U.S. Department of the Interior
Bureau of Land Management
Little Snake Field Office
455 Emerson Street
Craig, CO 81625

DOCUMENTATION OF LAND USE PLAN CONFORMANCE AND NEPA ADEQUACY

NUMBER: DOI-BLM-CO-N010-2010-0135-DNA

CASEFILE/PROJECT NUMBER: COC47671A

PROJECT NAME: BW Musser #72, #73

LEGAL DESCRIPTION: NESE Sec. 5, T11N, R97W, 6th P.M. in Moffat County

APPLICANT: Wexpro Company

A. Describe the Proposed Action

The proposed action would be to approve two Application's for Permit to Drill (APD) submitted by Wexpro Company. Wexpro Company proposes to drill two gas wells on BLM administered land located in the Powder Wash Field in Sec. 5, T11N, R97W. APD's have been filed with the LSFO for BW Musser #72 and #73 wells. The APD's include drilling and surface use plans that cover mitigation of impacts to vegetation, soil, surface water, and other resources. Mitigation not incorporated by Wexpro Company in the drilling and surface use plans would be attached by the BLM as Conditions of Approval to an approved APD.

The proposed wells are located approximately 40 miles West of Baggs, Wyoming. These two wells will be drilled from the same location as the previously approved and analyzed BW Musser #35 well. The estimated duration of drilling for each well would be 20 days, to begin the winter of 2011.

The proposed well pad would be cleared of all vegetation and leveled for drilling. Topsoil and native vegetation would be stockpiled for use in reclamation. Approximately 3.1 acres would be disturbed for construction of the well pad. This would include the 400' by 330' well pad, the topsoil, and subsoil piles. A reserve pit would be constructed on the well pad to hold drill mud and cuttings. If a well is a producer, cut portions of the well site would be backfilled and unused portions of the well site would be stabilized and re-vegetated. If a gas well proves unproductive, it would be properly plugged and the entire well pad and access road would be reclaimed.

Total surface disturbance for the proposed action would be the same as analyzed for the BW Musser #35 well.

B. Land Use Plan (LUP) Conformance
LUP Name: Little Snake Resource Management Plan and Record of Decision (ROD)
Date Approved: April 26, 1989

- Draft RMP/EIS February 1986
- Final RMP/EIS September 1986
- Colorado Oil and Gas Leasing and Development Final EIS January 1991

C. Identify applicable NEPA documents and other related documents that cover the proposed action.

- Colorado Public Land Health Standards, Decision Record & Finding of No Significant Impact and Environmental Assessment, March 1997.
- CO-100-2010-011EA

D. NEPA Adequacy Criteria

1. Is the current proposed action substantially the same action (or is a part of that action) as previously analyzed? Is the current proposed action located at a site specifically analyzed in an existing document? Yes. The current proposed action was part of the proposed actions in the previously analyzed and approved in CO-100-2010-011EA.

2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the current proposed action, given current environmental concerns, interests, and resource values? Yes. CO-100-2010-011EA appropriately analyzed the environmental impacts and a range of alternatives that include the proposed action.

3. Is the existing analysis valid in light of any new information or circumstances? Yes. The proposed action would have no disproportionate impacts on minority populations or low income communities (E.O.12898) and the President's Executive Order, signed 01/10/01, which mandates evaluation of effects of actions and agency plans on migratory birds.

4. Do the methodology and analytical approach used in the existing NEPA document(s) continue to be appropriate for the current proposed action? Yes. CO-100-2010-011EA methodology and analytical approach are appropriate to this proposed action.

5. Are the direct and indirect impacts of the current proposed action substantially unchanged from those identified in the existing NEPA document(s)? Does the existing NEPA document analyze site-specific impacts related to the current proposed action? Yes. CO-100-2010-011EA analyzed the direct, indirect, and site-specific impacts of the area covered under this current proposed action.

6. Are the cumulative impacts that would result from implementation of the current proposed action substantially unchanged from those analyzed in the existing NEPA

document(s)? Yes.

7. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action? Yes, the Notice of Staking is posted in the Little Snake Field Office for a minimum of 30 days before the Application for Permit to Drill is approved and issued to the applicant.

E. Interdisciplinary Analysis: Identify those team members conducting or participating in the preparation of this worksheet.

Name	Title	Resource Represented	Initials/Date
Roy McKinstry	Natural Resource Specialist	Air Quality, Floodplains, Prime/Unique Farmlands, Surface Water Quality	RM 8/18/10
Ethan Morton	Archaeologist	Cultural Resources, Native American Concerns	EM 8/30/2010
Louise McMinn	Realty Specialist	Environmental Justice	LM 8/20/10
Chris Rhyne	Rangeland Management Spec.	Invasive Non-native Species	CR 8/27/10
Hunter Seim	Rangeland Management Spec.	Sensitive Plants, T&E Plant	JHS 8/23/10
Gail Martinez	Wildlife Biologist	T&E Animal	GEM 8/24/10
Marty O'Mara	Petroleum Geologist	Ground Water Quality	EMO 8/30/10
Emily Spencer	Ecologist	Wetlands/Riparian Zones	ELS 8/23/10
Shane Dittlinger	Outdoor Recreation Specialist	WSA, W&S Rivers	KSD 8/23/10

STANDARDS:

Name	Title	Standard	Initials/Date
Gail Martinez	Wildlife Biologist	Animal Communities	GEM 8/24/10
Gail Martinez	Wildlife Biologist	Special Status, T&E Animal	GEM 8/24/10
Hunter Seim	Rangeland Management Spec	Plant Communities	JHS 8/23/10
Hunter Seim	Rangeland Management Spec	Special Status, T&E Plant	JHS 8/23/10
Emily Spencer	Ecologist	Riparian Systems	ELS 8/23/10
Roy McKinstry	Natural Resource Specialist	Water Quality	RM 8/18/10
Roy McKinstry	Natural Resource Specialist	Upland Soils	RM 8/18/10

