

## READER'S GUIDE

*This guide is intended to provide the reader with information that guided document preparation.*

### Summary

In June 2001, the Wayne National Forest completed an Environmental Assessment (EA) addressing the potential of leasing of 63 tracts on approximately 4,600 acres of public lands for exploration and development of oil and gas resources. The subsequent finding and decision were appealed to the Regional Forester. One of the appeal points was that the EA contained insufficient environmental analysis. The Regional Forester remanded the decision and required the completion of a revised Environmental Assessment (revised EA).

This revised EA analyzes the effects of four alternative future oil and gas leasing scenarios:

Alternative A	1998 Proposed Action (Leasing 63 tracts (4,634 acres) with Standard Stipulations)
Alternative B	No Leasing on any of the 63 tracts (4,634 acres)
Alternative C	Leasing 63 tracts (4,634 acres) with standard and new stipulations, plus the Biological Opinion's terms & conditions
Alternative D	Leasing 50 tracts (3,579 acres) with standard and new stipulations, plus the Biological Opinion's terms & conditions.

After the public review and comment period the Wayne National Forest Supervisor will select the agency's preferred alternative.

### Introduction

Management of each administrative unit of the National Forest System is governed by a Land and Resource Management Plan (Forest Plan). In January 1988, the United States Department of the Agriculture (USDA), Forest Service (FS), released the first Land and Resource Management Plan for the Wayne National Forest (Wayne Forest Plan). The Wayne Forest Plan was based on an environmental analysis documented in the Final Environmental Impact Statement (FEIS) and Record of Decision (ROD), signed on January 4, 1988. The ROD included the statement that: "Oil and gas extraction will continue on USA-owned leases."

In 1992, an amendment to the 1988 Wayne Forest Plan was completed that further defined the process by which oil and gas leasing would be considered on the Wayne National Forest.

USA-owned (federal) oil and gas leases are authorized under the Mineral Leasing Act of 1920, as amended, and the Mineral Leasing Act of 1947, for Acquired Lands. The United States Department of the Interior (USDI), Bureau of Land Management (BLM), is responsible for issuing leases of Federal oil and gas resources - provided the consent of the federal agency with administrative jurisdiction of the lands. On National Forest System Lands, the Forest Service is responsible for determining which lands are available for oil and gas leasing. Before lands may be leased, the Forest Service must confirm that leasing is consistent with the Forest Plan and, through an environmental analysis, verify that the subject lands are suitable for this use. The Forest Plan provides the framework that determines the set of conditions under which a leasing consent decision may be considered.

### **Why prepare this document?**

In June 2001, the Wayne National Forest completed an Environmental Assessment (EA) addressing the potential of leasing 4,634 acres (revised from 4,609 after a more accurate measuring of parcel locations) for exploration and development of oil and gas resources. The subsequent finding and decision were appealed to the Regional Forester. One of the appeal points was that the EA contained insufficient analysis of effects to threatened and endangered species (note: when the biological analysis was initiated, in June 1997, the Indiana bat had not been found on the Wayne National Forest). The Regional Forester remanded the decision and requested the completion of a revised Environmental Assessment addressing, among other issues, threatened and endangered species analysis.

This document is prepared in response to the appeal and in accordance with the framework developed in the 1988 Wayne Forest Plan, and the 1992 Amendment #8. In addition, this analysis is prepared in order to fulfill the FS policy direction contained in 36 CFR 228 Regulations set forth to implement the 1987 Federal Onshore Oil and Gas Leasing Reform Act. 36 CFR 228.102 (c) outlines the methodology for addressing oil and gas leasing by projecting the type/amount of post-leasing activity that is reasonably foreseeable.

### **Intended uses of this document**

This document will provide the basis for future management directions that will strive to strike the right balance between conservation and development of the forest resources. Four alternative leasing scenarios, ranging from no new leasing, to allowing the leasing of all the publicly-owned oil and gas resources on the 4,634 acres are under consideration.

This disclosure process serves to inform the public on the methodology by which the FS is proposing to manage future publicly-owned oil and gas resources on 4,634 acres of the Wayne National Forest. Federal regulations, implementing the National Environmental Policy Act (NEPA) at 40 CFR 1502.20, encourage tiering to eliminate repetitive discussions of the same issues and to focus on the actual issues ripe for decision at each level of environmental review (40 CFR 1508.28).

If a decision is made to lease, only the subsurface mineral estate would be offered for lease. National Forest System (NFS) lands (i.e. surface estate) will not be leased. The lease commits the mineral resource to development subject to the stipulations of the lease.

Once the Forest Service completes its determination on whether to lease, or not to lease, the subject lands, the BLM would offer only the specific lands determined suitable for leasing. Lands would be offered through competitive oral auction and leases would be issued to the successful bidder. Issuance of the lease commits the oil and gas resource to development subject to the lease notices/stipulations identified appropriate for the subject lands. Future exploration and development would require filing of a Surface Use Plan of Operations (SUPO) with the Forest Service and an Application for Permit to Drill (APD) with the BLM. The Forest Service/BLM will site-specifically analyze the drilling proposal and complete an environmental analysis and make it available for public review and comment. The environmental analysis process will identify the necessary mitigation measures to eliminate or reduce any environmental effects resulting from the surface disturbing operations. Site-specific conditions necessary to protect sensitive natural resource values and address, other environmental and socio-economic concerns, will be identified and documented through this analysis. The approved SUPO and APD will incorporate these "conditions of approval" as appropriate.

