intrusions upon the identified critical (USFWS) or essential (FS) habitat or a federally listed (T&E) wildlife or plant species or upon the plant or animal itself.
 - (7) Intrusion upon the habitat of individual plant or animal species listed by a State as threatened or endangered.
 - (8) Intrusion upon the habitat of individual plant or animal species identified by the Regional Forester as needing special management to prevent its need for listing as a threatened or endangered species.
2. Designated Wilderness, Congressionally-designated Wilderness Study Areas, and areas recommended for Wilderness on which Congress has not taken final action.

FOREST DIRECTION

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Minerals
Management-Oil,
Gas and
Geothermal
(G02 and 04)

- a. Wilderness is withdrawn from all leasing, subject to valid existing rights.
 - b. Wilderness Study Areas or areas recommended for Wilderness designation by the Forest Service are removed from leasing availability until such time as Congress acts on the disposition of those areas, designates them as Wilderness or releases from Wilderness consideration.
 - c. Lands outside of Forest Service recommended Wilderness Study Areas which are included in HR 762 and S 1029 are removed from leasing availability until the end of the 102nd Congress unless an extension of the removal is requested by the appropriate Congressional Committee Chairperson.
3. Classified lands other than Wilderness and areas described in "2" foregoing, which are not by law or otherwise withdrawn from operations under the mineral leasing acts. Examples of such lands include Wild and Scenic Rivers, National Recreation Areas, National Historic Sites, Natural Areas, Special Areas--such as geological, scenic and zoological, and some other specific classifications.
- a. Forest Service authorizes geophysical and similar prospecting only when terms and conditions can be applied that will protect the purpose for which the lands were classified.
 - b. Lands on the Forests and Grasslands are generally available for leasing unless they have been legally withdrawn or have been identified for discretionary no lease (DNL) in the Oil and Gas Leasing ROD and incorporated Stipulation Base Map. These areas of no lease include: WSAs identified in 2c, lands outside recommended WSAs that are included in proposed Wilderness legislation (2d), and cultural resource sites proposed for interpretive development which shall be analyzed at the time of Forest Plan revision.
 - (1) Withdrawal of lands from operations of the mineral leasing acts will be requested only in exceptional situations because Federal decisions on mineral disposals under these acts are discretionary on a case-by-case basis.

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Management-Oil,
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(G02 and 04)

- (2) 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.
- (3) Standard lease terms listed on USDI, BLM Form 3100-11 apply to all leases. They require that the "Lessee shall conduct operations in a manner that minimizes adverse impacts to the land, air, and water, to cultural, biological, visual, and other resources, and to other land uses or users.
- (4) No Surface Occupancy (NSO) is the most restrictive stipulation available and is intended for use only when standard lease terms and other, less restrictive, stipulations are determined insufficient to adequately protect the public interest. The analysis record must show that a no-lease alternative was considered when applying the NSO stipulation.
- The No Surface Occupancy Stipulation will be applied for the following purposes:
- (a) Protecting the physical manifestations and immediate environment of the Santa Fe National Historic Trail, including inherent interpretive, educational, and recreational values for the segment potentially impacted.
 - (b) Protecting the investment of facilities within the all developed recreation sites, to protect the recreation experience and safety of visitors, and to protect the natural environment that initially made the site desirable for development.
 - (c) Protecting wetlands, riparian areas, and floodplains of any defined drainage or location containing these specific ecosystem types. Wetlands and floodplains are protected pursuant to Executive Orders 11990 and 11988, respectively, and all policy or direction proceeding from those orders.
 - (d) Preventing mass movements of earth such as landslides.
 - (e) Maintaining or improving water quality to meet Federal or State standards.

FOREST DIRECTION

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Management-Oil,
Gas and
Geothermal
(G02 and 04)

