

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-N010-2014-0042-DNA

PESTICIDE USE PROPOSAL NUMBER: CON010-14-007-P; CON010-14-008-P; CON010-14-009-P

PROJECT NAME: Herbicide application for bare ground treatment and control of noxious weeds at oil and gas facility locations and within coal mine permit boundary.

LOCATION:

Hiawatha Field (list of locations attached to PUP)  
Kayak Federal #1 (T9N R100W Sec 12) and any other PAR Petroleum locations  
Colowyo Coal Permit Boundary – See Attachment # 1

APPLICANT:

Jim Andrew for Whiting Oil and Gas Corp.  
CSR for PAR Petroleum  
Colowyo Coal

### A. Describe the Proposed Action

At oil and gas locations, herbicide applications would be made to control noxious weeds and vegetation along right of ways, access roads and well pads. Within the coal mine boundary, herbicide application would be made on actively mined areas as well as reclaimed and undisturbed areas. Many of these sites have been previously leveled, graded or disturbed. Bareground herbicide application would aid in fire prevention, operation, and maintenance of facilities. Noxious weed control helps prevent establishment and spread of weed species of concern. Herbicide would be applied by handgun as well as truck, tractor or ATV mounted boom sprayers. In addition to the herbicides, BLM approved surfactants, deposition agents and dyes may be used. The PUP forms describe further details associated with the proposed action.

### PUP # CON010-14-007-P (Jim Andrew for Whiting Oil and Gas Corporation)

Trade Name	Common Name	Application Rate (Formulated Product)	Application Rate (Chemical)
Telar XP	Chlorsulfuron	1.33 oz/ac	0.06 lb ai/ac
Opti-Amine	2,4-D	2 qts/ac	1.9 lb ae/ac
Outpost 22K	Picloram	3 pints/ac	0.75 lb ae/ac

Tordon 22K	Picloram	3 pints/ac	0.75 lb ae/ac
Picloram 22K	Picloram	3 pints/ac	0.75 lb ae/ac
Glyfos Pro	Glyphosate	1 gal/ac	3 lb ae/ac
Glystar plus	Glyphosate	1 gal/ac	3 lb ae/ac
Buccaneer Plus	Glyphosate	1 gal/ac	3 lb ae/ac
Honcho Plus	Glyphosate	1 gal/ac	3 lb ae/ac
Roundup Pro	Glyphosate	1 gal/ac	3 lb ae/ac
Credit Xtreme	Glyphosate	1 gal/ac	4.5 lb ae/ac
Rattler	Glyphosate	1 gal/ac	3 lb ae/ac
Escort XP	Metsulfuron methyl	1 oz/ac	0.0375 lb/ac
Metsulfuron Methyl DF	Metsufluron methyl	1 oz/ac	0.0375 lb ai/ac
Sahara DG	imazapyr	12 lbs/ac	0.9336 lb ai/ac
	diuron		7.47 lb ai /ac

Applications under this PUP would be made during various dates throughout the year. Approximately 200 acres would be treated.

**PUP # CON010-14-008-P (CSR for PAR Petroleum)**

Trade Name	Common Name	Application Rate (Formulated Product)	Application Rate (Chemical)
Velossa	Hexazinone	3 qt/ac	1.8 lb ae/ac
Diablo	Dicamba	1 qt/ac	1.0 lb ae/ac
Weedone LV4	2,4-D	3 pt/ac	1.44 lb ae.ac
Tordon 22K	Picloram	2 qt/ac	1 lb ae/ac
Roundup Pro Concentrate	Glyphosate	4 qt/ac	3.7 lb ae/ac
Oust XP	Sulfometuron methyl	1 oz/ac	0.047 lb ai/ac
Barrage HF	2,4-D Ester	2 pt/ac	1.175 lb ae/ac
Plateau	Imazapic	12 oz/ac	0.1875 lb ae/ac
Polaris	Imazapyr	6 pt/ac	1.5 lb ae/ac
Weedestroy AM 40	2,4-D Amine	4 pt/ac	1.9 lb ae/ac
Buccaneer	Glyphosate	1 qt/ac	0.75 lb ae/ac
Hyvar X-L	Bromacil	2 gal/ac	4 lb ae/ac

Applications under this PUP would be made from March to October. 2-4 acres per well location would be treated.

**PUP # CON010-14-009-P (Colowyo Coal Co.)**

Trade Name	Common Name	Application Rate (Formulated Product)	Application Rate (Chemical)
Tordon 22K	Picloram	2 qt/ac	1 lb ae/ac
Low Vol 6	2,4-D	1-2 qt/ac	1.9 lb ae/ac BLM max
Telar XP	chlorsulfuron	1.33 oz/ac	0.0624 lb ai/ac

Applications under this PUP would be made May through August with 57,078 acres covered under this PUP.

Application of all herbicides would conform to the stipulations in Attachment #2.

Applicants will be responsible for all required certifications and permits necessary to apply herbicides in the State of Colorado.

## **B. Land Use Plan (LUP) Conformance**

LUP Name: Little Snake Record of Decision and Resource Management Plan (RMP)

Date Approved: October, 2011

Final RMP/EIS, August, 2010

Draft RMP/EIS, January, 2007

The proposed action is in conformance with the applicable LUPs because it is specifically provided for in the following LUP decisions:

The proposed action implements Vegetation Goals and Objectives on page RMP-16 of the RMP to reduce the occurrence of noxious weeds and undesirable plant species by ensuring that all land use actions that could potentially increase the occurrence of noxious weeds are conducted by using BMPs and applying principles of integrated pest management. Additionally, weed management will be integrated across landscape and ownership boundaries by pursuing whenever possible, the use of cooperative agreements to coordinate weed management actions and identify ways of partnering with resource users and other stakeholders to reduce the occurrence of noxious weeds. The proposed action has been reviewed for conformance with this plan (43 CFR 1610.5, BLM MS 1601.03). The proposed action of approving a Pesticide Use Proposal is in conformance with the Little Snake Record of Decision and Approved Resource Management Plan.

Other Documents:

Colorado Public Land Health Standards and Guidelines for Livestock Grazing

Date Approved: February 12, 1997

The Federal Land Policy and Management Act of 1976, as Amended (43 USC 1752)

Rangeland Reform Final Environmental Impact Statement, December 1994.

The proposed action also conforms with county use plans.

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

Vegetation Treatments on BLM Lands in 17 Western States Programmatic Environmental Impact Statement (PEIS) (June, 2007).

DOI-BLM-CO-N010-2009-0025-EA, Little Snake Field Office Integrated Pest Management Plan resulted in a Finding of No Significant Impact. This Environmental Assessment considered the options of Integrated Pest Management as outlined in the FEIS and adopted the standard operation procedures for vegetation treatment program implementation in the LSFO.

#### **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. There are no changes from the proposed action analyzed in DOI-BLM-CO-N010-2009-0025-EA, congruent with pesticide use proposal stipulations (see Attachment #1). The Pesticide Use Proposals that are reviewed and approved based on the existing NEPA documents complete the site-specific analysis for these herbicide applications.

**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. The density of some invasive noxious and undesirable plant species has been reduced in some areas, and although noxious and undesirable weeds have been identified in new locations, there have been no changes in environmental concerns, interests or resource values since DOI-BLM-CO-N010-2009-0025-EA.

**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 per Executive Order (EO) 12898 and would not adversely impact migratory birds per EO 13186.

Subject to WO-IM 2011-154 and in accordance with BLM policy, the proposed project areas fall outside areas greater than 5000 acres which may be suitable as lands with wilderness characteristics. The proposed action may impact but not impair wilderness characteristics; however, actions to control the expansion of invasive exotic species are appropriate and consistent with applicable requirements of law and other resource management considerations, and are approved by the field manager.

**4. Do the methodology and analytical approach used in the existing NEPA document(s) continue to be appropriate for the current proposed action?**

Yes. The methodology and analytical approach used in the existing NEPA documents continue to be appropriate for the current proposed action. Impacts to all resources were analyzed.

**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. Direct and indirect impacts of the current proposed action are unchanged from those identified in the existing NEPA documents. The Pesticide Use Proposals that are reviewed and

approved based on the existing NEPA documents complete the site-specific analysis for these herbicide applications.

**6. Can you conclude without additional analysis or information that 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. The cumulative impacts that would result from implementation of the proposed action would remain unchanged from those identified in the existing NEPA documents.

**7. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action?**

Yes. Public outreach through scoping and involvement of the public and other agencies occurred in the development of the RMP/EIS and DOI-BLM-CO-N010-2009-0025-EA.

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

<b>Title</b>	<b>Resource</b>	<b>Date</b>
Rangeland Management Spec.	Air Quality, Floodplains Prime/Unique Farmlands, Water Quality – Surface, Wetlands/Riparian Zones	6/17/14
Archaeologist	Cultural Resources, Native American Concerns	6/20/14
Realty Specialist	Environmental Justice	6/13/14
Environmental Coord. NEPA	Hazardous Materials	6/10/14
Rangeland Management Spec.	Invasive Non-native Species	6/10/14
Rangeland Management Spec.	Sensitive Plants, T&E Plant	6/15/2014
Wildlife Biologist	T&E Animal	6/16/2014
Assoc. FM/Geologist	Water Quality – Ground	6/23/14
Recreation Specialist	WSAs, W&S Rivers, LWCs, ACECs	6/11/14
Wildlife Biologist	Animal Communities	6/16/14
Wildlife Biologist	Special Status, T&E Animal	6/16/14
Rangeland Management Spec	Plant Communities	6/10/14
Rangeland Management Spec	Special Status, T&E Plant	6/15/2014
Rangeland Management Spec.	Riparian Systems	6/17/14
Rangeland Management Spec.	Water Quality	6/17/14
Rangeland Management Spec.	Upland Soils	6/17/14

### **Land Health Assessment**

This action has been reviewed for conformance with the BLM’s Public Land Health Standards adopted February 12, 1997. This action meets Public Land Health Standards. Land health assessments have been conducted in landscapes and watersheds within the Field Office Planning Area. Invasive plants, especially annuals weeds have been found to be a problem on many sites and once established are a threat to the herbaceous component of the ecosystems.

**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 constitutes BLM's compliance with the requirements of NEPA.

Signature of Lead Specialist\_\_\_\_\_ Date\_\_\_\_\_

Signature of NEPA Coordinator\_\_\_\_\_ Date\_\_\_\_\_

Signature of the Authorizing Official Timothy Wilson Date 6/23/14

*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.*

**Attachment #1**  
DOI-BLM-CO-N010-2014-0042 DNA

**Exhibit 1, Item 13**  
**Colowyo Mine Permit Boundary Description**

In total, the consolidated Colowyo and Collom Mine permit boundary consists of lands described in the following three tables:

Table 1: That Portion of Consolidated Colowyo and Collom Permit Boundary Described by Quarter-Quarter Location within Moffat County, Townships 3N and 4N, Ranges 93W and 94W, 6th PM. This portion contains 26,293.14 acres.

Table 2: That Portion of Consolidated Colowyo and Collom Permit Boundary Described by Quarter-Quarter Location within Rio Blanco County, Township 3N, Ranges 93W and 94W, 6th PM. This portion contains 2,303.71 acres.

Table 3: That Portion of Consolidated Colowyo and Collom Permit Boundary Described by Meets & Bounds within Moffat County, Township 4N, Range 93W, 6th PM. This portion contains 478.91 acres.

The total consolidated Colowyo and Collom Mine permit boundary acreage is 29,075.76.

**Table 1**  
**That Portion of Consolidated Colowyo and Collom Permit Boundary Described by Quarter-Quarter Location within Moffat County, Townships 3N and 4N, Ranges 93W and 94W, 6th PM**

<i>Township</i>	<i>Range</i>	<i>Section</i>	<i>Description</i>	<i>Approx. Acres</i>
T3N	R93W	2	that portion of Section 2 lying west of the western right-of-way boundary of State Highway 13	446.46
T3N	R93W	3	All	648.18
T3N	R93W	4	All	653.25
T3N	R93W	5	All	649.46
T3N	R93W	6	All	646.67
T3N	R93W	7	NW/4, E/2	479.27
T3N	R93W	8	All	640.04
T3N	R93W	9	All	642.30
T3N	R93W	10	All	643.51
T3N	R93W	11	that portion of Section 11 lying west of the western right-of-way boundary of State Highway 13	479.34
T3N	R93W	14	that portion of Section 14 lying west of the western right-of-way boundary of State Highway 13	103.66

**Table 1**  
**That Portion of Consolidated Colowyo and Collom Permit Boundary Described by**  
**Quarter-Quarter Location within Moffat County, Townships 3N and 4N, Ranges 93W**  
**and 94W, 6th PM**

