

**U.S. Department of the Interior
Bureau of Land Management
Glenwood Springfield Office
2300 River Frontage Road
Silt, Colorado 81652**

Statutory Categorical Exclusion, DOI-BLM-C0-N040-2010-0003-SCX

Proposal: The existing 72-inch culvert located along Dry Hollow Road approximately 15 miles south of Silt, Colorado, is in need of repair and channel realignment at the inlet end to reduce the erosive forces affecting the inlet side of the culvert. Furthermore, the existing 8 to 10 road culverts in the Dry Hollow drainage between the 72-inch culvert and the N7 well pad need various maintenance improvements. These may include importing large boulders for riprap armoring of culvert inlets and outlets, removing silt from or deepening some culvert outlet ditches, and replacing under-sized culverts (12-inch diameter) with larger (18- or 24-inch diameter) pipe.

Location: Township 8 South, Range 92 West, Sections 6 and 7, Sixth Principal Meridian, Garfield County, Colorado.

Project Description:

Culvert Repair at 72-inch Culvert Site: The inlet or upstream side of the culvert would be realigned by removing vegetation and soil along the channel so that drainage flows approach the culvert directly. The channel would be reconfigured approximately 10 to 12 feet south of its present alignment. The material excavated for the new channel would be moved to the old channel alignment and armored with boulder riprap hauled to the site and with woody material collected during the channel realignment. The 72-inch culvert inlet would be armored with boulder riprap and soil to deflect the drainage flows into and through the culvert to avoid the scouring problems that have periodically arisen. Riprap would also be applied to the culvert outlet, including the channel bank opposite (east of) the culvert outlet.

The present channel enters the 72-inch culvert from a tight channel bend to the north of the culvert inlet; this has created periodic erosive scouring along both sides of the culvert inlet and annual maintenance problems for the operator. During an initial site visit, the need was discussed with the operator to excavate and reset the culvert across the road approximately 10 to 15 feet north of its present location. A producing gas pipeline is buried along the eastern side (culvert outlet end) of Dry Hollow Road, which severely inhibits the plan to proceed with resetting the culvert. Knowing that the concept of resetting the culvert was not available, the choice was made to leave the 72-inch culvert in its present location and realign the channel approach to the inlet.

The work at the 72-inch culvert site would occur prior to December 1, 2009, as the drainage presently has no discernible flow.

EnCana has requested the option of installing an additional 36-inch culvert to serve as an overflow relief should the 72-inch culvert plug with debris. The feasibility of this structure would be reviewed after the 72-inch culvert realignment is finished. Should it be determined that the 36-inch culvert is feasible, its installation would proceed in 2010 during low flow weather periods.

Dry Hollow Culvert Maintenance Work: There are approximately ten additional culverts along the existing N7 access road south of the 72-inch culvert location that would require (1) additional rock armoring at the culvert inlets and/or outlets, (2) maintenance of outlet ditches to remove silt and reestablish flow from the culvert, and (3) replacement of under-sized culverts with appropriately 18- or

under-sized culverts with appropriately-sized 18- or 24-inch diameter pipes. Limited funding has restricted EnCana's ability to complete the maintenance work on the 8-10 culverts along the Dry Hollow Road until 2010. However, riprap material for the Dry Hollow culvert maintenance would be hauled from the L26NW stockpile in fall 2009 to stage the materials for the planned 2010 work.

Source for Boulder Riprap:

Approximately 225 tons of large boulders would be hauled from a rock stockpile developed on the L26NW road job located on public land at the east side of Grass Mesa to complete the riprap armoring related to the Dry Hollow project. About 10 end-dump loads or 150 tons would be used to riprap the realigned stream channel and 72-inch culvert inlet and outlet. Another 75 tons would be stockpiled alongside the road at the 72-inch culvert site for later use in 2010 to armor culvert inlets and outlets along the Dry Hollow Road section which serves the N7 pad. A BLM Mineral Materials Sale permit would be purchased by EnCana for the boulder riprap materials planned to complete the culvert work.

Project Disturbance Estimate:

The project would be expected to disturb approximately 2 acres. The resetting of the 72-inch culvert would account for no more than ½ acre of disturbance and the disturbance attributed to the other culverts along Dry Hollow road culverts would total 1½ acres. The work would be conducted under lease operations fulfilling the operator's road maintenance responsibilities.

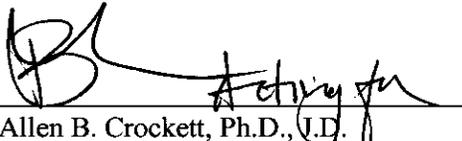
BLM Lease Stipulations and Conditions of Approval: Specific Conditions of Approval that would be included for this action are attached.

NEPA Compliance: The following category of Categorical Exclusions pursuant to Section 390 of the Energy Policy Act (Act of 2005) applies to this proposal: #1. *Individual surface disturbances of less than five (5) acres so long as the total surface disturbance on the lease is not greater than 150 acres and site-specific analysis in a document prepared pursuant to NEPA has been previously completed.*

The document (#EA CO-140-2002-0079) providing the initial environmental assessment for the N7 pad was approved in 2002.