- (f) Preventing significant or permanent impairment to soil productivity.
- (g) Conserving and protecting community water supplies.
- (5) The Timing Limitation (often called seasonal) Stipulation prohibits fluid mineral exploration and development activities for time periods less than yearlong. A timing stipulation is not necessary if the time limitation involves the prohibition of new surface disturbing operations for periods of less than 60 days (43 CFR 3101.1-2). The Timing Limitation Stipulation will be applied for the following purposes:
 - (a) Protecting mule deer, pronghorn antelope, bighorn sheep, elk, mountain goat, and turkey during critical use periods of their winter ranges.
 - (b) Minimizing disturbances during the reproductive seasons as noted below:
 - (1) Elk calving, bighorn sheep lambing, pronghorn and deer fawning and goat kidding areas.
 - (2) Prairie chicken dancing grounds and nesting areas.
 - (3) Critical raptor nesting areas.
 - (4) Bald eagle and turkey winter habitat.
 - (5) Curlew, and mountain plover nesting, resting, staging areas.
 - (6) Aberts squirrel winter habitat.
- (6) The Controlled Surface Use (CSU) Stipulation is intended to be used when oil and gas activities are allowed on all, or portions, of the lease area year-round but, because of special values or resource concerns, lease activities must be strictly controlled. The CSU Stipulation is used to identify constraints on surface use or operations which may otherwise exceed the mitigation provided by Section 6 of the standard lease terms and the regulations and operating orders. The CSU Stipulation is less restrictive than the NSO or Timing Limitation stipulations, which prohibit all activity on all, or portions, of a lease for all, or portions, of a year. The CSU Stipulation should not be used in lieu of an NSO or Timing Limitation stipulation but should be limited to areas where restrictions or controls are necessary for specific, rather than all, activity.

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Gas and
Geothermal
(G02 and 04)

The stipulation should explicitly describe what activity is to be restricted or controlled, or what operation constraints are required, and must identify the applicable area and the reason for the requirement. The legal subdivision, distance, location, or geographic feature, and resource value of concern must be identified in the stipulation and be tied to a land use plan and/or NEPA document.

The Controlled Surface Use Stipulation will be applied for the following purposes:

- (a) Preventing significant or permanent impairment of soil productivity.
- (b) Protecting off-site areas by preventing impacts from accelerated soil erosion.
- (c) Maintaining or improving water quality to meet Federal or State standards.
- (d) Preventing detrimental impacts such as gully erosion, streambank failure, soil compaction, and severe rutting which could cause long-term damage or permanent impairment to soil productivity.
- (e) Protecting the significant and contributing geological features of the Spanish Peaks National Natural Landmark, and its scenic and recreational values.
- (f) Minimizing the potential for cumulatively significant impacts in fragile alpine ecosystems.
- (g) Protecting the natural, cultural and historical scenic values on lands with the visual resource classification of Fg1B, Fg1C, Fg2A, Fg2B, Mg1A, and/or Mg1B.
- (h) Preventing the siting of collection facilities, well sites or exploration activities within the foreground and middleground zones on lands with the visual resource classification of Fg1A, Fg1B, Fg1C, Fg2A, Fg2B, Mg1A, or Mg1B.

FOREST DIRECTION

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Minerals
Management-Oil,
Gas and
Geothermal
(G02 and 04)

(i) Meeting the objective of the Clean Water Act (CWA 1977) and Federal Water Pollution Control Act (FWPCA 1972) to restore and maintain the physical, chemical, and biological integrity of the nation's water on watersheds that have been identified as being over sediment threshold or within 10% of exceeding sediment threshold.

(7) Lease Notices are attached to leases to transmit information at the time of lease issuance to assist the lessee in submitting acceptable plans of operation, or to assist in administration of leases. Lease Notices are attached to leases in the same manner as stipulations, however, there is an important distinction between Lease Notices and Stipulations. Lease Notices do not involve new restrictions or requirements. Any requirements contained in a Lease Notice must be fully supported in either a law, regulation, standard lease term, or onshore oil and gas order.

Lease notices may be applied to leases for the following purposes:

- (a) Protecting unique ecosystems, threatened and endangered plant and animal species, and the integrity of research activities within existing and proposed research natural areas and other special interest areas.
- (b) Protecting the operational capabilities of existing special use recreation and communication sites.
- (c) Meeting legal requirements for the protection of threatened and endangered species.
- (d) Minimizing potential conflicts with active or planned timber sales under 2400-3(T) or 2400-6(T) contracts.

(8) Conditions of Approval (COA) may be generated at the time of site-specific analysis when a Surface Use Plan of Operations has been received for exploratory drilling, or production activities resulting in ground disturbance. COAs may not unduly hinder or preclude the lessee's opportunity to exercise valid existing lease rights and may only be applied if they are consistent with the lease terms or are the result of information that was unknown at the time of leasing.