REMARKS:

CULTURAL RESOURCES

Affected Environment: Cultural resources, in this region of Colorado, range from late Paleo-Indian to Historic. For a general understanding of the cultural resources in this area of Colorado, see ***An Overview of Prehistoric Cultural Resources, Little Snake Resource Area, Northwestern Colorado***, Bureau of Land Management Colorado, Cultural Resources Series, Number 20, ***An Isolated Empire, A History of Northwestern Colorado***, Bureau of Land Management Colorado, Cultural Resource Series, Number 2 and ***Colorado Prehistory: A Context for the Northern Colorado River Basin*,** Colorado Council of Professional Archaeologists.

Environmental Consequences: Portions of the proposed project, Powder Wash and Jacks Draw Unit**, has not** undergone a Class III cultural resource survey for the following pipelines:

Powder Wash #7-1 H
Jacks Draw #19 Pipeline

Most of the proposed project Powder Wash and Jacks Draw Unit, has undergone a Class III cultural resource survey for the following pipelines, wells, and access roads:

Darlington, David
2009 Class III Cultural Resource Inventory for the Wexpro Company Jacks Draw Unit 19. (BLM 12.1.2010)

Johnson, David
2009 Class III Cultural Resource Inventory and Testing Report for the Wexpro Company Jacks Draw Unit No. 18 Well Pad and Access Road, Moffat County, Colorado (12.38.09)
2009 Class III Cultural Resource Inventory and Testing Report for the Wexpro Corporation Donnell #20 Well Pad, Access Road (BLM 12.2.2010)
2009 Class III Cultural Resource Inventory and Testing Report for the Wexpro Corporation Musser #34 Well Pad, Access Road, Moffat County, Colorado (12.44.09)
2009 Class III Cultural Resource Inventory Report for the Wexpro Company Powder Wash 7-1 Well Pad and Access Road (BLM 12.7.2010)
2010 Class III Cultural Resource Inventory for the Questar Gas Management Musser No. 35 Pipeline (BLM 12.16.2010)
2010 Class III Cultural Resource Inventory Report for the Wexpro Company Musser No. 35 Well Pad and Access Road (BLM12.21.2010)
2010 Class III Cultural Resource Inventory Report for the Questar Gas Management Musser No. 30 Pipeline (BLM 12.17.2010)
2010 Class III Cultural Resource Inventory Report for the Wexpro Company Musser No. 30 Well Pad and Access Road (BLM 12.19.2010)

Werner, Heidi

2010 Class III Cultural Resource Inventory for the Questar Gas Management Company Musser #34 Pipeline (BLM 12.15.2010)
2010 Class III Cultural Resource Inventory for the Questar Gas Management Company Donnell #20 Pipeline (BLM 12.20.2010)
2010 Class III Cultural Resource Inventory for the Questar Gas Management Company Jacks Draw #18 Pipeline (BLM 12.22.2010)

The survey identified no eligible to the National Register of Historic Places cultural resources. The proposed project may proceed as described with the following mitigative measures in place.

Mitigative Measures: No permits may be authorized for the Powder Wash 7-1H pipeline or Jacks Draw #19 pipeline until cultural resource surveys for these projects are accepted.
The following standard stipulations apply for this project:

1. The operator is responsible for informing all persons who are associated with the operations that they will be subject to prosecution for knowingly disturbing historic or archaeological sites, or for collecting artifacts. If historic or archaeological materials are encountered or uncovered during any project activities, the operator is to immediately stop activities in the immediate vicinity of the find and immediately contact the authorized officer (AO) at (970) 826-5000. Within five working days, the AO will inform the operator as to:

Whether the materials appear eligible for the National Register of Historic Places; The mitigation measures the operator will likely have to undertake before the identified area can be used for project activities again; and Pursuant to 43 CFR 10.4(g) (Federal Register Notice, Monday, December 4, 1995, Vol. 60, No. 232) the holder of this authorization must notify the AO, by telephone at (970) 826-5000, and with written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4(c) and (d), you must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the authorized officer.

2. If the operator wishes, at any time, to relocate activities to avoid the expense of mitigation and/or the delays associated with this process, the AO will assume responsibility for whatever recordation and stabilization of the exposed materials may be required. Otherwise, the operator will be responsible for mitigation costs. The AO will provide technical and procedural guidelines for the conduct of mitigation. Upon verification from the AO that the required mitigation has been completed, the operator will then be allowed to resume construction.

Name of specialist and date: Ethan Morton 8/30/10

NATIVE AMERICAN RELIGIOUS CONCERNS

A letter was sent to the Uinta and Ouray Tribal Council, Southern Ute Tribal Council, Ute Mountain Ute Tribal Council on May 26, 2009. The letter listed the FY08 and FY09 projects that the BLM would notify them on and projects that would not require notification. A followup

phone call was performed on July 26, 2009. No comments were received (Letter on file at the Little Snake Field Office). This project requires no additional notification.

Name of specialist and date: Ethan Morton 8/30/10

Conclusion

Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the NEPA documentation fully covers the proposed action and constitute BLM's compliance with the requirements of NEPA.

Signature of Lead Specialist_____ Date_____

Signature of NEPA Coordinator_____ Date_____

Signature of the Authorizing Official_____ Date_____

Note: The signed Conclusion on this document is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision.