

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

## **Section 390 Categorical Exclusions for Oil and Gas Development, Exclusion No. 1**

NEPA LOG NUMBER: DOI-BLM-CO-N040-2013-0088-CX (390)

### **A. Background**

Bureau of Land Management (BLM) Office: Colorado River Valley Field Office

CASEFILE/PROJECT NUMBER: COC65513 for Federal Lease; COC74490X for Center Mountain Federal Unit

PROPOSED ACTION TITLE/TYPE: Proposal to Install Surface Gas Pipeline Across BLM Parcel Alongside Garfield Creek Road South of New Castle, Colorado Authorized by Sundry Notice.

LOCATION OF THE PROPOSED ACTION: Township 6 South (T6S), Range 90 West (R90W), Section 30, Lot 4, SE¼SW¼, Sixth Principal Meridian. The project area is located approximately 4½ air-miles south of New Castle, Garfield County, Colorado.

DESCRIPTION OF THE PROPOSED ACTION: WPX Energy Rocky Mountain LLC (“WPX”) proposes to install a 4-inch diameter steel welded natural gas pipeline across BLM land alongside Garfield County Road 312 known as Garfield Creek Road (CR 312). The line would gather gas produced from the proposed CMU 22-33 well located on private land and drilled into fee minerals. The CMU 22-33 well would produce minerals included in the Center Mountain Federal Unit allowing the pipeline across BLM to be authorized with BLM Sundry Notice. The surface line, which crosses a sizable length of private lands in the Garfield Creek drainage, would connect with WPX’s existing gas gathering infrastructure at the KP 23-25 pad located on Colorado Parks and Wildlife property approximately 1 mile west of the BLM parcel.

To gather the initial CMU 22-33 gas production, the surface line would be laid on the ground surface approximately 8 feet from the edge of CR 312 for a distance of 1,770 feet across BLM. A corridor width of 15 feet would be necessary to install the surface line. With the 4-inch line welded along the road and placed on the surface, no new ground disturbance would be attributed to this phase of the project. A culvert would be installed within CR 312 road ditch at the junction with BLM’s Center Mountain Road to improve road ditch drainage and allow the surface line to pass underneath the BLM road.

If gas production proves to be attractive for the CMU 22-33 pad or other future site locations east of the BLM parcel, WPX would submit an additional Sundry Notice for this right-of-way corridor requesting buried gas and water pipeline upgrades. BLM would complete the associated NEPA analysis for any pipeline upgrades prior to any future Sundry Notice approval.

During the project assessment for resource surveys, BLM determined that the Federal nexus for this project would involve the surface line crossing of the 1,770 feet of BLM and 100 meter buffers on either side of the BLM parcel.

