



Purpose of the Oil and Gas Management Plan / EIS

Purpose is a broad statement of goals and objectives that the National Park Service intends to fulfill by taking action. Objectives are a more specific statement of purpose, that is, what must be accomplished in a large part for the action to be considered a success.



The purpose of the Draft Oil and Gas Management Plan (OGMP)/Environmental Impact Statement (EIS) for Big South Fork National River and Recreation Area and Obed Wild and Scenic River is to analyze alternative approaches, clearly define a strategy, and provide guidance for the next 15-20 years to ensure that activities undertaken by owners and operators of private oil and gas rights are conducted in a manner that protects park resources and values, visitor use and experience, and human health and safety.



There are over 300 private oil and gas operations within Big South Fork National River and Recreation Area and Obed Wild and Scenic

Need for Action

Need is a discussion of existing conditions that need to be changed, problems that need to be remedied, decisions that need to be made, and policies or mandates that need to be implemented.

Need is why action is being taken at this time.

River. Many of the past and existing oil and gas operations

in these NPS units are adversely impacting resources and values, human health and safety, and visitor use and experience; most are not in compliance with federal and state regulations, most notably, the NPS regulations governing nonfederal oil and gas rights, 36 Code of Federal Regulations (CFR) Part 9, Subpart B. In addition, future oil and gas operations have the potential to damage park resources and values.

The plan is needed to provide an efficient and

effective strategy for park managers to ensure the units are protected for the enjoyment of future generations. There is also a need for park-specific guidance to help oil and gas operators in their planning efforts.





Currently, over 300 oil and gas wells exist within Big South Fork National River and Recreation Area. Large

Project Background

oil and gas fields are located adjacent to and extend into the park unit's boundary.

The Obed Wild and Scenic River is located in an area where oil and gas occurs at relatively shallow depths.

The enabling legislation for Big South Fork National River and Recreation Area contains two provisions relating to oil and gas activities. One prohibits extraction of or prospecting for petroleum products or gas in the gorge area.

The other allows prospecting and drilling for petroleum products and natural gas in the adjacent area with minimal environmental impact, including zones where operations will

not be permitted, and safeguards to prevent air and water pollution.

Although there are no provisions related to oil and gas operations in the 1976 amendment to the Wild and Scenic Rivers Act that established the Obed Wild and Scenic River, the original act does discuss mining and mineral leasing laws. Section 9 of the Wild and Scenic Rivers Act provides for access to valid existing mineral rights, but limits those rights only to the mineral deposits and use of the surface, subject to certain limitations as provided by law and regulation.



Management Objectives

Objectives are “what must be achieved to a large degree for the action to be considered a success.” All alternatives selected for detailed analysis must meet all objectives to a large degree, as well as resolve purpose and need for action.



General

- Provide owners and operators of private oil and gas rights reasonable access for exploration, production,

maintenance, and surface reclamation.

- Bring existing operations into compliance with federal and state requirements.
- Identify and protect resources that could be adversely affected by impacts from oil and gas operations.

Water Resources

- Protect and enhance water resources from oil and gas operations.

Threatened and Endangered Species

- Protect species of management concern from unacceptable adverse impacts resulting from oil and gas operations.
- Protect critical habitat from adverse modification resulting from oil and gas operations.

Visitor Experience, Conflicts, and Safety

- Prevent, minimize, or mitigate conflicts between oil and gas operations and visitor use.
- Protect human health and safety from oil and gas operations.

Cultural Resources

- Protect cultural resources, including those on or eligible for listing on the National Register of Historic Places, from oil and gas operations.

Park Management and Operations

- Provide pertinent guidance to operators to facilitate planning and compliance with NPS regulations.
- Establish an efficient process under NEPA for plugging and reclaiming orphaned or exhausted oil and gas operations.