### **What this document does not do**

This document does not address:

- Existing and permitted oil and gas operations;
- Privately-owned minerals - whether owned by individuals, state, and/or local entities;
- Future site-specific applications for oil and gas operations.

Future oil and gas activities, under any new leases resulting in ground-disturbing activities, will require the preparation of an environmental analysis, prior to implementing the activities.

### **Type of decisions to be made by this leasing process**

The types of decisions resulting from this process will assist in future surface management and permit processing related to oil and gas operations on 4,634 acres of the Wayne National Forest.

This document will serve as basis for the Wayne National Forest to determine:

- (1) which tracts would be granted consent to leasing;
- (2) the lease stipulations that will be applied to those tracts.

The EA is to provide sufficient information to responsible officials in order for them to make informed decisions and for the public to understand the basis for those decisions.

### **What is BLM's role in this leasing process?**

The following is a sequence of events that would normally occur between FS and BLM during the oil and gas leasing process:

1. The oil and gas industry and certain individuals request leases of the federally-owned oil and gas rights on NFS lands by filing lease offers and expressions of interest to with BLM.
2. BLM forwards the lease offers and expressions of interest (tracts) to the FS and requests that the FS conducts a title review, consent to lease analysis and provide lease stipulations.
3. The FS conducts an analysis and prepares a NEPA document that determines which specific tracts of lands can be offered for leasing. BLM assists in the analysis as a cooperating agency under NEPA.
4. The FS selects a preferred alternative and determines which tracts BLM can offer for lease and under what conditions (terms and stipulations) the leases would be issued.
5. BLM subsequently, must make a decision whether or not to offer for lease the specific tracts authorized by the FS. If BLM decides to offer those tracts for lease, the FS will examine the identified lease "tracts" and ensure that the effects of oil and gas leasing have been adequately addressed in a NEPA document, that the proper stipulations are included in the lease; that the lease is consistent with the Forest Plan; and that operations and development can be allowed somewhere on the lease - except where prohibited by the no surface occupancy (NSO) stipulation.
6. The lease parcels are then advertised by BLM and sold to the highest qualified bidder at an oral auction. All parcels not receiving bids are made available for noncompetitive leasing for two years following the date of the competitive lease sale.

## **Public Involvement**

In 1998, the Wayne National Forest sent scoping letters to over 200 individuals and organizations, advising them of the proposed action and the preparation of an environmental assessment. The mailing list was developed from the forest-wide mailing list of the Wayne National Forest. Organizations contacted included various divisions of the Ohio Department of Natural Resources and numerous environmental advocacy groups such as the Sierra Club and the Ohio Environmental Council. A total of seven responses were received as a result of the scoping letter. These issues were addressed during the preparation of the June 2001 Environmental Assessment.

Issues raised during and since the completion of the June 2001 Environmental Assessment will be considered in this analysis. The 1998, 4,634 acres, 63 tracts leasing proposal, submitted to the public for scoping and review, is Alternative A in this revised Environmental Assessment (Revised EA).

The public will get an opportunity to comment when this revised Environmental Assessment is released for a 30-day public comment period.

## **Project Layout**

The area under consideration consists of 4,634 acres within three separate and distinct geographic units of the Wayne National Forest. The 4,634 subject acres (63 tracts) are geographically separated from each other but are within certain clusters. For the purposes of the analysis in this document, the tracts will be grouped into three areas: the Athens Area, the Ironton Area and the Marietta area. Maps and tables are located in the appendices section.

## **Organization and Format**

This document was prepared using a systematic, interdisciplinary approach to ensure that planning, analysis, and decision-making are integrated, as required by Sec. 102 (2)(A) of NEPA . It is formatted in accordance with NEPA's implementing regulations at 40 Code of Federal Regulations at 1508.9. An electronic commenting format is also provided through a web site for sending comments instantly to the agency.

- ▶ **Chapter 1-Purpose and Need:** This Chapter provides the regulatory framework from which the document was developed under. It outlines the purpose and need for the Agency's action as well providing the context from which decisions will be made.

- ▶ **Chapter 2-Alternatives Management:** This Chapter presents four alternative scenarios for future oil and gas management.
- ▶ **Chapter 3-Affected Environment:** This Chapter includes descriptions of the affected environment.
- ▶ **Chapter 4-Environmental Effects:** This Chapter analyzes the effects of the proposed alternatives.
- ▶ **Chapter 5-Preparation, Consultation and Coordination:** This section lists the persons responsible for document preparation and the agencies and individuals consulted during its drafting.
- ▶ **Chapter 6-Appendices:** This section contains the administrative and technical information supporting the analysis in the document. Documents from the 1992 Plan Amendment #8 are also included.

### **How to Comment**

The reader can chose to comment on the document by emailing or by writing a letter and mailing it, or fax it, to the responsible official at the following address:

Forest Supervisor  
Wayne National Forest  
13700 US Hwy 33  
Nelsonville, OH 45764  
Attn: Oil and Gas Leasing EA

Phone: (740)753-0110  
FAX: (740)753-0119