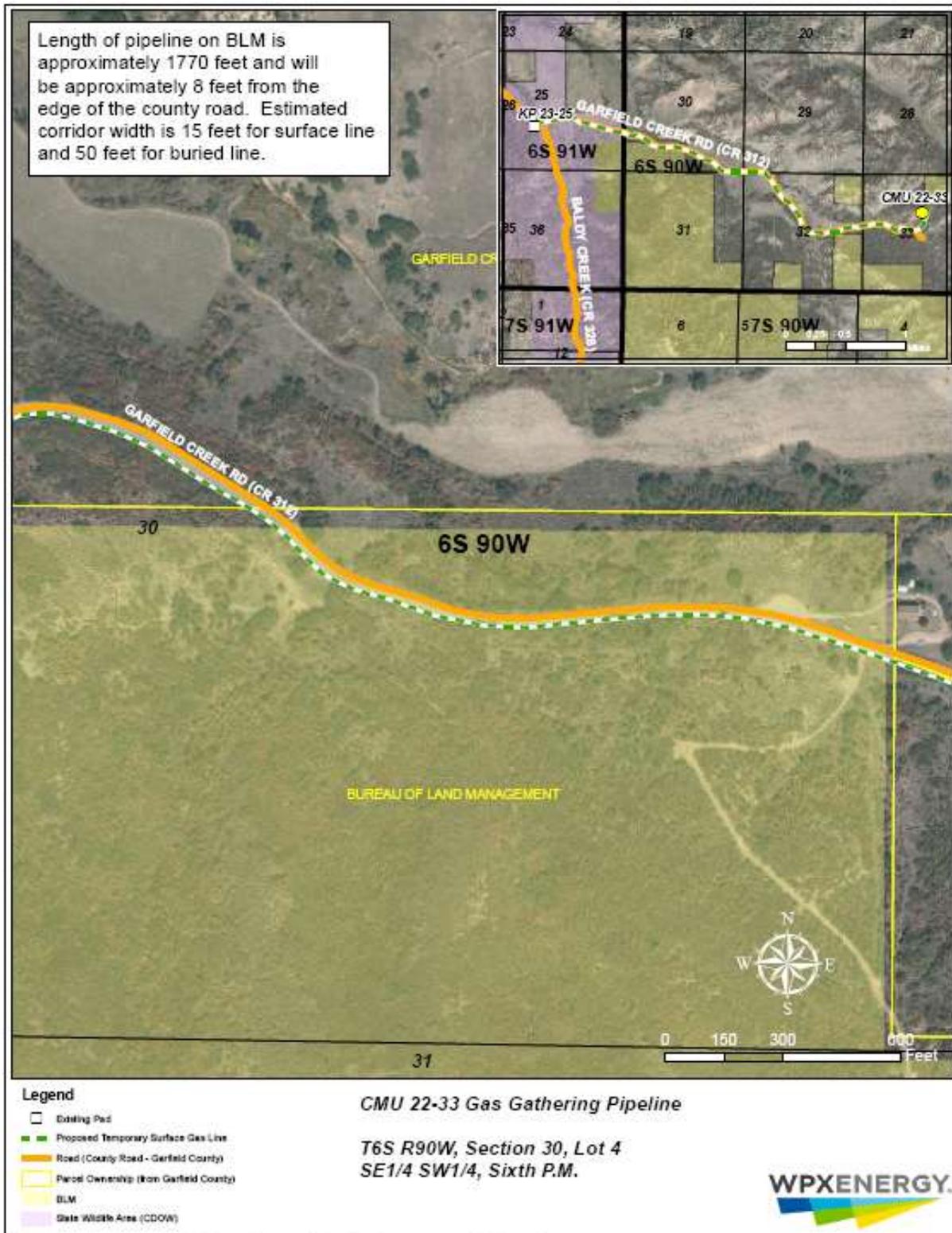


Figure 1. Project Map

The pipeline construction work would follow industry Best Management Practices and the guidelines established in the BLM Gold Book, *Surface Operating Standards for Oil and Gas Exploration and Development* (USDI and USDA 2007). Pipelines shall be constructed and maintained according to industry standards and BLM and COGCC regulations. Prior to being placed into surface, the gas pipeline would be tested with air compressed from the atmosphere.

The project work on BLM land would be subject to a big game winter timing limitation identified in lease #COC65513 covering the period from December 1 to April 30.

Resource surveys including wildlife and special status plants were completed for this project in April-May 2013. Given that the project involves placement of a surface gas pipeline across the BLM along a County Road, there were no findings of any consequence. Cultural resource inventory was conducted with no findings recorded.

**B. Land Use Plan Conformance**

Land Use Plan (LUP) Name: The current land use plan is the *Glenwood Springs Resource Management Plan* (RMP) (BLM 1984, revised 1988). Relevant amendments include the *Oil and Gas Plan Amendment to the Glenwood Springs Resource Management Plan* (BLM 1991) and the *Oil & Gas Leasing & Development Record of Decision and Resource Management Plan Amendment* (BLM 1999).

Date Approved/Amended: *Oil and Gas Plan Amendment to the Glenwood Springs Resource Management Plan* (BLM 1991) – approved November 27, 1991; *Oil & Gas Leasing & Development Record of Decision and Resource Management Plan Amendment* (BLM 1999) – approved March 24, 1999.

Determination of Conformance: The Proposed Action is in conformance with the 1991 and 1999 RMP amendments cited above because the Federal mineral estate proposed for development was designated as open to oil and gas leasing and development, and Federal lease COC65513 was duly leased pursuant to the 1999 RMP amendment. The proposed project is of a type specifically contemplated and analyzed in the 1999 RMP amendment and that it is in conformance because the stipulations specified in the 1999 RMP amendment were attached to the lease and incorporated into the project design. The Proposed Action is therefore in conformance with the current land use plan, as amended.

**C. Compliance with NEPA**

Consistency with CX Category #1: *Individual surface disturbances of less than 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.* All of the questions listed in Table 1 must be answered “Yes” to use this Section 390 CX.