Prepared by: Jim Byers, Natural Resource Specialist 11/5/09

Approval: It is my decision to approve the proposed action with the terms and conditions referenced above:


Allen B. Crockett, Ph.D., J.D.
Supervisory Natural Resource Specialist

11/6/2009
Date

Dry Hollow Culvert Repairs/Maintenance

T8S R92W Sec 6 and 7, 6th PM

Garfield County, CO

Surface Owner: BLM

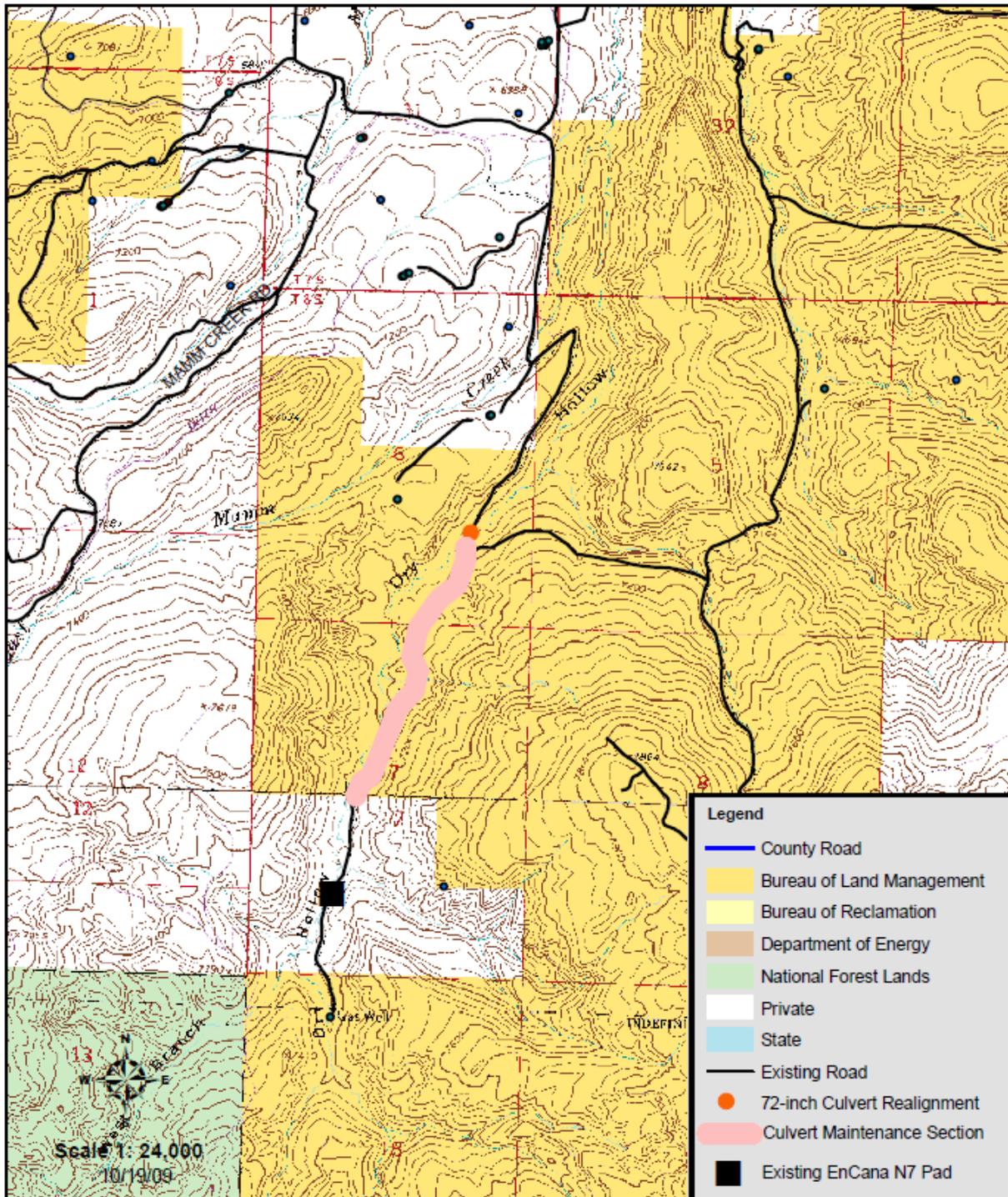


Figure 1. Project Area



Photo 1. View upstream from 72-inch culvert inlet of Dry Hollow drainage. Yellow shows proposed channel realignment.



Photo 2. Inlet of existing 72-inch culvert. Boulder riprap would be placed and compacted into the scoured voids on either side of culvert and placed along channel banks to direct the realigned flow through the culvert.



Photo 3. 72-inch culvert outlet. Boulder riprap would be placed in the outlet basin and along the edge of channel.