FOREST DIRECTION

III-60c

2/92

MANAGEMENT
ACTIVITIES

GENERAL
DIRECTION

STANDARDS &
GUIDELINES

CONTINUATION OF:

Minerals
Management-Oil,
Gas and
Geothermal
(G02 and 04)

(9) Federal minerals which underlie private lands are known as "split-estate" minerals and 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 lease of these split-estate lands that are located within the external boundaries of the Pike and San Isabel National Forest and Cimarron and Comanche National Grasslands. The Forest Service will also be responsible for determining the stipulations and conditions of approval that are needed to ensure adequate surface protection, where the federal decision to offer a lease has the potential to affect the surface of adjacent or intermingled NFS lands.

4. Cultural resource sites with significance that may lead to educational or interpretive development are removed from leasing availability until the Forest Plan revision determines their suitability for development and identifies special management needs or releases them to general management.
(0031PI) (FDR)

Minerals
Management-
Coal, Leasable
Uranium and
Non-Energy
Common Minerals
Materials
(G03, 05, 06
and 07)

01 Withdrawals of lands from operations of the mineral leasing acts will be requested only in exceptional situations because Federal decisions on mineral disposals under these acts are discretionary on a case-by-case basis.
(0029) (FDR)

02 Withdrawals from disposal of common variety mineral materials are unnecessary. The Forest Service has total discretionary authority for such disposals.
(0030) (FDR)

FOREST DIRECTION

III-61
2/92

PRESCRIPTION FOR MANAGEMENT AREA 1A

(Provides for existing and proposed developed recreation sites.)

MANAGEMENT PRESCRIPTION SUMMARY

General Direction and Goals

Management emphasis is for developed recreation in existing and proposed campgrounds, picnicgrounds, trailheads, visitor information centers, summer home groups, and water-based facilities. Proposed sites (sites scheduled for development in the plan) are managed to maintain the site attractiveness until they are developed.

Facilities such as roads, trails, toilets, signs, etc., may be dominant but harmonize and blend with the natural setting. Livestock grazing is generally excluded from developed sites. Existing and proposed sites are withdrawn from locatable mineral entry.

Mineral and energy resource activities are generally compatible with the goals of this management area subject too appropriate stipulations provided in Management Activities G00-G07 in Forest Direction.

PREScription FOR MANAGEMENT AREA 1B-2

(Emphasis is on potential winter sports sites.)

MANAGEMENT PRESCRIPTION SUMMARY

General Direction and Goals:

Management emphasis is on maintenance of selected inventoried sites for future downhill skiing recreation opportunities, dispersed nonmotorized recreation opportunities, tree stand management to preserve potential for downhill skiing, and maintenance of existing visual characteristics of the area.

Management integrates resource use and development to provide healthy tree stands, vegetative diversity, forage production for wildlife and livestock and opportunities for nonmotorized recreation.

The area is a natural-appearing forest with vegetation changes permitted. Recreation opportunities focus on dispersed recreation uses. Habitat diversity will result from other activities. Livestock grazing is continued. Vegetation treatment focuses on perpetuating a healthy forest. Motorized use is restricted to designated routes.

The management prescription for potential areas will change to Management Prescription 1B-1 (provides for existing winter sports sites) when a winter sports development is approved for the area.

Mineral and energy resource activities are generally compatible with the goals of this management area subject too appropriate stipulations provided in Management Activities G00-G07 in Forest Direction.

III-96
2/92

PRESCRIPTION FOR MANAGEMENT AREA 4D

(Emphasis is on aspen management.)

MANAGEMENT PRESCRIPTION SUMMARY

General Direction and Goals:

Management emphasis is on maintaining and improving aspen sites. Other tree species, if present, are de-emphasized. Aspen is managed to produce wildlife habitat, wood products, visual quality, and plant and animal diversity. Aspen clones are maintained. On larger areas, a variety of aspen stand ages, sizes, shapes, and interspersions are maintained. Both commercial and noncommercial treatments are applied. Even-aged management is practiced and is achieved by clearcutting. Diversity objectives are achieved by varying the size, age, shape and interspersions of individual stands. Management activities in foreground and middleground are dominant, but harmonize and blend with the natural setting. Individual treatments generally are smaller than 40 acres.

Recreational opportunities available are semiprimitive nonmotorized and motorized or roaded natural. Some temporary or seasonal road area use restrictions are implemented to prevent disturbance of wildlife or improve hunting and fishing quality.

Mineral and energy resource activities are generally compatible with the goals of this management area subject to appropriate stipulations provided in Management Activities G00-G07 in Forest Direction.

III-144
2/92

PRESCRIPTION FOR MANAGEMENT AREA 7D

(Emphasis is on wood fiber production and utilization for products other than sawtimber.)

