

FINDING OF NO SIGNIFICANT IMPACT (FONSI)

CO-130-2008-029-EA Winter Flats Wells 10-43-99 and 11-43-100

The environmental assessment and detailed analyses of the environmental effects of the Winter Flats wells have been reviewed. I have considered the proposed action to allow Black Hills Plateau Production LLC to drill the wells as detailed in this EA and find, based on the analysis of environmental considerations provided therein, no evidence to indicate that it would significantly (40 CFR 1508.27) impact the quality of the human environment. The proposal, as modified by the recommended and attached mitigation measures, does not constitute a major federal action significantly affecting the quality of the human environment in the context of the National Environmental Policy Act (NEPA), section 102(2)(c). This results in a Finding of No Significant Impact on the human environment. An environmental impact statement is not necessary to further analyze the environmental effects of the proposed action.

DECISION RECORD

DECISION: It is my decision to approve the proposed action (drilling Winter Flats Wells 10-43-99 and 11-43-100), with mitigation measures and Surface Use Conditions of Approval, in order to provide for the orderly, economical, and environmentally sound exploration of gas resources on valid leases.

This decision does not modify any lease terms and stipulations attached to the specific leases involves. Development of the wells may require additional NEPA compliance if it is out of the scope of this analysis.

RATIONALE: The environmental analysis adequately analyzes the direct and cumulative impacts of the Winter Flats Wells 10-43-99 and 11-43-100, including impacts on private and public lands. Impacts are adequately considered in the Environmental Assessment. Environmental impacts will be mitigated, to the extent practicable, with measures outlined in the Environmental Assessment

MITIGATION MEASURES: Mitigation measures are included in the Environmental Consequences/Mitigation sections of the Environmental Assessment for each natural resource and in the Surface Use Conditions of Approval.

COMPLIANCE/MONITORING: Compliance and monitoring will be conducted by BLM and Black Hills as scheduled in the Inspection and Enforcement Strategy, as discussed in the EA and as needed to assure conformance with federal law, regulations, and conditions of approval.

APPEALS: The decisions made in this EA may be appealed for 30 days after the Applications for Permit to Drill (APDs) are approved.

In accordance with 43 CFR 3165.3, the public may request a State Director Review upon approval of the APD(s) for this proposed project. This request must be submitted in writing within 20 business days from the date of APD approval. The request should be sent to: Colorado State Director, 2850 Youngfield Street, Lakewood Colorado 80215. The decision of the State Director may then be appealed to the Interior Board of Land Appeals in accordance with 43 CFR 3165.4.

Copies of the Winter Flats Environmental Assessment are available for review at the BLM Grand Junction Field Office, 2815 H Road, Grand Junction, Colorado 81506. For further information please contact Matt Anderson by phone or e-mail: 970-244-3000 or Matt_Anderson@blm.gov.

NAME OF PREPARERS: Marion Fischel, TEC Inc., Julia Christiansen, BLM

NAME OF ENVIRONMENTAL COORDINATOR: Matt Anderson, BLM

DATE: July 2, 2008

SIGNATURE OF AUTHORIZED OFFICIAL:

Kel Moxley

GRAND JUNCTION, Field Manager (Acting)

DATE SIGNED: 7/3/08