NEPA Process

Internal Scoping

Notice of Intent
Published in Federal
Register

Public Scoping

Preparation of
Draft Plan / EIS

Notice of Availability of
Draft Plan / EIS

60 Days

Public Comment Period on
the Draft Plan / EIS

Preparation of
Final Plan / EIS

Notice of Availability of
Final Plan / EIS

30 Days

Waiting Period

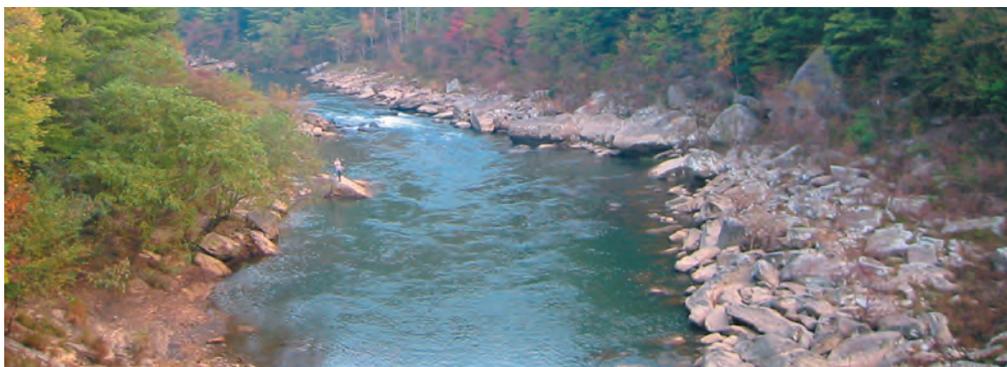
Record of Decision

The National Environmental Policy Act (NEPA) requires that every federal agency

prepare an in-depth study of the impacts of “major federal actions having a significant effect on the environment” and alternatives to those actions, and requires that each agency make that information an integral part of its decisions. NEPA is the environmental component of agency planning, and is to be integrated with other planning at the earliest possible time to insure planning and decisions reflect environmental values.

The NEPA process is always triggered at the proposal stage, or when an agency has a goal and is actively preparing to make a decision on one or more alternative means of accomplishing that goal, and when the effects can be meaningfully evaluated. NEPA also requires that agencies make a diligent effort to involve the interested and affected public, Native American tribes, and state, federal, and local agencies before they make decisions affecting the environment.

Currently, the National Park Service is starting the Public Scoping phase of the NEPA process for this proposed action.



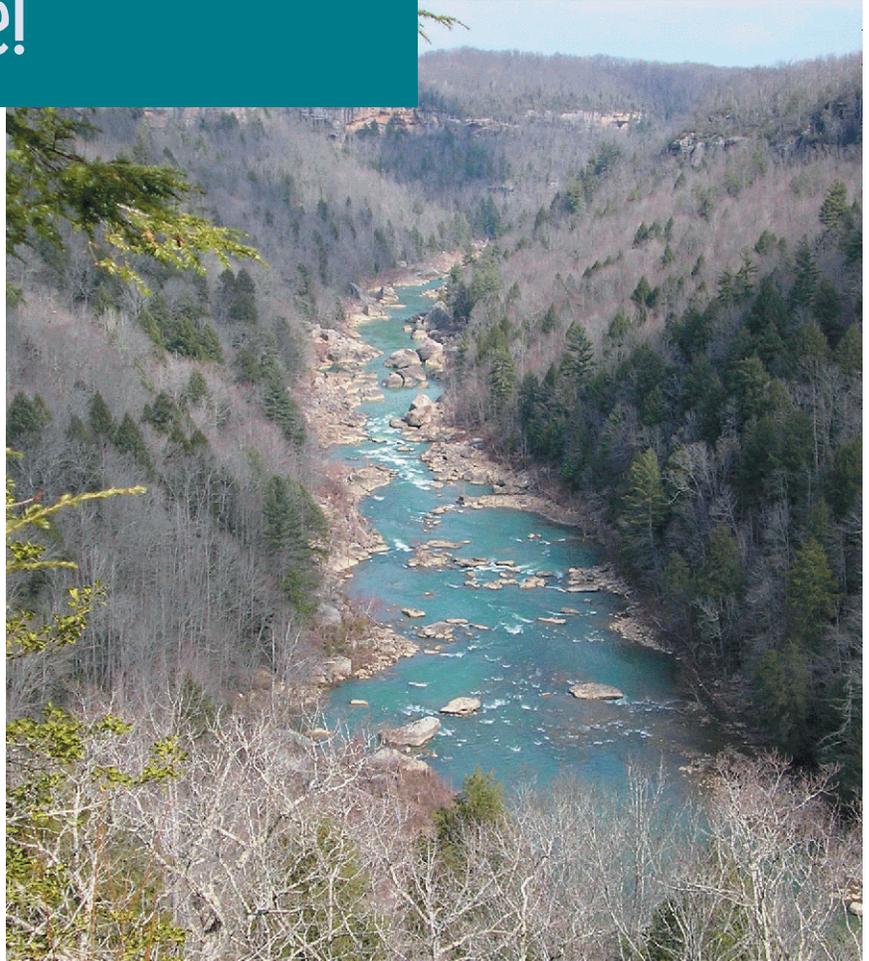
Shaded items have been completed.