MANAGEMENT PRESCRIPTION SUMMARY

General Direction and Goals:

Management emphasis is on production and utilization of small roundwood of a size and quality suitable for products such as fuelwood, posts, poles, props, etc. The harvest method by forest cover type is clearcutting in aspen and lodgepole pine and shelterwood in all other forest cover types.

Management activities, although they may be visually dominant, harmonize and blend with the natural setting.

Mineral and energy resource activities are generally compatible with the goals of this management area subject too appropriatedupdateations provided in Management Activities G00-G07 in Forest Direction.

III-179

2/92

Serial No. _____

NO SURFACE OCCUPANCY STIPULATION

No surface occupancy or use is allowed on the lands described below (legal subdivision or other description).

The Santa Fe National Historic Trail, to include ruts or rut zones or swales or vegetation changes designated as the major routes of the Trail and a 300 foot buffer area on each side of the Trail. The Trail (single or multiple ruts or swales) varies in width from approximately 50 feet to over 300 feet. Thus the total NSO zone may be 450 feet or more in width for some portions of the Trail.

On the lands described below:

The locations of the major routes of the Santa Fe National Historic Trail are available through the Cultural Resources Management records section maintained at the Forest Supervisor's Office in Pueblo. They include the major routes and branches of the Cimarron Cutoff on the Cimarron National Grassland, the major routes and branch of the Mountain Branch, and the Aubrey Cutoff, the Granada-Ft. Union Military Road, and the Las Animas-Trinidad New State Road, all on the Comanche National Grassland.

For the purpose of:

Protecting the physical manifestations and immediate environment of the Trail, including inherent interpretive, educational, and recreational values for the segment potentially impacted.

The following exceptions are noted:

1. Temporary ground disturbances (less than six weeks duration) for the purpose of constructing underground utility lines, collection systems, underground salt water pipelines, and other underground support facilities are permissible. Upon completion of installation, the ground and vegetation should be restored to its previous condition.
2. Locate roads outside the designated trail routes and buffer unless: (a) The trail has been destroyed by post-trail era use or erosion and is not visible as ruts, rut zones, or swales; and (b) alternative routes have been reviewed and rejected as being more environmentally damaging.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2920, FS Oil & Gas Regulations, 36 CFR, Sec. 228.104.)

Form #/Date

NSO - Municipal Watersheds

Serial No. _____

NO SURFACE OCCUPANCY STIPULATION

No surface occupancy or use is allowed on the lands described below (legal subdivision or other description).

All lands identified to be managed for the purpose of conserving and protecting the water supply of the following communities:

Town of Cascade	Cooperative Agreement, 4/28/1923
Cities of Colorado Springs & Manitou Springs	Act 2/27/1913
	Cooperative Agreement, 10/9/1914
	Special Regulations, 10/9/1914
City of Colorado Springs	Cooperative Agreement, 1/9/1924
	Act 4/10/1890
	Act 4/24/1896
	Act 5/01/1902
City of Manitou Springs	Cooperative Agreement, 5/1/1923
City of Trinidad	Cooperative Agreement, 1/16/1914
Town of Palmer Lake	Cooperative Agreement, 2/06/1917
City of Florence	Cooperative Agreement, 6/05/1939

For the purpose of:

Conserving and protecting the water supply of said community.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2920, FS Oil & Gas Regulations, 36 CFR, Sec. 228.104.)

Conditions under which stipulation would be waived.

Use of said lands will only be permitted with the approval of proper community authorities, except for the purpose specifically allowed in the specific act and/or cooperative agreement which established the municipal watershed.

Form #/Date

Serial No. _____

NO SURFACE OCCUPANCY STIPULATION

No surface occupancy or use is allowed on the lands described below (legal subdivision or other description).

All developed recreation sites as identified in RIM including a 1/4 mile buffer around each site. Locate roads and drill sites outside developed recreation site buffer zones unless alternative routes have been reviewed and rejected as being more environmentally damaging.

For the purpose of:

To protect the investment of facilities within the site, to protect the recreation experience and safety of the visitors, and to protect the natural environment that initially made the site desirable for development.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2920, FS Oil & Gas Regulations, 36 CFR, Sec. 228.104.)

Form #/Date

Serial No. _____

NO SURFACE OCCUPANCY STIPULATION

No surface occupancy or use is allowed on the lands described below (legal subdivision or other description).