<b>Table 1. Project Screening Questions</b>	<b>Yes</b>	<b>No</b>
1. Will the proposed action disturb less than 5 acres?	<u>Yes</u>	
2. Is the current amount of surface disturbance on the entire leasehold, plus the proposed action, less than 150 acres? (See Figure 2)	<u>Yes</u>	
3. Was the proposed action adequately analyzed in an existing site-specific National Environmental Policy Act (NEPA) document?	<u>Yes</u>	

# COC65513

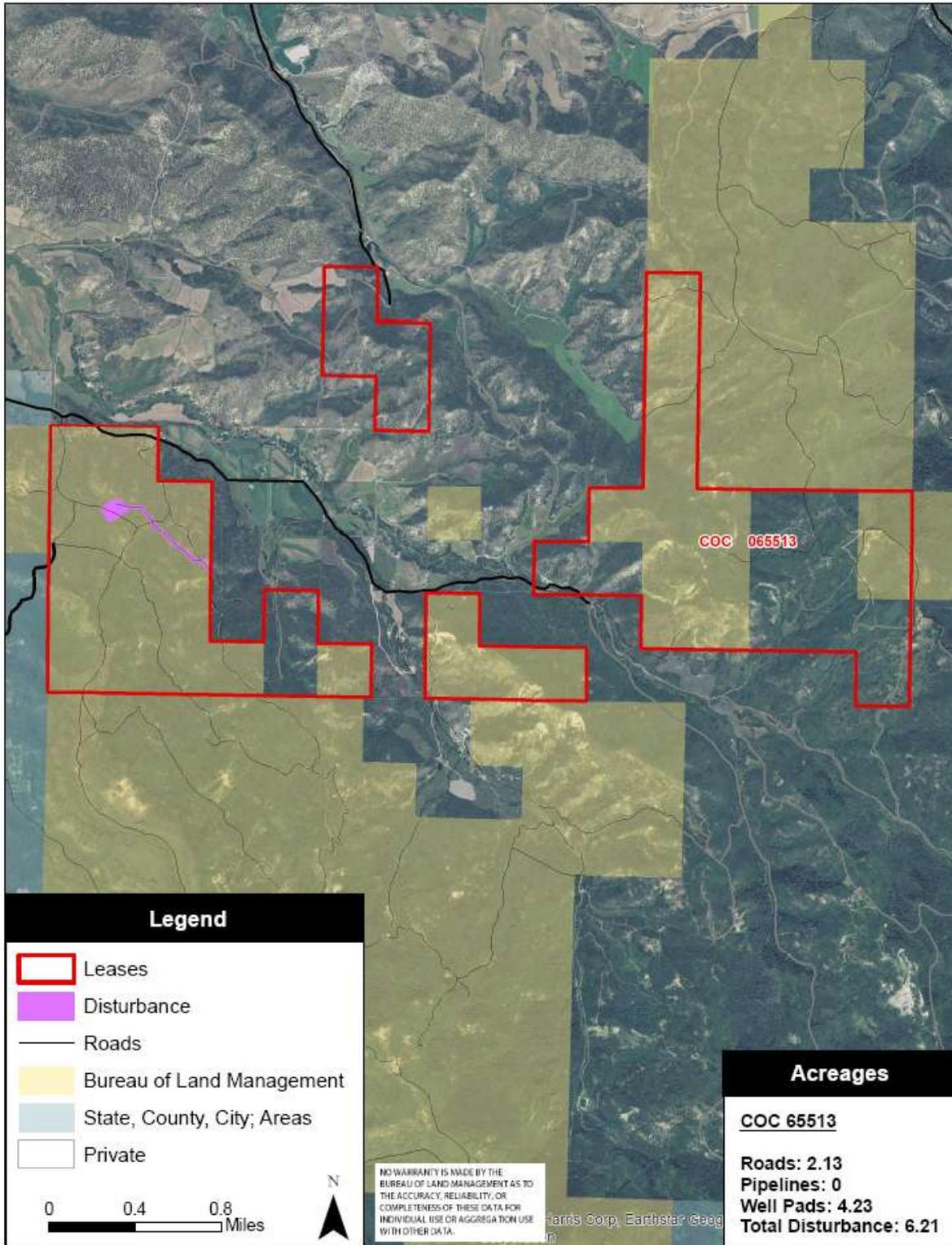


Figure 2. Disturbance Acreage for Federal Lease COC65513

NEPA Document Name: The proposed pipeline project would be constructed within the boundary of the Baldy Creek Federal 31-3 Well and Access Road Project (EA #CO-140-2005-081) approved in August 2005, and that the existing EA satisfies the criteria of being an activity-level or project-level EIS or EA that is applicable to the Proposed Action.

Persons and/or Agencies Consulted:

WPX: April Mestas, John Doose, Richard Jenkins, Kris Meil, Kent Rider.

Interdisciplinary Review: BLM staff from the CRVFO listed in Table 2 participated in the preparation of this Section 390 CX, including review of resource survey results submitted by the Operator's consultants, evaluation of impacts likely to occur from implementation of the proposed action, and identification of appropriate COAs.