Oil and Gas Management Plan/Environmental Impact Statement



Welcome!

The National Park Service has begun preparing the oil and gas management plan and environmental impact statement that will address issues related to current and future management of oil and gas operations in both the Big South Fork National River and Recreation Area and Obed Wild and Scenic River.

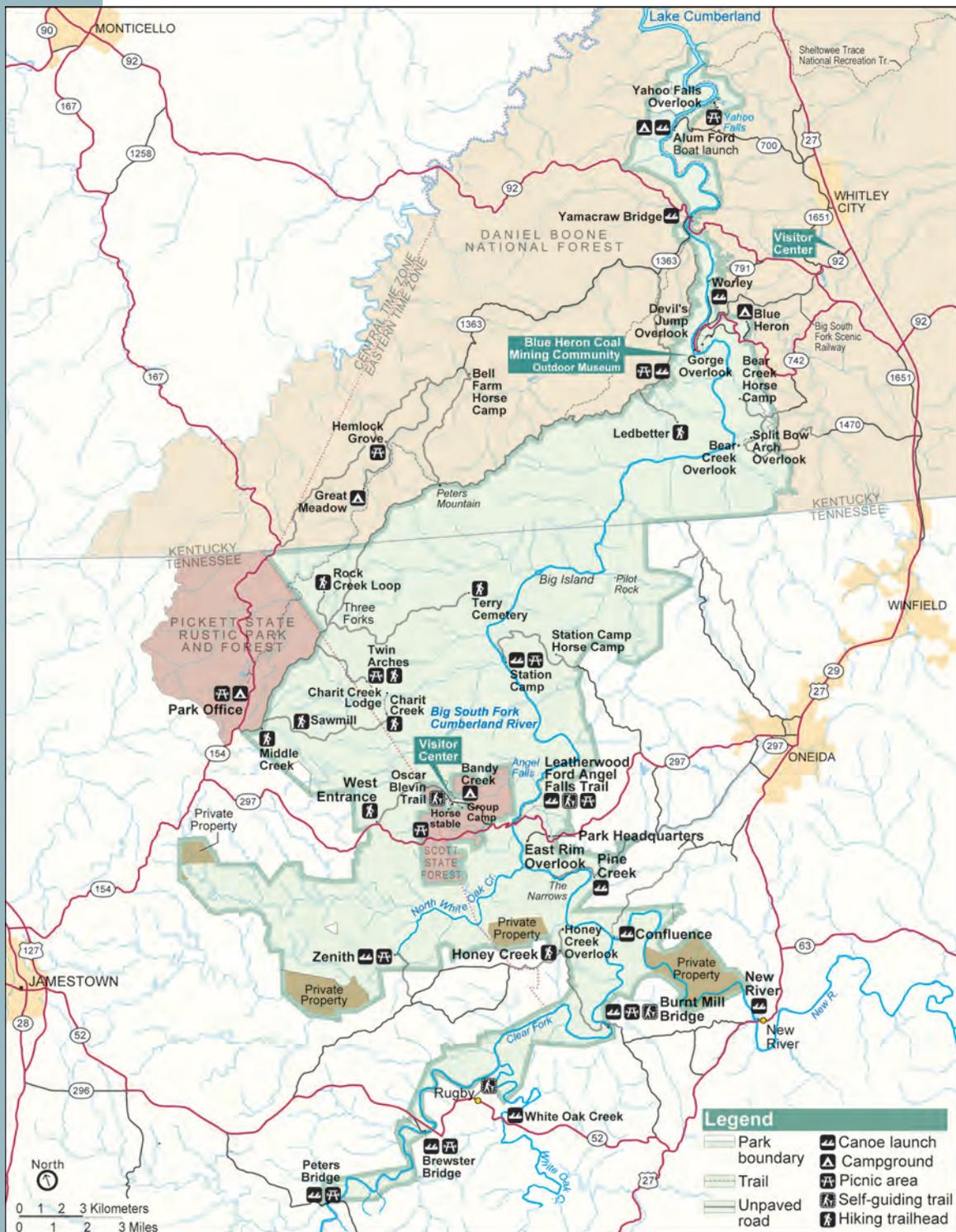


Welcome to the public meeting for the Big South Fork National River and Recreation Area and Obed Wild and Scenic River Oil and Gas Management Plan / Environmental Impact Statement. We'd like to hear your input about the plan, including its purpose and need, management objectives, and preliminary concept management strategies.