Wetlands, Riparian Areas and Floodplains of any defined drainage or location containing these specific ecosystem types. Access roads may be allowed in these areas only if alternative roads have been reviewed by the appropriate personnel, and have been rejected as being more environmentally damaging. When road locations must occur in these areas, streams will be crossed at right angles and access across other areas will be held to a minimum. Streams will not be paralleled by roads through these areas.

On the lands described below:

Information on the location of these areas can be found on 1:24,000 scale maps located at the Forest Supervisors Office. Additional site specific information may be required at the APD stage.

For the purpose of:

The management of wetlands and floodplains are subject to Executive Orders 11990 and 11988, respectively. The purpose of the EO's are to avoid to the extent possible the long and short term adverse impacts associated with the destruction or modification of wetlands and floodplains and to avoid direct or indirect support of new construction in wetlands wherever there is a practical alternative.

Also, it is recognized that there is a direct relationship between impacts on such areas and effects on water quality and aquatic ecosystems. There is a high risk of irreversible and irretrievable impacts on the latter with operation and developments in wetlands, riparian areas and floodplains.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950, 2820 and 2526.

Form #/Date

Serial No. _____

NO SURFACE OCCUPANCY STIPULATION

No surface occupancy or use is allowed on the lands described below (legal subdivision or other description)

Areas identified with **both** of the following characteristics:

1. Slopes steeper than 60 percent.
2. High (severe) geologic hazard.

Exception Criteria:

This stipulation will not be applied on lands within lease areas where neither of the above limiting characteristics are found to exist. Modification of this stipulation may occur as long as resource values are protected.

For the purpose of:

1. Preventing mass movements of earth such as landslides.
2. Maintaining or improving water quality to meet Federal or State standards.
3. Preventing significant or permanent impairment to soil productivity.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820, FS Oil & Gas Regulations, 36 CFR, Sec. 228.104)

Form #/Date

TIMING - Wildlife Critical Winter Ranger

Serial No. _____

**TIMING LIMITATION STIPULATION
(CRITICAL WINTER RANGE)**

No surface use is allowed during the following time period(s); this stipulation does not apply to operation and maintenance of production facilities.

1. Exploration, drilling, and development activity will not be allowed during the period from December 1 to April 15.

2. New oil and gas roads on public lands will be closed to the public from December 1 to April 15.

On the lands described below:

Critical Winter Ranges for big game and turkey

For the purpose of:

These areas are critical mule deer, pronghorn antelope, big horn sheep, elk, and turkey winter ranges. These key concentration areas support and sustain a large percentage of the total winter populations. They are extremely important for animal survival during winters of harsh weather conditions. Disturbances and habitat losses may place unnecessary stress on the wintering wildlife herds and cause an increase in mortality.

Conditions under which this stipulation would be waived.

1. Winter conditions which would not concentrate wildlife on the critical winter ranges, and
2. The duration of the operation would not exceed two weeks.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

Form #/Date

TIMING - Wildlife (MIS)

Serial No. _____

TIMING STIPULATION
(Management Indicator Species)

No surface use is allowed during the following time period(s): this stipulation does not apply to operation and maintenance of producing wells:

Seasonal Wildlife Stipulation for Management Indicator Species

No surface use is allowed during the periods listed for the purposes below.

Elk calving, Bighorn Sheep lambing, Pronghorn and Deer fawning and Goat kidding areas:

April 15 to July 1

Prairie Chicken Dancing grounds and nesting areas:

March 1 to June 1

Critical Raptor nesting areas:

March 1 to July 31

Bald Eagle and Turkey Winter Habitat:

November 15 to April 15

Curlew, and Mountain Plover Nesting, Resting, Staging areas:

March 1 to July 1

Abert's squirrel winter habitat:

For the purpose of:

These areas have been identified by the CDOW and Kansas Department of Wildlife and Parks. Disturbance during the reproductive season may reduce herd productivity. For nesting species, surface disturbance and associated human activity could disrupt breeding and/or cause nest abandonment. Winter habitat for the Bald Eagles and turkey are important for roosting, perching or feeding. Human disturbance would produce increased stress, leading to poor physical condition, winter mortality and/or reduced reproduction.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

Form #/Date

Serial No. _____

CONTROLLED SURFACE USE STIPULATION

Surface occupancy or use is subject to the following special operating constraints.

Ground disturbing activities will be relocated beyond 200 meters to suitable soil types and/or stable slope conditions where such controls are necessary to protect resource values on the lands described below:

1. Slopes steeper than 60 percent.
2. Fragile soils with High (severe) erosion potential on slopes of 40 percent or greater.
3. Fragile soils with High (severe) erosion potential, soil depth to bedrock is less than 20 inches, and slopes of 35 percent or greater.