<i>Name</i>	<i>Title</i>	<i>Areas of Participation</i>
John Brogan	Archaeologist	Cultural Resources, Native American Religious Concerns
Jim Byers	Natural Resource Specialist	EA Project Lead, Access & Transportation, Socioeconomics, Wastes-Hazardous or Solid,
Allen Crockett, Ph.D., J.D.	Supervisory NRS	NEPA Review
Shauna Kocman, Ph.D., P.E.	Hydrologist	Air Quality, Noise, Soils, Surface Water, Waters of the U.S.
Julie McGrew	Natural Resource Specialist	Visual Resources
Judy Perkins, Ph.D.	Botanist	Invasive Non-native Species, Special-status Species (Plants), Vegetation
Sylvia Ringer	Wildlife Biologist	Migratory Birds, Special-status Species (Animals), Wildlife, Aquatic and Terrestrial

The Proposed Action was presented to the Colorado River Valley Field Office interdisciplinary team on June 7, 2013.

MITIGATION: Terms and conditions to be attached to the Sundry Notice for the Surface 4-inch Gas Pipeline Serving the CMU 22-33 Well Pad are listed in the attachment to this Section 390 CX.

Name of Preparer: Jim Byers, Natural Resource Specialist

Date Prepared: June 21, 2013

**D. Signature**

The Proposed Action is statutorily categorically excluded from further NEPA documentation in accordance with Section 390 (b)(1) of the Energy Policy Act of 2005, which provides for such exclusion of individual surface disturbances of less than 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.

Authorizing Official: Allen Crockett Date: June 21, 2013

**E. Decision and Rationale for Action**

I have decided to approve the Surface 4-inch Gas Pipeline Serving the CMU 22-33 Well Pad with the stipulations and conditions of approval identified in the COAs and stipulations attached to this form. The stipulations and COAs are required by this decision, and variance from these stipulations and COAs during project implementation may require further NEPA review.

I have reviewed Section C. Land Use Plan Conformance and Compliance with NEPA, and have determined that the proposed activity is in conformance with the applicable land use plan(s) and referenced NEPA documents. I have also evaluated the proposal to ensure the appropriate exclusion category as described in Section 390 of the Energy Policy Act of 2005 has been correctly applied. I have determined, that no further environmental analysis is required.



Allen Crockett, Ph.D.  
Supervisory Natural Resource Specialist

Date June 21, 2013

**F. Administrative Review or Appeal Opportunities**

Applications for Permit to Drill and Sundry Notices

Under BLM regulations addressed in 43 CFR 3165, the decision to approve this Sundry Notice is subject to appeal and administrative review. An administrative review must be conducted in accordance with 43 CFR 3165.3, and must take place prior to pursuing an appeal to the Interior Board of Land Appeals.

Any adversely affected party may request an administrative review, before the State Director, either with or without oral presentation. Such a request must include information required under 43 CFR 3165.3(b) (State Director Review (SDR)), including all supporting documentation. Such a request must be filed in writing with the *BLM Colorado State Director, 2850 Youngfield Street, Lakewood, CO 80215* within 20 business days of the date the decision is received, or considered to have been received. Upon request and showing of good cause, an extension for submitting supporting/additional data may be granted by the State Director.

Any party who is adversely affected by the State Director's decision may appeal that decision to the Interior Board of Land Appeals in accordance with 43 CFR 3165.4.

Date June 21, 2013



**Conditions of Approval**  
**WPX Energy Rocky Mountain LLC**  
**Surface 4-inch Natural Gas Pipeline Serving the CMU 22-33 Well Pad**

1. Administrative Notification. WPX Energy Rocky Mountain LLC (“WPX”) shall notify the BLM Authorized Officer (AO) at least 48 hours prior to initiation of construction. If requested by the BLM, the operator shall first schedule a preconstruction meeting, including key operator and contractor personnel, to ensure that any unresolved issues are fully addressed prior to initiation of project work and review the stipulations of the ROW grant as well as required safety regulations, if appropriate.
2. Surface Pipeline Construction and Maintenance. The surface 4-inch diameter steel welded natural gas pipeline shall be installed to industry, COGCC, and BLM “Gold Book” standards. The pipeline shall be installed alongside the existing Garfield Creek Road (County Road 312) approximately within 8 feet of the road’s edge. No equipment or vehicle use shall be operated outside the 15-foot wide pipeline right-of-way unless authorized by BLM personnel.