Oil and Gas Management Plan/Environmental Impact Statement

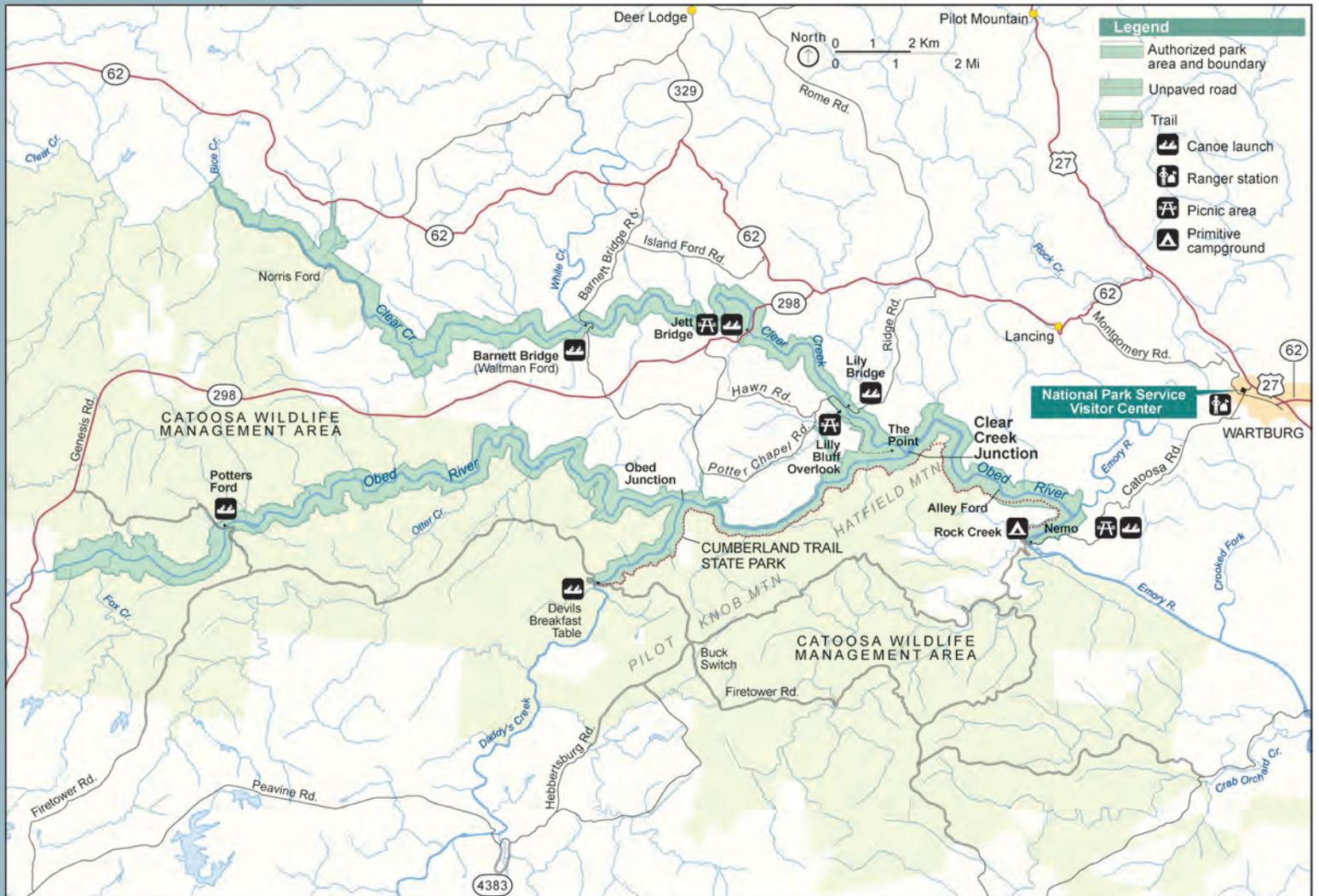


Big South Fork National River and Recreation Area





Obed Wild and Scenic River





Preliminary Concept Management Strategies

No Action: Continue Current Management

At this point in the planning process, the National Park Service has identified preliminary concept management strategies that meet the project objectives to a large degree while resolving purpose and need for action. These conceptual strategies include the possibility of taking no action, which is considered a viable option, and provides a baseline against which the other “action” alternatives carried forward in the plan can be compared.



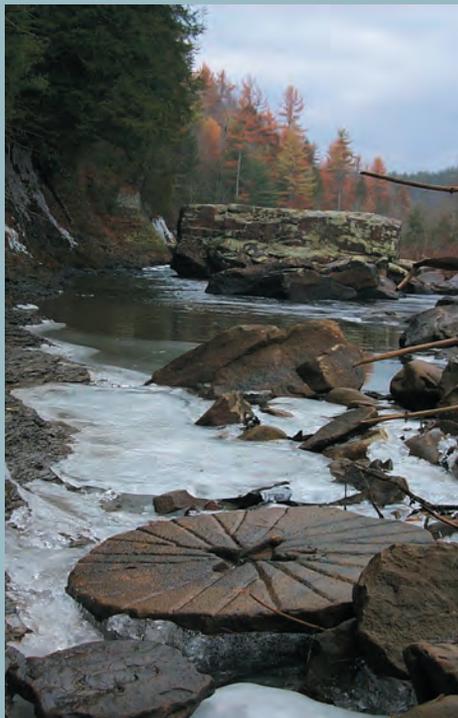
- With current management, there would be no up-front park-specific plan for managing the exploration, production, and transportation of nonfederal oil and gas, as well as the plugging and surface reclamation of well sites at Big South Fork National River and Recreation Area and Obed Wild and Scenic River. NPS staff would continue to manage oil and gas operations on a case-by-case basis, with operating stipulations applied during development and approval of an operators’ plan of operations or during an enforcement action.
- Except as detailed in 36 CFR 9B, operators would not be provided park-specific guidance needed to protect NPS resources in these two units during oil and gas development, plugging, and surface reclamation of well sites.
- All NEPA compliance for well plugging and reclamation projects would be conducted on a case-by-case basis.



Other Preliminary Concept Management Strategies

Other Management Strategies

At this point in the planning process, the National Park Service has identified preliminary concept management strategies that meet the project objectives to a large degree while resolving purpose and need for action.