Exception Criteria

This stipulation will not be applied on lands within lease areas where neither of the above limiting characteristics are found to exist. Modification of this stipulation may occur as long as resource values are protected.

For the purpose of:

1. Preventing significant or permanent impairment of soil productivity.
2. Protecting off-site areas by preventing impacts from accelerated soil erosion.
3. Maintaining or improving water quality to meet Federal or State standards.
4. Preventing detrimental impacts such as gully erosion, streambank failure, soil compaction, and severe rutting which could cause long-term damage or permanent impairment to soil productivity.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101, FS Oil & Gas Regulations, 36 CFR, Sec. 228.104.)

Form #/Date

Serial No. _____

CONTROLLED SURFACE USE STIPULATION
(for Alpine Ecosystems)

Surface occupancy or use is subject to the following special operating constraints.

Access will be limited to existing roads or point access (helispots, etc.) Point access must be on flat, stable landforms, of minimal size, as close to the well pad as safety will allow. **Well configuration** - There will be no reserve pit excavation in alpine areas. Waste materials must be temporarily stored in tanks and disposed of in pre-approved areas outside the alpine zone. There will be no on-site camp facilities for crews. On-site equipment and supply storage will be kept to a minimum. Surface leveling will also be kept to a minimum by storing as much equipment as possible on racks or in sheds with minimal surface contact. Surface disturbance will be limited to 1 acre per lease-hold, or 1 acre per 500 acres, whichever is more restrictive. Site clearing and improvements may require relocation further than 200 meters to find naturally flat (generally less than 5%) microsites with acceptable site conditions for disturbance and subsequent reclamation.

As much as feasible, facilities should be situated so that they do not protrude above ridgelines as viewed from below and do not unduly impact visual quality near the Continental Divide Trail. Topography and subalpine vegetation should be used for screening to the extent possible to meet adopted visual quality objectives.

On the lands described below:

Land areas above timberline, mapped as alpine on the Resource Base Quad Maps.

For the purpose of:

1. Preventing significant or permanent impairment of soil productivity.
2. Maintaining or improving water quality to meet Federal or State standards.
3. Minimizing the potential for significant or cumulatively significant impacts in alpine ecosystems, per 40 CFR 1508.27(b)(7).
4. Minimizing visual quality impacts.

This stipulation is not subject to exception but may be modified or waived if the qualified botanist or ecologist who performs the lease proposal monitoring and/or the pre-disturbance resource survey at APD determines that the stipulation as stated will not adequately protect surface resources; or specified alternative constraints would adequately protect surface resources. Substantial modification, or waiver, of this stipulation would require additional environmental analysis and another decision. .

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (See BLM Manual 1624 and 3101 or FS Manual 1950 and 2820, FS Oil & Gas Regulations, 36 CFR, Sec. 228.104.)

Form #/Date

Serial No. _____

CONTROLLED SURFACE USE STIPULATION
Spanish Peaks National Natural Landmark

Surface occupancy or use is subject to the following special operating constraints.

In all areas of the National Natural Landmark, *except* the alpine areas (above timberline) of the East and West Peaks, and the radiating dikes. Production activity, including surface disturbances, will be limited to the minimum necessary for normal service and maintenance. Companies will be required to submit for approval by the District Ranger, a plan that outlines the minimum activity required for normal operation.

Within the boundaries of the Landmark oil and gas development will **avoid** all geological features that contribute to the landmark designation: these are the alpine (above timberline) portions of the East and West Spanish Peaks *and* the volcanic dikes projecting from the bases of the peaks. The dike formations also are protected by a 200 foot no disturbance buffer zone on both sides to prevent erosion and to protect the physical integrity of the dikes.

On the lands described below:

Within the boundaries of the Spanish Peaks National Natural Landmark, including all Forest Service System lands within T30S, R67W; T30S, R68W; T31S, R67W; T31S, R68W; all section T31S, R69W, Sections 1, 2, 11, 12, 13, and 14.

For the purpose of:

Protecting the significant and contributing geological features of the Spanish Peaks Natural Landmark and to protect the physical integrity of the landmark as a whole. To implement the National Natural Landmark protection measures as specified in the continuing Memorandum of Agreement between the National Park Service and the Forest Service regarding such areas (FSM 1531.31b. Memorandum of Agreement of Designation of Natural Landmarks in National Forests).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820, FS Oil & Gas Regulations, 36 CFR, Sec. 228.104.)