<i>Township</i>	<i>Range</i>	<i>Section</i>	<i>Description</i>	<i>Approx. Acres</i>
T3N	R93W	15	that portion of Section 15 lying west of the western right-of-way boundary of State Highway 13	582.34
T3N	R93W	16	All	639.29
T3N	R93W	17	All	641.03
T3N	R93W	18	E/2, E/2SW/4	399.15
T3N	R94W	1	All	650.92
T3N	R94W	2	All	651.76
T3N	R94W	3	All	649.77
T3N	R94W	10	All	639.70
T3N	R94W	11	All	639.73
T3N	R94W	12	All, EXCEPT Lot 2 and Lot 4	632.78
T3N	R94W	13	NW/4NE/4, NW/4, NW/4SW/4	240.65
T3N	R94W	14	All	639.72
T3N	R94W	15	All	639.65
T4N	R93W	7	Lot 10	10.16
T4N	R93W	15	that portion of the SW/4SW/4 of Section 15 lying south and east of the eastern right-of-way boundary of County Road 51	12.60
T4N	R93W	16	Lots 2, 3 and 4, EXCEPT that portion of Lot 4 lying south of Lot 5.	150.35
T4N	R93W	17	SW/4, SE/4SE/4 and Lot 4	238.28
T4N	R93W	18	Lots 2,4 and 7	176.69
T4N	R93W	19	All	636.48
T4N	R93W	20	All	639.62
T4N	R93W	21	All	639.97
T4N	R93W	22	W/2 of Section 22	320.29
T4N	R93W	26	Lot 3 and the Northerly 34.81 acres, more or less, of Lot 2 (Lot 2 was described in the Original Survey as E/2NW/4 of Section 26)	85.84
T4N	R93W	27	N/2NE/4, W/2	400.64
T4N	R93W	28	All	640.52
T4N	R93W	29	All	639.79
T4N	R93W	30	All	637.58
T4N	R93W	31	All	638.96
T4N	R93W	32	All	639.80
T4N	R93W	33	All	640.22
T4N	R93W	34	W/2	321.36
T4N	R94W	12	Lots 3,7,10, 11 and the SE/4SW/4, SW/4SE/4	166.41

**Table 1**  
**That Portion of Consolidated Colowyo and Collom Permit Boundary Described by**  
**Quarter-Quarter Location within Moffat County, Townships 3N and 4N, Ranges 93W**  
**and 94W, 6th PM**

<i>Township</i>	<i>Range</i>	<i>Section</i>	<i>Description</i>	<i>Approx. Acres</i>
T4N	R94W	13	All	645.28
T4N	R94W	23	E/2NE/4, E/2SW/2, SE/4	321.48
T4N	R94W	24	All	641.82
T4N	R94W	25	All	641.40
T4N	R94W	26	All	641.57
T4N	R94W	27	SE/4	160.57
T4N	R94W	34	All	642.80
T4N	R94W	35	All	641.71
T4N	R94W	36	All	642.32
<b>Subtotal, Table 1</b>				<b>26293.14</b>

**Table 2**  
**That Portion of Consolidated Colowyo and Collom Permit Boundary Described by**  
**Quarter-Quarter Location within Rio Blanco County, Township 3N, Ranges 93W and**  
**94W, 6th PM**

<i>Township</i>	<i>Range</i>	<i>Section</i>	<i>Description</i>	<i>Approx. Acres</i>
T3N	R93W	19	E/2	319.24
T3N	R93W	20	All	638.62
T3N	R93W	21	that portion of Section 21 lying west of the western right-of-way boundary of State Highway 13	612.24
T3N	R93W	22	that portion of Section 22 lying west of the western right-of-way boundary of State Highway 13	126.73
T3N	R93W	28	those portions of Tract 47 and Tract 48 located within Section 28, Lots 24 and 6 and that portion of Tract 45 located within Section 28 lying west of the western right-of-way boundary of State Highway 13.	144.20
T3N	R93W	29	N/2NW/4, all of Lots 2, 3, 5, 8, that portion of Tract 48 located within Section 29 and the northernmost 400' of Lot 9 and northernmost 401' of Lot 12.	262.89
T3N	R93W	30	NE/4NE/4	39.85
T3N	R94W	22	NE/4NE/4	40.03
T3N	R94W	23	NW/4NE/4, N/2NW/4	119.91
<b>Subtotal, Table 2</b>				<b>2303.71</b>

**Table 3**

**That Portion of Consolidated Colowyo and Collum Permit Boundary Described by Metes & Bounds within Moffat County, Township 4N, Range 93W, 6th PM**

The following Metes & Bounds description of a portion of the Colowyo Mine Permit Boundary includes parts of the railroad loop and loadout facilities, mine access road, and a pipeline corridor located within portions of the S/2 of Section 13, portions of the SE/4SE/4 of Section 15, portions of the E/2 of Section 22, portions of Section 23, and portions of the W/2NW/4 of Section 24, all within Township 4N, Range 93W, 6th PM, Moffat County, Colorado, and being more particularly described as follows:

Beginning at the Northwest corner of Section 22, Township 4N, Range 93W, thence 2641.11 feet at a bearing of S 88°30'36" E to a point, said point being the TRUE POINT OF BEGINNING,

Thence N 89°22'47" W a distance of 1574.62';  
thence N 28°20'06" E a distance of 781.61';  
thence N 46°22'45" E a distance of 957.06';  
thence N 39°44'56" E a distance of 1452.41';  
thence N 40°24'38" E a distance of 442.72';  
thence N 36°00'07" E a distance of 1197.66';  
thence N 42°56'18" E a distance of 1964.89';  
thence N 62°30'08" E a distance of 1351.70';  
thence S 68°01'50" E a distance of 308.93';  
thence S 40°10'46" E a distance of 409.97';  
thence N 61°54'29" E a distance of 153.59';  
thence N 45°50'16" W a distance of 473.95';  
thence N 65°22'50" W a distance of 360.25';  
thence S 62°15'46" W a distance of 1442.79';  
thence S 43°11'45" W a distance of 2005.13';  
thence S 36°04'58" W a distance of 1276.84';  
thence S 41°05'05" W a distance of 1835.12';  
thence S 50°11'06" W a distance of 917.83';  
thence S 35°03'03" W a distance of 743.05';  
thence S 10°05'48" W a distance of 211.99';  
thence N 88°30'08" W a distance of 648.04';  
thence N 01°59'05" E a distance of 497.33';  
thence N 89°02'59" W a distance of 3758.02';  
thence N 01°34'32" E a distance of 2837.07';  
thence N 35°57'09" E a distance of 698.33';  
thence N 01°36'43" E a distance of 284.41';  
thence N 16°49'02" E a distance of 563.39';  
thence N 72°33'37" W a distance of 407.74';  
thence S 21°38'00" W a distance of 1145.60';  
thence N 88°30'15" W a distance of 1472.18';  
thence S 01°28'37" W a distance of 2638.56';

thence S 01°28'37" W a distance of 2639.05';  
thence S 88°32'50" E a distance of 2641.15';  
thence S 88°35'29" E a distance of 2829.05';  
thence N 01°26'21" E a distance of 181.77';  
thence S 88°23'30" E a distance of 1307.69';  
thence N 41°08'40" E a distance of 1791.62';  
which is the TRUE POINT OF BEGINNING,  
having an area of 478.91 acres, more or less.

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**Subtotal, Table 3** 478.91

## Attachment #2

DOI-BLM-CO-N010-2014-0042 DNA

### BLM LSFO PUP Stipulations

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#### General Stipulations:

- All herbicide treatments on BLM administered lands will comply with applicable federal and state statutory and regulatory requirements.
  - Manufacturers label directions and guidelines, including but not limited to, application rates, uses, handling instructions, storage and disposal requirements, will be followed
  - All BLM procedures (BLM Handbook H-9011-1 Chemical Pest Control) and Manuals 1112 Safety, 9011 Chemical Pest Control, and 9015 Integrated Weed Management, and any other BLM requirements will be followed. Where more restrictive, BLMs requirements for rates, uses, and handling instructions will apply.
  - Only certified applicators, or those directly supervised by a certified applicator, may apply herbicide on BLM administered public lands.
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To ensure that risks to human health and the environment from herbicide treatments are kept to a minimum, and that all practicable means to avoid or minimize environmental harm have been adopted, the following will apply:

- All herbicide treatments will be consistent with the Standard Operating Procedures (SOPs) presented in the ROD of the 2007 Final *Vegetation Treatments Using Herbicides on BLM Lands in 17 Western States Programmatic Environmental Impact Statement (PEIS)*.
  - Measures to mitigate potential adverse environmental effects as a result of herbicide treatments as found in the ROD of the PEIS.
  - All conservation measures, designed to protect plants and animals listed or proposed for listing as threatened or endangered under the Endangered Species Act, as found in the Biological Assessment of the PEIS.
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#### Cultural Resources Stipulations

To protect archaeological sites, spraying with boom sprayers mounted on trucks, tractors, or ATVs must be conducted *only* when ground is dry. Any damage to archaeological sites resulting from violation of this stipulation must be mitigated at the expense of the operator/applicator in a manner determined by the BLM under authority of the Archaeological Resources Protection Act (ARPA).

Operators and applicators must inform all employees that collection of historic and archeological artifacts from BLM land is illegal under ARPA and that violations are subject to prosecution.

In conformance with the Native American Graves Protection and Repatriation Act, any human remains discovered during weed spraying operations should not be disturbed. Spraying in the vicinity of the discovery should cease and the BLM should be immediately informed of the discovery by calling (970) 826-5000.

#### SOURCE:

Brian Naze, LSFO Archaeologist  
6/18/2014