- The National Park Service would proactively pursue enforcement of 9B regulatory requirements, including plans of operations for current operators, and would increase inspections and monitoring.
- Priorities for enforcement and plugging/reclaiming abandoned wells would be set by identifying problem areas and evaluating site-specific factors, such as environmental/health and safety issues, road conditions, well status, compliance with state regulations, and operator status. NEPA compliance for plugging/reclamation would be expedited based on the standards and analysis in the Oil and Gas Management Plan/Environmental Impact Statement.

continued...



Other Preliminary Concept Management Strategies

Other Management Strategies

...continued

At this point in the planning process, the National Park Service has identified preliminary concept management strategies that meet the project objectives to a large degree while resolving purpose and need for action.



- Special Management Areas (SMAs) would be formally designated for areas where park resources and values are particularly susceptible to oil and gas operations, and would be used to help prioritize enforcement. Designating these SMAs would also give operators more complete information to assist them through the planning and development phases of their operations. Research is being conducted to determine appropriate operating guidelines for the potential SMAs; at a minimum, they would be consistent with the 9B regulations, which prohibit surface operations within 500 feet of any watercourse, or any structure or facility (excluding roads) used for interpretation, public recreation, or for administration of the unit, unless authorized by an approved plan of operations [36 CFR § 9.41(a)]. Each SMA would contain operating guidelines specific to different phases of oil and gas operations.
- SMAs at Big South Fork National River and Recreation Area would be designated for areas outside of the gorge, where the enabling legislation does not prohibit oil and gas operations, and could include areas such as geomorphologic features, visitor use areas, trails, cemeteries, sensitive viewsheds, State Natural Areas, cliff edges, the potential all terrain vehicle planning area, and waters listed as impaired under Section 303(d) of the Clean Water Act. At Obed Wild and Scenic River, the entire park could be designated an SMA.



In the National Park Service, an “issue” often describes concerns or

obstacles to achieving a park goal. Issues are possible barriers to achieving NEPA’s goal of minimizing effects of proposals on the human environment.



Potential Issues

An issue describes the relationship between actions and environmental resources. Issues are usually problems that either the no action alternative has caused, or that any of the alternatives might cause. Issues simply alert the reader as to what the environmental problems might be if action is taken. Numerous possible issues

have been identified in relationship to this plan. The topics under which these issues fall are listed below.