**SURFACE USE CONDITIONS OF APPROVAL
DOI-BLM-C0-N040-2010-0003-SCX**

1. Startup Notification. The operator shall notify the BLM representative at least at 48 hours prior to initiation of construction. A meeting at the project site shall occur with EnCana and BLM representatives prior to construction startup.
2. Applicability with Gant Gulch GAP Standard Conditions of Approval. Since the repair and maintenance of culverts would occur along the existing Dry Hollow Road, which serves EnCana's N7 pad, EnCana and its subcontractor(s) shall abide by the Standards Conditions of Approval identified in EA#CO-140-2005-134 which generally covers the project area.
3. Drainage Crossings and Culverts. Construction activities at perennial, intermittent, and ephemeral drainage crossings (e.g. burying pipelines, installing culverts) shall be timed to avoid high flow conditions. Construction that disturbs any flowing stream shall utilize either a piped stream diversion or a coffer dam and pump to divert flow around the disturbed area.

Culverts at drainage crossings shall be designed and installed to pass a 25-year or greater storm event. On perennial and intermittent streams, culverts shall be designed to allow for passage of aquatic biota. The minimum culvert diameter in any installation for a drainage crossing or road drainage shall be 18 inches. Crossings of drainages deemed to be jurisdictional waters of the U.S. pursuant to Section 404 of the Clean Water Act may require additional culvert design capacity. Due to the flashy nature of area drainages and anticipated culvert maintenance, the U.S. Army Corps of Engineers (USACE) recommends designing drainage crossings for the 100-year event. Contact the USACE Colorado/Gunnison Basin Regulatory Office at 970-243-1199.

Pipelines installed beneath stream crossings shall be buried at a minimum depth of 4 feet below the channel substrate to avoid exposure by channel scour and degradation. Following burial, the channel grade and substrate composition shall be returned to pre-construction conditions.

4. Jurisdictional Waters of the U.S. The operator shall obtain appropriate permits from the USACE prior to discharging fill material into waters of the U.S. in accordance with Section 404 of the Clean Water Act. Waters of the U.S. are defined in 33 CFR Section 328.3 and may include wetlands as well as perennial, intermittent, and ephemeral streams. Permanent impacts to waters of the U.S. may require mitigation. Contact the USACE Colorado/Gunnison Basin Regulatory Office at 970-243-1199.
5. Cultural Education/Discovery. All persons in the area who are associated with this project shall be informed that if anyone is found disturbing historic, archaeological, or scientific resources, including collecting artifacts, the person or persons will be subject to prosecution.

Pursuant to 43 CFR 10.4(g), the BLM authorized officer shall be notified 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), activities shall stop in the vicinity of the discovery, and the discovery shall be protected for 30 days or until notified by the BLM authorized officer to proceed.

If in connection with operations under this contract, the operator, its contractors, their subcontractors, or the employees of any of them discovers, encounters, or becomes aware of any objects or sites of cultural value or scientific interest such as historic ruins or prehistoric ruins, graves or grave markers, fossils, or artifacts, the operator shall immediately suspend all operations in the vicinity of the cultural

resource and shall notify the BLM authorized officer of the findings (16 USC 470h-3, 36 CFR 800.112). Operations may resume at the discovery site upon receipt of written instructions and authorization by the BLM authorized officer. Approval to proceed will be based upon evaluation of the resource. Evaluation shall be by a qualified professional selected by the BLM authorized officer from a Federal agency insofar as practicable. When not practicable, the operator shall bear the cost of the services of a non-Federal professional.

Within five working days, the BLM authorized officer will inform the operator as to:

- whether the materials appear eligible for the National Register of Historic Places
- what mitigation measures the holder will likely have to undertake before the site can be used (assuming that *in-situ* preservation is not necessary)
- the timeframe for the BLM authorized officer to complete an expedited review under 36 CFR 800.11, or any agreements in lieu thereof, to confirm through the SHPO State Historic Preservation Officer that the findings of the BLM are correct and that mitigation is appropriate

The operator may relocate activities to avoid the expense of mitigation and delays associated with this process, as long as the new area has been appropriately cleared of resources and the exposed materials are recorded and stabilized. Otherwise, the operator shall be responsible for mitigation costs. The BLM authorized officer will provide technical and procedural guidelines for relocation and/or to conduct mitigation. Upon verification from the BLM authorized officer that the required mitigation has been completed, the operator will be allowed to resume construction.

Antiquities, historic ruins, prehistoric ruins, and other cultural or paleontological objects of scientific interest that are outside the authorization boundaries but potentially affected, either directly or indirectly, by the Proposed Action shall also be included in this evaluation or mitigation. Impacts that occur to such resources as a result of the authorized activities shall be mitigated at the operator's cost, including the cost of consultation with Native American groups.

Any person who, without a permit, injures, destroys, excavates, appropriates or removes any historic or prehistoric ruin, artifact, object of antiquity, Native American remains, Native American cultural item, or archaeological resources on public lands is subject to arrest and penalty of law (16 USC 433, 16 USC 470, 18 USC 641, 18 USC 1170, and 18 USC 1361).

6. Big Game Winter Range Timing Limitation. To minimize impacts to wintering big game, no construction, drilling or completion activities shall occur during a Timing Limitation (TL) period from **January 16 to April 29** annually.