The pipeline segment on BLM (1,770 feet in length) shall be welded together along CR 312 and laid parallel to the south-side road ditch. No additional temporary construction space shall be utilized on BLM land. The surface pipeline installation is not intended to create new surface disturbance; disturbance to existing vegetation shall be kept to a minimum.

The surface pipeline shall be a dark color to blend in with adjacent vegetation, if feasible, provided it does not become a safety hazard to vehicles on CR 312. Anchors and other protective measures shall be used to keep the surface lines off the traveled roadways (including CR 312) to ensure the lines are anchored, stable, and located away from the roadway and do not present a danger to passing vehicles including snow machines in the winter.

To facilitate the placement of the surface line across BLM’s Center Mountain Road, a minimum 18-inch corrugated metal pipe culvert shall be installed in the County Road ditch at the junction with the BLM road. The length of the culvert shall be determined prior to startup of surface line installation to allow passage by long wheel-based vehicles. The surface pipeline shall be placed through the culvert.

3. Welding of Pipeline. Visual inspections shall be performed on 100% of all pipeline welds. All welders shall be appropriately certified. (43CFR109.227, *Qualification of Welders*)(49CFR192.241, *Inspection and Test of Welds.*)

Welding shall be performed by a qualified welder in accordance with welding procedures qualified under section 5 of API 1104 (incorporated by reference, *see* §192.7) or section IX of the ASME Boiler and Pressure Vessel Code “Welding and Brazing Qualifications” (incorporated by reference, *see* §192.7) to produce welds meeting the requirements of this subpart. The quality of the test welds used to qualify welding procedures shall be determined by destructive testing in accordance with the applicable welding standard(s).

4. Pipeline Testing. The entire pipeline shall be tested in compliance with United States Department of Transportation (USDOT) Code of Federal Regulations (CFR) (49 CFR192.500, Subpart J, *Test Requirements*)(49CFR 192.225, *Welding Procedures.*)
5. Fire Suppression. Welding by acetylene or other torch with open flame shall be operated in an area barren or cleared of all flammable materials at least ten feet on all sides of equipment. Internal

combustion engines must be equipped with approved spark arrestors which meet either U.S. Department of Agriculture, Forest Service Standard 5100-1a, or Society of Automotive Engineers (SAE) recommended practices J335(b) and J350(a).

6. Saturated Soil Conditions. When saturated soil conditions exist on or along the proposed right-of-way, construction shall be halted until soil material dries out or is frozen sufficiently for construction to proceed without undue damage and erosion to soils.
7. Warning Signs. Pipeline warning signs shall be installed within 5 days of completion of construction and prior to use of the pipeline for transportation of product. Pipeline warning shall be installed at all road crossings and shall be visible from sign to sign along the ROW. For safety purposes, each sign shall be permanently marked with the operator's name and shall clearly identify the owner (emergency contact) and purpose (product) of the pipeline.
8. Annual Inspection of Surface Pipelines. The entire length of the surface line shall be inspected, at a minimum, within 12 months of installation and at least annually in following subsequent years during the operational life of the line(s). Any evidence of compromised pipeline integrity including corrosion or physical damage to the surface lines shall be reported to the Authorized Officer and repaired in a timely manner.
9. Dust Abatement. The operator shall implement dust abatement measures as needed to prevent fugitive dust from vehicular traffic, equipment operations, or wind events. The BLM may direct the operator to change the level and type of treatment (watering or application of various dust agents, surfactants, and road surfacing material) if dust abatement measures are observed to be insufficient to prevent fugitive dust.
10. Big Game Winter Range. In conformance with the current land use plan that governs ROW actions, all activities related to pipeline construction on the Federal portion of the pipeline route are prohibited from **December 1 to April 30.**
11. Reclamation. Any areas of surface disturbance and vegetation loss resulting from installation, maintenance, or removal of the surface pipeline greater than approximately 100 square feet in area shall be seeded promptly with native perennial grass seed. Seedbed preparation shall include raking the area to remove coarse debris, relieve compaction, and break up any crust that has formed. The seed shall be installed by hand-broadcasting at a minimum rate of approximately 144 seeds per square foot (one seed per square inch) and then raked again to achieve burial. Larger areas may be seeded mechanically in lieu of hand-seeding. The seed mix shall include at least two species selected from Attachments 1 and 2 of the letter provided to operators dated April 6, 2012. The operator shall monitor the seeded area for germination success and weed infestations during the following growing season and shall implement such measures as needed to control weed infestations and, where necessary, repeat the seeding process.
12. Cultural Education/Discovery. Pursuant to 43 CFR 10.4(g), the BLM 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 to proceed. 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).