

**United States Department of the Interior
Bureau of Land Management**

**Categorical Exclusion
for the
EnCana USA LW Federal Disposal #1 Amendment**

Grand Junction Field Office
2815 H Road
Grand Junction, Colorado 81506

DOI-BLM-CO-130-2010-0076-CX
COC 73305

September 2010



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LEGAL DESCRIPTION

Sixth PM,
T. 8 S., R. 97 W.,
section 6, lots 9, 10, and 13.

Garfield County, Colorado

Long Point, Colorado USGS Quadrangle

APPLICANT

EnCana Oil & Gas (USA), Inc.
Republic Plaza
370 17th Street, Suite 1700
Denver, Colorado 80202

DESCRIPTION OF PROPOSED ACTION

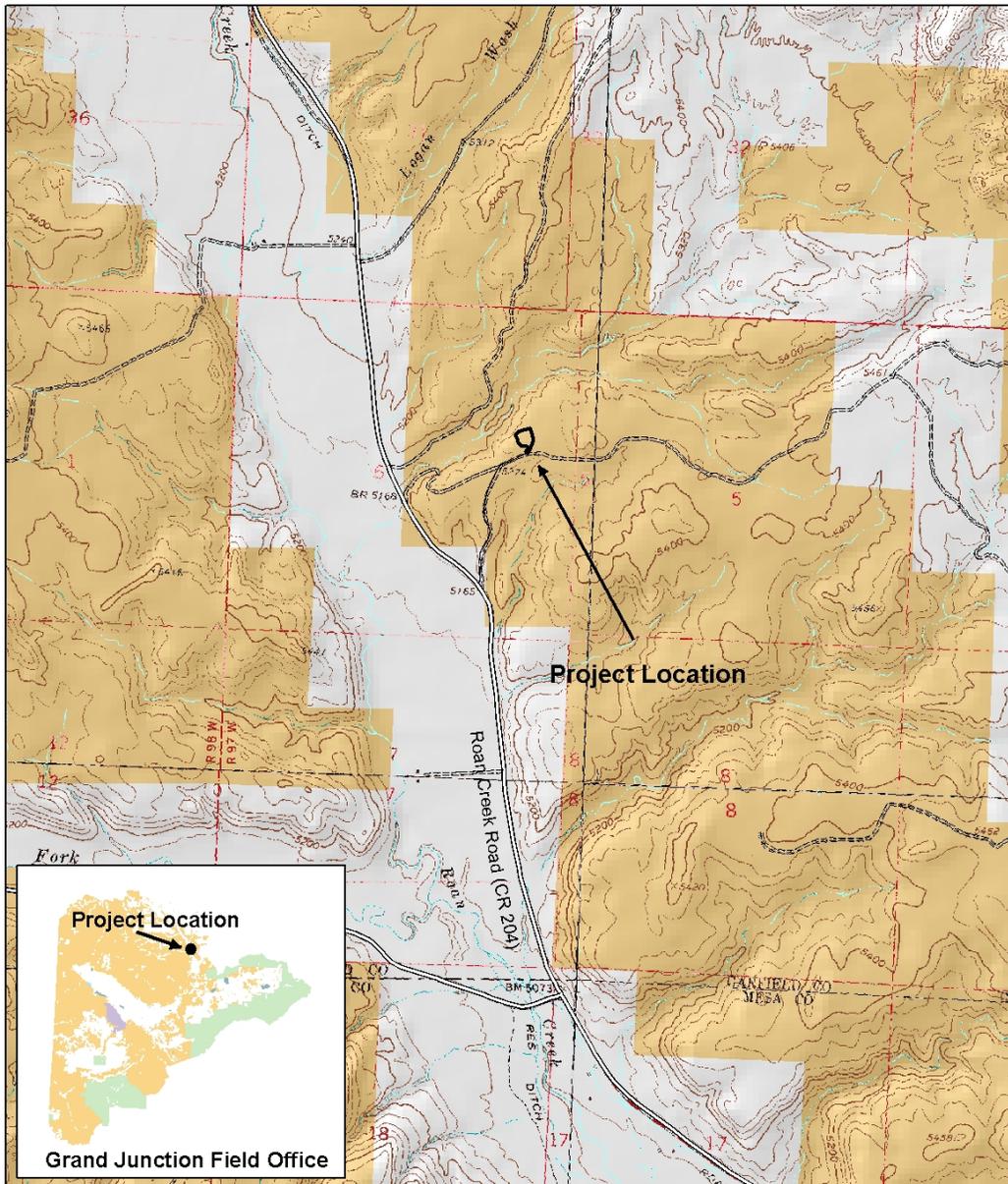
EnCana Oil & Gas (USA) Inc. (EnCana) proposes to amend their 2009 Right-of-Way Grant, COC 73305 for the LW Federal Disposal #1.

EnCana proposes to change the size of the pump house to a smaller foot print and rotate it to an east-west direction. EnCana also proposes the following:

- Use a temporary diesel generator instead of the authorized natural gas generator, dehydrator, and meter until utility power becomes available
- Add lights to the salt water disposal well pad to improve visibility and night safety
- Remove the road on the pad
- Concrete load-out facility with spill containment

The concrete load-out facility would include one cement pad per load-out location. Each load-out location would contain space for two trucks. The initial plan calls for one load-out location capable of handling two trucks. The second load-out location would only be constructed if necessary. The concrete would be visually inspected for integrity monthly. The spill containment would be inspected monthly and contain a level indicator with alarms to notify operators. Additionally, EnCana proposes to construct double-lined containment under the tank battery with monitoring wells which would be inspected monthly. Up to 110 truck loads per day would travel to the facility transporting 3,250-14,300 billion barrels of produced water from the Middle Fork and High Mesa Treatment Facilities. Trucks would access the site 24 hours per day during periods of use, and the facility would be in operation seven days a week year-round.

No temporary workspace is necessary for conversion of the existing facility to the proposed facility. General maintenance would be performed on equipment per equipment specifications and the access road would be maintained as needed to Gold Book standards, at a minimum.



6th PM,
T. 8 S., R. 97 W.,
section 6, lot 9.

Garfield County, Colorado
Long Point, CO USGS Quadangle

**EnCana Oil & Gas
Injection Well Pad Amendment
DOI-BLM-CO-130-2010-0076-CX
COC 73305**



- Road
- ▭ Well Pad
- BLM
- Private

Figure 1: Project Area

EnCana’s proposed final reclamation plan is included in the submitted Plan of Development (POD). In addition to the attached EXHIBIT A, EnCana would remove all concrete structures and attachments with a track hoe and dispose of them at an approved waste management facility. All remaining gravel would be re-used per Resource Management practices and removed from the site.

PLAN CONFORMANCE REVIEW

The Proposed Action is subject to and has been reviewed for conformance with (43 CFR 1610.5, BLM 1617.3) the following plan:

Name of Plan: GRAND JUNCTION Resource Management Plan

Date Approved: January, 1987

Decision Number/Page: 2-29

Decision Language: To respond, in a timely manner, to requests for utility authorizations on public land while considering environmental, social, economic, and interagency concerns.

CATEGORICAL EXCLUSION REVIEW

The proposed action qualifies as a categorical exclusion under 516 DM 11.9 (E) (13). When no exceptions apply, the following types of Bureau of Land Management (BLM) actions normally do not require the preparation of an EA or EIS: "Amendments to existing rights-of-way, such as the upgrading of existing facilities, which entail no additional disturbances outside the right-of-way boundary." None of the following exceptions in 516 DM 2, Appendix 2, apply.

Extraordinary Circumstances

	YES	NO
1. Have significant adverse effects on public health and safety.	___	<u>X</u>
2. Have adverse effects on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation, or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands, floodplains; national monuments; migratory birds; and other ecologically significant or critical areas.	___	<u>X</u>
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources.	___	<u>X</u>
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.	___	<u>X</u>
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.	___	<u>X</u>
6. Be directly related to other actions with individually insignificant but cumulatively significant environmental effects.	___	<u>X</u>
7. Have adverse effects on properties listed, or eligible for listing, in the National Register of Historic Places.	___	<u>X</u>
8. Have adverse effects on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have adverse effects on	___	<u>X</u>

- designated Critical Habitat for these species. _____ X
9. Have the potential to violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment. _____ X
10. Have the potential for a disproportionately high and adverse effect on low income or minority populations. _____ X
11. Restrict access to and ceremonial use of Indian sacred sites by Indian religious practitioners or adversely affect the physical integrity of such sacred sites. _____ X
12. Significantly, contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species. _____ X

INTERDISCIPLINARY REVIEW:

<u>Name</u>	<u>Title</u>	<u>Area of Responsibility</u>
Aline LaForge	Archaeologist	Cultural Resources, Native American Religious Concerns
Anna Lincoln	Ecologist	Special Status Species
Heidi Plank	Wildlife Biologist	Wildlife, Fisheries, Special Status Species

REMARKS

CULTURAL RESOURCES

The location was adequately addressed by previous analysis and no cultural resources were found to exist in the project area. With no new surface disturbance there would be no need for additional evaluation for cultural resources. The project inventory and evaluation is in compliance with the National Historic Preservation Act (NHPA), the Colorado State Protocol Agreement, and other federal law, regulation, policy, and guidelines regarding cultural resources.

There would be no direct, indirect or cumulative impacts associated with this amendment to the existing ROW grant.

Subsurface disturbance may occur during the restoration of the site and the standard stipulations would protect any inadvertent discovery of cultural resources.

NATIVE AMERICAN RELIGIOUS CONCERN

There is no known evidence that suggests the project area holds special significance for Native Americans, or is actively used to maintain any traditional practices. The project would not alter or limit any access if there were traditional uses that are not known to the agency. The Ute

Tribes have expressed their thoughts on the sacred nature of water resources and consultation was conducted during the 2009 analysis of the project. No further comments from the previous consultation have been received.

SPECIAL STATUS SPECIES

Plants:

The Federally-protected Colorado hookless cactus is known to occur near the access road to the injection well. Biological surveys (2007, 2008) recorded the cactus on both sides of the access road. The cactus locations were in areas topographically protected from the effects of traffic.

The injection well was previously analyzed in 2009 (DOI-BLM-CO-130-2009-0009-EA). The proposed modification to the ROW will not change effects considered in the previous analysis. No significant impacts to Special Status Plant Species, long term or short term, are expected as a result of implementing the proposed action.

Dust abatement would be implemented as needed. No magnesium chloride would be used for dust control on the access road within 100 meters of the Colorado hookless cactus. EnCana would notify BLM when road maintenance begins, so that the BLM Ecologist can make a site visit to determine if additional protections would be necessary to avoid indirect impacts to the cactus.

Animals:

There are no records of occurrence of special status wildlife within the project area. The project area is within mapped potential range for the Greater Sage Grouse; however the well pad and road occur in a piñon juniper habitat type that is unlikely to support Sage Grouse. The immediate project area contains habitat for the midget faded rattlesnake. Along Roan Creek, just across county road 204 from the project location, there is wintering habitat for Bald Eagles. The closest recorded roost location is several miles downstream at the confluence of Roan Creek and the Colorado River. Additionally Roan creek contains speckled dace, suckers, and Colorado River cutthroat. The additional construction is not expected to require any additional water depletions.

No significant impacts to special status wildlife species are expected as a result of implementing the proposed action. Impacts to the species that inhabit Roan Creek are not expected with this project, nor are impacts to the four Colorado River fish species anticipated under the proposed action.

TERRESTRIAL WILDLIFE

The proposed action occurs within critical winter range for mule deer. Other terrestrial species common to the general area include black bear, mountain lion, coyote, and a variety of small mammals, reptiles, amphibians, and resident birds.

As no additional ground disturbance would occur no direct impacts to terrestrial wildlife habitat are anticipated. Increased traffic on the access road and 24hour travel on the access road may

increase the likelihood of direct wildlife mortality. Indirect impacts to wildlife due to displacement from increased activity and artificial lighting at the site are likely to occur.

All mitigation from the original EA shall be carried forward. Additional wildlife mitigation may be required if impacts to wildlife, especially wintering mule deer are determined to be an issue. This mitigation may include restrictions on hours of access to the site, restrictions on seasons of use for truck traffic to the site, and/or fencing of the access road. Any collisions with wildlife on the access road shall be reported to the GJFO wildlife Biologist within 24 hours (contact Heidi Plank 970-244-3012).

On sight lighting will be hooded and downcast to minimize impacts of artificial lighting on surrounding wildlife habitat.

COMPLIANCE PLAN

Compliance inspections would be conducted every 5 years at a minimum. Additional inspections would be conducted as necessary following any new authorizations and construction, or non-compliance findings.

NAME OF PREPARER: Christina Stark

NAME OF ENVIRONMENTAL COORDINATOR: Collin Ewing

DATE: 9/15/10

DECISION RECORD
FOR
EnCana USA LW Federal Disposal #1 Amendment
DOI-BLM-CO-130-2010-0076-CX
BLM Grand Junction Field Office
2815 H Road
Grand Junction, Colorado 81506

DECISION

I have reviewed this Categorical Exclusion for the proposed changes the EnCana USA LW Federal Disposal #1 salt water disposal well, and have determined that none of the Extraordinary Circumstances that are listed in 516 Department Manual 2, Appendix 2 are present. The proposed project is also in conformance with the Grand Junction Resource Management Plan.

New facilities that were analyzed and are approved under this decision include: concrete truck load-out structures, a leak detection system, facility lighting, 24 hours a day/7 days a week access and transport to the facility, a maximum of 110 water truck trips per day, and a temporary diesel generator.

It is my decision to approve the request to offer a Right-of-Way grant amendment for the proposed changes as analyzed, with additional conditions included in the attached Special and Standard Stipulations. No additional surface disturbance outside of the existing approved facilities would be authorized under the proposed action. The BLM is retaining the authority to require alterations or the removal of facility lighting structures if determined necessary to reduce impacts on wildlife or visual resources. Under this decision the BLM may reduce the authorized number of truck trips per day, as well as the hours and days of operation and access to the facility.

RATIONALE

This action is listed in the Department of Interior's Department Manual, part 516, chapter 11 as an action that may be categorically excluded. I have evaluated the action relative to the 12 extraordinary circumstances listed in the BLM Department Manual and have determined that it does not represent an exception and is, therefore, categorically excluded from further environmental analysis.

Approving the proposed action will allow EnCana to amend the existing Right-of-Way grant, COC 73305, for the LW Federal Disposal #1. There would be no new surface disturbance outside of the existing authorized area for the salt water disposal well pad or the ancillary access road. This amendment will allow EnCana to construct additional structures on an existing salt water disposal well pad. The installation of concrete truck load-out areas that include spill containment structures, along with the addition of a leak detection system under the holding tanks will increased protection to resources in the project area. Approval of the proposed project

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will have negligible impacts on public lands and natural resources in the immediate and surrounding project area.

Special and standard stipulations previously designed in DOI-BLM-CO-130-2009-0009-EA for the initial approval of this facility along with new operator-committed design features and additional BLM stipulations will reduce the potential for negative impacts to surrounding resources. The entire proposed project under the application for the ROW amendment will be located in an area that was previously disturbed. A cultural resource inventory was previously conducted in the project area and no cultural sites were found. Negative impacts on any unidentified cultural resources will be mitigated through the standard stipulations for this project.

No sensitive plants were previously identified within the area of the proposed amendment on the well pad. Implementation of the proposed action would minimally add to the impacts on surrounding resources.

SIGNATURE OF AUTHORIZED OFFICIAL:


GRAND JUNCTION, Field Manager

DATE SIGNED:

9-16-10 for

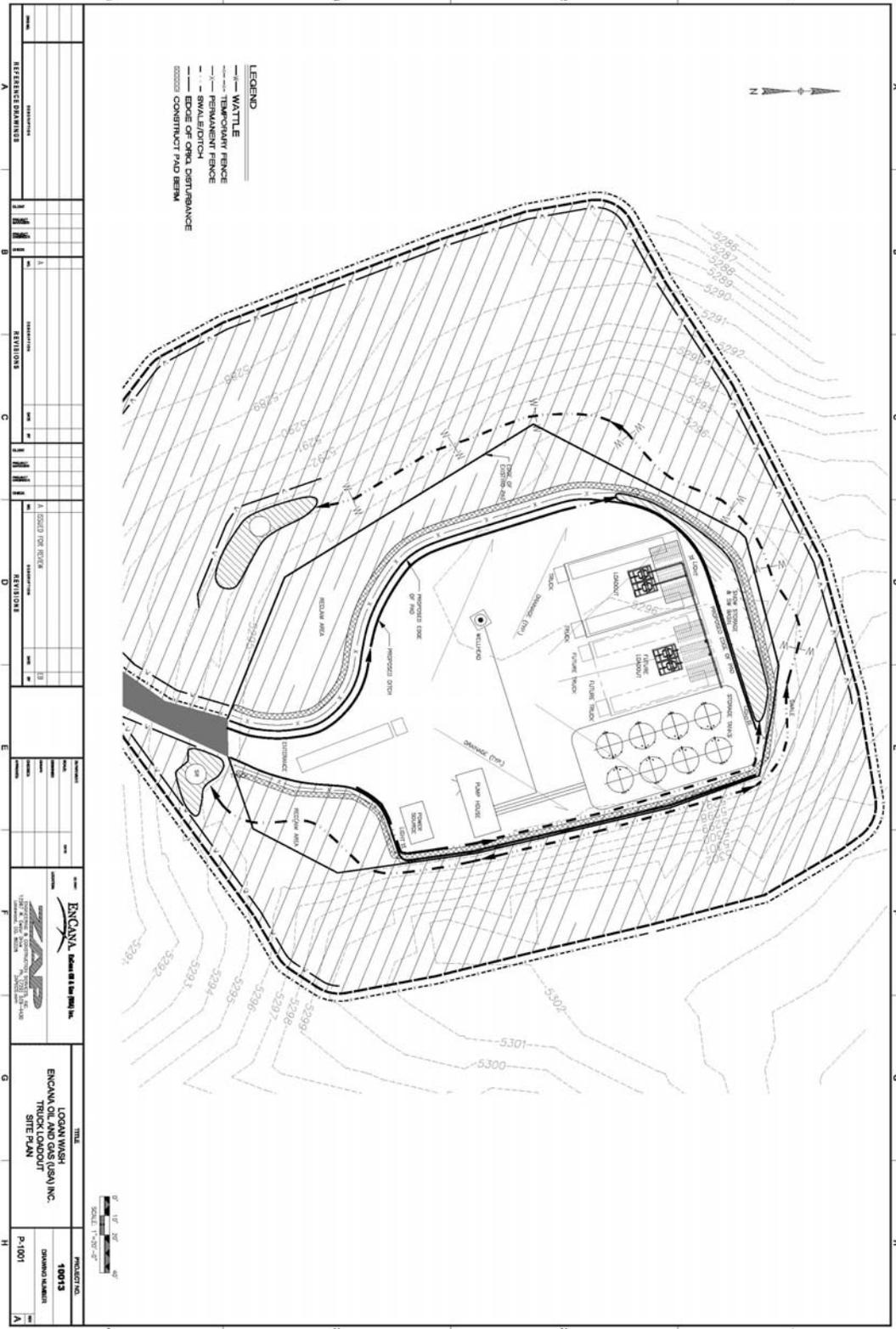
ATTACHMENTS:

EXHIBIT A: Salt Water Disposal Pad Layout

EXHIBIT B: Amended and Standard Stipulations

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EXHIBIT A



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SPECIAL STIPULATIONS

1. All terms, conditions, and stipulations of the original right-of-way grant (COC 73305) dated April 6, 2009, and subsequent amendments, remain in full force and effect, including but not limited to all previous timing limitations and special status species protection measures. The stipulations included in this grant apply to all portions of the ROW including those areas in the original grant.
2. The holder shall notify the BLM authorized officer at least 48 hours prior to the commencement of any surface-disturbing activities under this grant. The BLM can be contacted at (970) 244-3022, Grand Junction Field Office, 2815 H Road, Grand Junction, CO 81506.
3. The holder shall construct, operate, maintain and reclaim the power in strict conformity with the submitted application and Plan of Development for the Right-of-Way, and according to BLM stipulations. Any relocation, additional construction, or use that is not in accord with the approved plans of development, shall not be initiated without the prior written approval of the authorized officer.
4. Noncompliance with any of the stipulations will be grounds for an immediate temporary suspension of activities if it constitutes a threat to public health and safety or the environment.
5. Copies of the right-of-way grant with all new and previous stipulations shall be kept on site during construction and maintenance activities. All construction personnel shall review the grant and stipulations before working on the right-of-way.
6. Disposed water transport vehicles traveling to the injection well pad shall be limited to a maximum of 110 truck trips per day. At any time the hour and days of operation and access, as well as the number of authorized truck trips for disposal water trucks or any other type of vehicular access may be reduced or restricted by the BLM Authorized Officer as determined necessary to protect sensitive resources and the public.
7. All light structures shall be hooded and downcast to direct light towards the ground or directly onto facilities.
8. All lighting structures must be approved by the BLM Authorized Officer (AO) prior to installation. Lighting structures shall be constructed and hooded as directed by the BLM AO. Lighting structures shall be removed if determined necessary by the BLM AO.
9. Any collisions with wildlife on the access road shall be reported to the GJFO Wildlife Biologist within 24 hours (contact Heidi Plank 970-244-3012).
10. Additional wildlife mitigation may be required if impacts to wildlife, especially wintering mule deer are determined necessary by the BLM Authorized Officer, which includes but

is not limited to restrictions on hours of access to the site, restrictions on seasons of use for truck traffic to the site, and/or fencing of the access road.

11. Applicant shall comply with all County regulations and permit requirements.

STANDARD STIPULATIONS

1. Any cultural and/or paleontological resource (historic or prehistoric site or object) discovered by the holder, or any person working on his behalf, on public or Federal land shall be immediately reported to the authorized officer. Holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the authorized officer. An evaluation of the discovery will be made by the authorized officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The holder will be responsible for the cost of evaluation and any decision as to proper mitigation measures will be made by the authorized officer after consulting with the holder.
2. Pursuant to 43 CFR 10.4(g) the holder of this authorization must notify the authorized officer, by telephone, 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.
3. The operator or its contractor is responsible for informing all persons who are associated with the project 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 uncovered during any project or construction activity, the operator must stop work in the area of the discovery that might further disturb such materials and immediately contact the Administrative Officer. Within five working days, the AO will inform the operator as to the mitigation measures the operator will likely have to undertake before the site can be used (assuming in-place preservation is not necessary).
4. The holder shall notify the AO at least 60 days prior to non-emergency activities that would cause surface disturbance in the ROW or TUP. BLM will determine whether any special resource (cultural, plants, animal, etc.) inventories, treatments, or mitigation are required. The authorized officer may require the completion of a special status species surveys by a third party contractor at the expense of the holder, or the BLM may choose to complete the survey. The BLM may take actions or make recommendations to protect any special status plant populations identified near or on the right-of-way.
5. A "Notice to Proceed" shall be required for any non-emergency activities as defined above that would cause surface disturbance on the ROW or TUP. Any request for a "Notice to Proceed" should be made to the AO, who shall review the proposed action for

consistency with resource management concerns such as wildlife, big game winter range, paleontology, threatened and endangered species, and cultural resource protection. Additional measures may be required to protect these resources.

6. On the Right-of-Way, the holder shall monitor and control those noxious weeds that may occur or be found, as listed in the booklet, Noxious Weeds of Mesa County. If chemical control is necessary, use of pesticides shall comply with the applicable Federal and State laws. Pesticides shall be used only in accordance with their registered uses and within limitations imposed by the Secretary of the Interior. Prior to the use of pesticides, the holder shall obtain from the authorized officer written approval of a plan showing the type and quantity of material to be used, the pest(s) to be controlled, method of application, location of storage and disposal of containers, and any other information deemed necessary by the authorized officer. Emergency use of pesticides shall be approved in writing by the authorized officer prior to such use.
7. The holder shall comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated. In any event, the holder shall comply with the Toxic Substances Control Act of 1976, as amended (15 U.S.C. 2601 et seq.) with regard to any toxic substances that are used, generated by or stored on the right-of-way or on facilities authorized under this right-of-way grant (see 40 CFR, Part 702-799 and especially, provisions on polychlorinated biphenyls, 40 CFR 761.1-761.193). Additionally, any release of toxic substances (leaks, spills, etc.) in excess of the reportable quantity established by 40 CFR, Part 117 shall be reported as required by the Comprehensive Environmental Response, Compensation and Liability Act of 1980, Section 102b. A copy of any report required or requested by any Federal agency or State government as a result of a reportable release or spill of any toxic substances shall be furnished to the authorized officer concurrent with the filing of the reports to the involved Federal agency or State government.
8. The holder shall comply with applicable State standards for public health and safety, environmental protection and siting, construction, operation and maintenance, if these State standards are more stringent than Federal standards for similar projects.