Geological Resources

Geological Hazards

Air Quality

Soundscapes

Water Quality/Quantity

Floodplains or Wetlands

Rare or Unusual Vegetation

Species of Special Concern or their Habitat

Unique or Important Wildlife or Wildlife Habitat

Unique or Important Fish or Fish Habitat

Introduce or Promote Non-Native Species

Recreation Resources, Visitor Experience, Esthetic Resources

Archeological Resources, Prehistoric/Historic Resources

Cultural Landscapes

Ethnographic Resources

Socioeconomics

Neighboring Land Uses

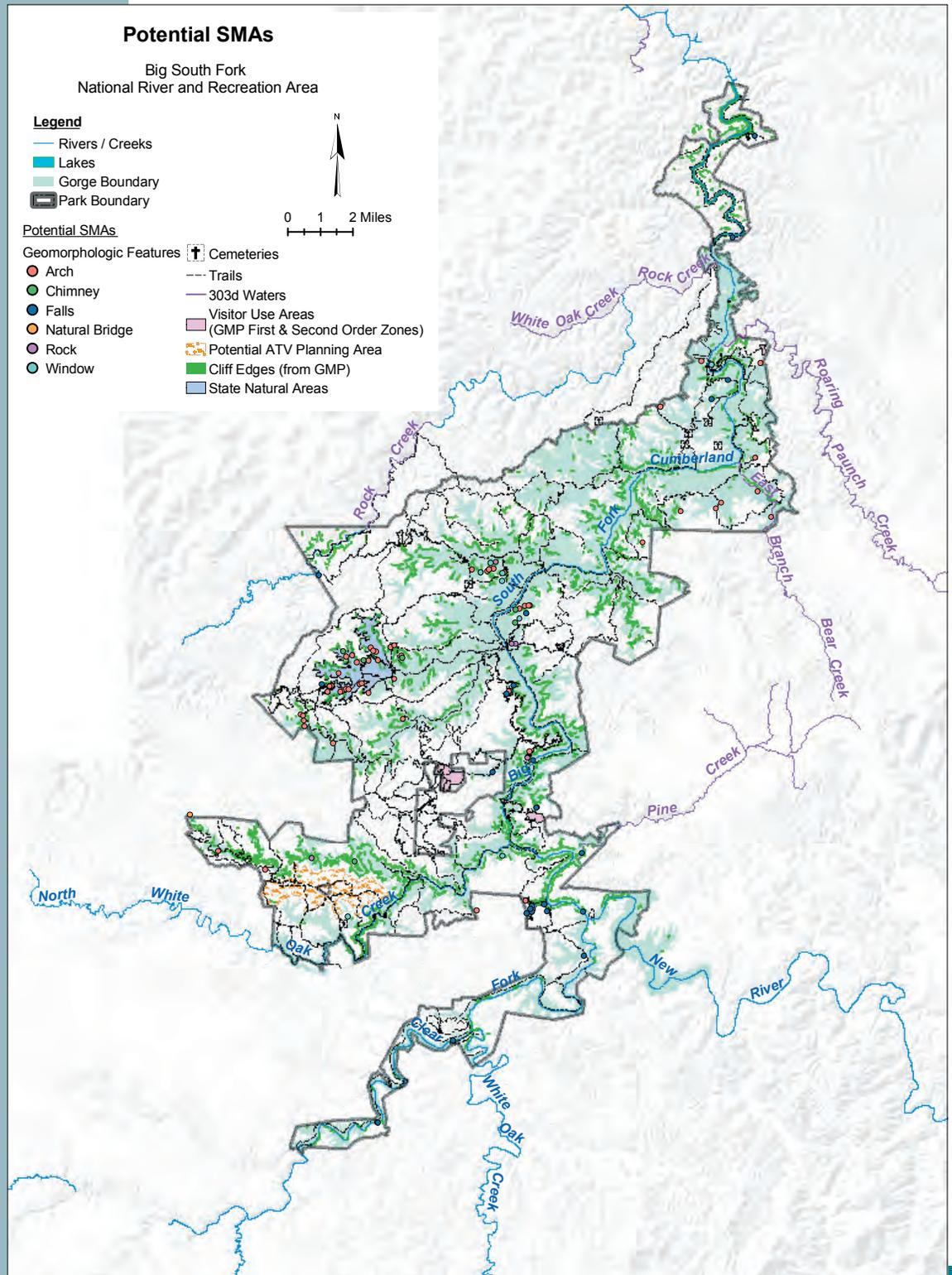
Long-Term Management of Resources or Land/Resource Productivity

Please visit <http://parkplanning.nps.gov/BISO> for a description of the issues associated with these topics.

Oil and Gas Management Plan/Environmental Impact Statement

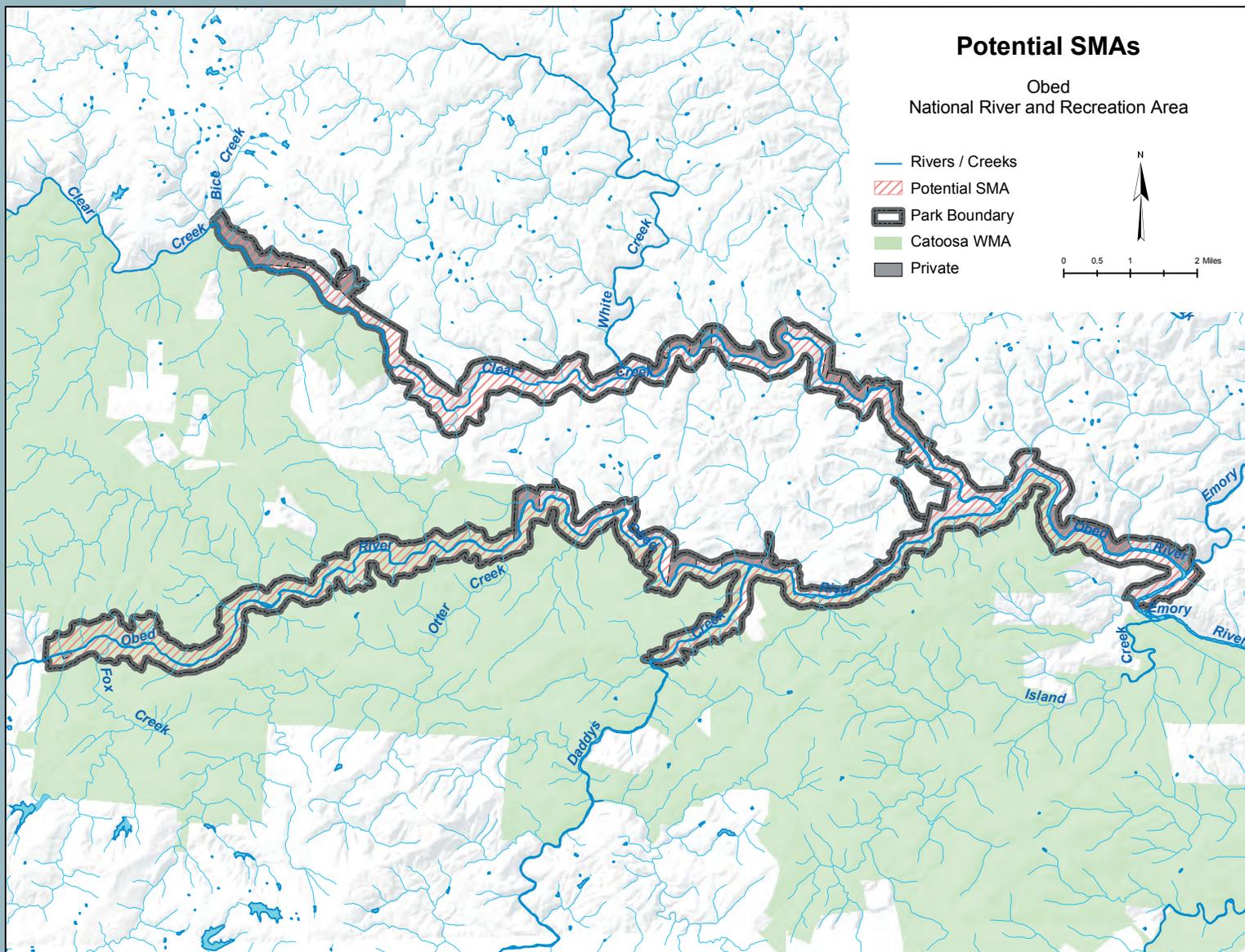


Big South Fork Potential SMAs





Obed Potential SMAs





Overview of “9B” Regulations

The National Park Service, as an entity of the federal government, has the authority to regulate nonfederal oil and gas exploration and production in units of the National Park System. The authority to manage and protect federal property arises from the Property Clause of the United States Constitution, which provides that “Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States...”.

The term “9B Regulations” refers to federal regulations located at 36 Code of Federal Regulations (CFR) Part 9, Subpart B. These regulations control activities associated with nonfederal mineral interests on federal land to avoid or minimize harm to park resources and values. The United States does not need to own the mineral interest beneath the parks to regulate rights associated with a private interest that may affect the federally owned surface. However, the National Park Service limits the application of the 9B regulations to operations that require access on, across, or through federally owned or controlled lands or waters to reach oil and gas rights in parks. The critical component of the 9B regulations is the requirement that an operator submit and obtain NPS approval of a proposed Plan of Operations before commencing oil and gas exploration or production activities (36 CFR § 9.36).