Form #/Date

Serial No. _____

CONTROLLED SURFACE USE STIPULATION

Surface occupancy or use is subject to the following special operating constraints.

When necessary to meet VQO's, site clearings, collection facilities, structures, utilities and pipelines will be relocated more than 200 meters. At the time of APD a visual site analysis will be completed to determine if vegetation, topography, and on-site controls are sufficient to mitigate visual impacts. If so, the site will be excepted, and not require relocation.

On the lands described below:

Lands with the following visual resource classification, FG1A, FG1B, and MG1A, that have retention identified as the quality objective. Federal and State Highways, nationally designated trails, major water features, recreation complexes, and high use Forest Service Roads are examples. Visual Quality Maps are on file in the Supervisor's Office, Pueblo, Colorado.

For the purpose of:

1. Protecting the natural, cultural and historical scenic values of these areas.
2. Preventing the placement of collection facilities, well sites or exploration activity within these areas that do not meet Visual Resource Management guidelines.
3. Providing Forest and Grassland visitors with quality experiences.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

Form #/Date

Serial No. _____

CONTROLLED SURFACE USE STIPULATION

Surface use or occupancy is subject to the following special operating constraints. Ground disturbing activities will be allowed in watersheds that have been identified as being over sediment thresholds or within 10 percent of exceeding sediment thresholds, but only after enough disturbed acres in the watershed are rehabilitated so that the new activities will not result in sediment threshold limits being exceeded. At the time of the APD, a site-specific analysis must be done for the streams in these areas to determine the existing biological and physical conditions. If these conditions are found to be impaired, ground-disturbing activities may have to be curtailed until the conditions can be improved.

On the lands described below:

In watersheds that have been identified as being over sediment threshold:

Trail Creek 6-3	Beaver Creek 17-2
Thirtynine Mile Mtn. 8-2	Fourmile Creek 21-1
Twin Creek 8-4	Link Creek 25-1
Jackson Creek 15-3	Kaufman Ridged 98-5
Stark/Gove Creek 15-4	

In watersheds within 10% of exceeding sediment threshold.

Badger Creek	West Creek 6-1
S. Platte R. from Elevenmile to confluence w/ N. Fk. S. Platte R.	Spinney Mtn. 8-1
Bailey 9-2	Elevenmile 8-3
Rampart 17-3	Elk Creek 11-2
Spruce Grove 23-2	East Beaver Creek 21-3
Hackett Gulch 25-3	Pulver Gulch 25-2
No. Fork Purgatoire River 97-1	Newlin Creek 87-2

For the purpose of:

Meeting the objectives of the Clean Water Act of 1977 & Federal Water Pollution Control Act of 1972 to restore and maintain the physical, chemical, and biological integrity of the nation's water.

Form #/Date

LEASE NOTICE - Research/Special Interest Areas

Serial No. _____

LEASE NOTICE

Activities on Research and Special Interest Areas

Oil and gas operations will be limited based on the goals and management requirements for RNA's. Until the following areas are withdrawn a DNL is applied:

Hurricane Canyon RNA	Pikes Peak R.D.	520 acres
Saddle Mountain RNA	South Park R.D.	480 acres
Hoosier Ridge RNA	South Park R.D.	695 acres
Campo RNA	Comanche NG	35 acres
Cimarron RNA	Cimarron NG	310 acres
Windy Ridge Bristlecone		
Pine Scenic Area	South Park R.D.	150 acres
Queen's Canyon Geologic Area	Pikes Peak R.D.	1130 acres

Management plans call for a CSU on:

Lesser Prairie Chicken Zoological Area	9212 acres
Southeastern Colorado Branch Experimental Sta.	3920 acres

Until management plans are implemented the following will be covered by DNL:

Mt. Bross Botanical Area	105 acres
West Hoosier Ridge Botanical Area	54 acres
Iron Mountain Botanical Area	100 acres
Lost Lake Botanical Area	160 acres
Lost Park Botanical Area	160 acres
Spout Lake Botanical Area	120 acres
Droney Gulch Botanical Area	20 acres
Carrizo Frasera Botanical Area	400 acres

For the purpose of:

Protecting unique ecosystems, threatened and endangered plant and animal species, and the integrity of research activities within the above listed Areas.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820, FS Oil & Gas Regulations, 36 CFR, Sec. 228.104.)

Form #/Date

LEASE NOTICE - Special Uses

Serial No. _____

LEASE NOTICE
(Leases Containing an Electronic Communication Site)

The _____ Communication Site is located within a portion of the lease area.

In accordance with Section 6 of the Standard Lease Terms, the lessee shall coordinate with the Forest Service and the permit holder(s) to minimize potential user conflicts. The following Lease Notice measures will apply.

1. Drilling operations will be located so as not to cause structural damage, either directly or indirectly, to the structures authorized by special use permit.
2. Drilling rigs will be located out of microwave paths or at a location agreed to by the permit holder(s), Lessee and the Forest Service, that will not interfere with electronic transmission or reception.

LEASE NOTICE - Special Uses

Serial No. _____

LEASE NOTICE
(Other Occupancies Authorized by Special Use)

A special use authorization issued to _____ for a _____ use dated _____ occupying _____ acres and/or _____ miles is located _____, which is within your lease parcel.

In accordance with Section 6 of the Standard Lease Terms, exploration and development activities must occur as to avoid damage to the improvements or interference with this authorized use.

Form #/Date

Lease Notice - Special Uses (Ski Areas)

Serial No. _____

NO SURFACE OCCUPANCY STIPULATION

No leasing is allowed on the lands described below: (legal subdivision or other description)

All lands allocated to Management Prescription 1B-1 (Ski Area Management) in the Forest Land and Resource Management Plan are to be withdrawn from mineral entry. Locate roads outside of ski area permit boundary unless alternative routes have been reviewed and rejected as being more environmentally damaging.

For the purpose of:

Protecting the investment of facilities within the site, the use authorized by permit, safety of the users, and the natural environment that initially made the site desirable for a ski area.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2920, FS Oil & Gas Regulations, 36 CFR, Sec. 228.104.)

Form #/Date

LEASE NOTICE - Threatened & Endangered Species

Serial No. _____

LEASE NOTICE
Threatened and Endangered Species

Oil and gas operations will be governed by the Endangered Species Act on all know locations of T&E species.

On all known locations of T&E species and in consultation with the US Fish and Wildlife Service and the Colorado Natural Areas Program, a mitigation plan will be prepared and approved prior to any ground disturbing activity.

For the purpose of:

Meet legal requirements for the protection of threatened and endangered species.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820, FS Oil & Gas Regulations, 36 CFR, Sec. 228.104.)

Form #/Date

LEASE NOTICE - Vegetation (Timber)

Serial No. _____

- LEASE NOTICE

~~____ (Leases Within Active or Planned Timber Sale Areas)~~

Active Timber Sales Under 2400-3(T) or 2400-6(T) Contract:

In accordance with Section 6 of the Standard Lease Terms, the Lessee shall coordinate with the Forest Service and Timber Sale Purchaser to minimize potential user conflicts. The following Lease Notice measures will apply, unless waived in writing by the Authorized Forest Officer in the site specific NEPA decision document at the APD phase.

1. ~~Standing timber to be affected by lessees operations, and slash created by lessees operations, shall be disposed of as agreed to by Forest Service and Lessee (FSM 2464; Standard Provisions of 2400-3(T) or 2400-6(T), Timber Sale Contract).~~

2. Lessee shall submit an operating plan which will mitigate potential conflict with Purchaser's operations to the satisfaction of the Forest Service. ~~lessees operating plan shall address public safety and Forest Service Officer's safety during performance of administrative duties.~~

3. Lessee shall perform or pay for road maintenance work, commensurate with ~~lessees use,~~ on roads controlled by Forest Service and used by Lessee in connection with lease. ~~Road maintenance specifications and required deposits shall be those stated in the timber sale contract provisions, unless Forest Service specifies otherwise. (FSM 7732.22; Standard Provision 8 of 2400-3(T) Timber Sale Contract; Standard Provision BT5.4 of 2400-6(T) Timber Sale Contract).~~

Planned Timber Sales:

In accordance with Section 6 of the Standard Lease Terms, the Lessee and Forest Service shall perform ~~on-the-ground coordination to minimize potential conflicts with timber sales planned under 2400-3(T) or 2400-6(T) contracts.~~

Form #/ Date

APPENDIX B

STIPULATION BASE MAP

Appendix D of the FEIS shall be attached to the original ROD. In the interest of cost reduction only one copy of the map is provided to each recipient of the documents. Please see your copy of FEIS Appendix D. If you requested to receive only a Summary the maps are included separately in your mailing.