U.S. Department of the Interior
Bureau of Land Management
White River Field Office
220 E Market St
Meeker, CO 81641

DETERMINATION OF NEPA ADEQUACY (DNA)

NUMBER: DOI-BLM-CO-110-2011-0088-DNA

CASEFILE/PROJECT NUMBER: COC-62816

PROJECT NAME: BDU F11-199 4 inch Gas Flowline

LEGAL DESCRIPTION: T1S, R99W, Section 11, 6th PM

APPLICANT: Mesa Energy Partners, LLC

ISSUES AND CONCERNS: None.

DESCRIPTION OF PROPOSED ACTION:

Background/Introduction: This Determination of NEPA Adequacy (DNA) reviews Environmental Assessment (EA) CO-110-2009-145-EA, which analyzed the BDU F11-199 well pad (with one well-6606B), access road, and two alternatives for a 4 inch gas pipeline; one alternative for a buried FlexSteel pipeline and the other alternative for a surface standard steel pipeline. The worksheet CO-110-2010-263-DNA was also approved November 8, 2010 which analyzed the installation of approximately 3,170 ft of buried 4 inch or smaller poly pipeline to transport produced water from well location BDU F11-199 to an existing centralized Produced Water Staging Area (PWSA) located to the southeast.

Proposed Action: The White River Field Office (WRFO) received a sundry notice on March 22, 2011 from Mesa Energy Partners, LLC requesting to install approximately 3,170 ft of buried 4 inch steel natural gas production flowline to transport natural gas from well location BDU F11-199 to connect to the proposed new Stake Springs Gathering line. The new flowline would be installed in the same trench as the previously approved produced water line (CO-110-2010-263-DNA). The produced water line has not yet been installed; therefore, both lines would be installed at the same time (see Figure 1).

The flowline would require a 40 ft working surface off the south side of the existing road. The line will be trenched in using a trenching machine to approximately 60 in below ground level. The poly pipe would be laid in and shielded, the trench would then be backfilled and the working surface would be reclaimed to BLM specifications.

LAND USE PLAN (LUP) CONFORMANCE REVIEW:

Name of Plan: White River Record of Decision and Approved Resource Management Plan (ROD/RMP).

Date Approved: July 1, 1997

_X__ The Proposed Action is in conformance with the LUP because it is specifically provided for in the following LUP decision(s):

Decision Number/Page: 2-5

Decision Language: "Make federal oil and gas resources available for leasing and development in a manner that provides reasonable protection for other resource values."

REVIEW OF EXISTING NEPA DOCUMENTS:

List by name and date all existing NEPA documents that cover the Proposed Action.

Name of Document: White River Resource Area Proposed Resource Management Plan and Final Environmental Impact Statement (PRMP/FEIS).

Date Approved: July 1, 1997

Name of Document: CO-110-2009-145-EA

Date Approved: July 27, 2009

List by name and date any other documentation relevant to the Proposed Action (e.g., biological assessment, biological opinion, watershed assessment, allotment evaluation, and monitoring report).

Name of Document: CO-110-2010-263-DNA

Date Approved: November 8, 2010

NEPA ADEQUACY CRITERIA:

1) Is the new Proposed Action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document(s)? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document(s)? If there are differences, can you explain why they are not substantial?

Documentation of answer and explanation: Yes. The Proposed Action to bury a 4 inch flowline is essentially similar to, and is within the same analysis area as an alternative in the existing NEPA document CO-110-2009-145-EA-short. The existing NEPA document analyzed two alternatives for the installation of a pipeline; one proposed burying a 4 inch gas line and the other proposed laying a 4 inch gas line on the surface, both along the same route as the current proposal.

2) Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the new Proposed Action, given current environmental concerns, interests, and resource values?

   Documentation of answer and explanation: Yes. Three alternatives (the Proposed Action Alternative A, the Proposed Action Alternative B, and the No Action Altenative), covering a reasonable range of alternatives to the Proposed Action was analyzed in CO-110-2009-145-EA. No reasons were identified to analyze additional alternatives to the Proposed Action alternatives were presented or raised, and these alternatives are considered to be adequate and valid for the Proposed Action.

3) Is the existing analysis valid in light of any new information or circumstances (such as, rangeland health standard assessment, recent endangered species listings, updated lists of BLM-sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new Proposed Action?

   Documentation of answer and explanation: Yes. The analysis in the existing NEPA document CO-110-2009-145-EA-short is still valid. There is no known new information or circumstances would substantially change the analysis of the new Proposed Action.

4) Are the direct, indirect, and cumulative effects that would result from implementation of the new Proposed Action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?

   Documentation of answer and explanation: Yes. The direct and indirect impacts of the Proposed Action remains unchanged from those identified in the existing NEPA document CO-110-2009-145-EA.

5) Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current Proposed Action?

   Documentation of answer and explanation: Yes. The public involvement and interagency review associated with the existing NEPA document CO-110-2009-145-EA is adequate for the current proposal to bury the water line.

INTERDISCIPLINARY REVIEW:

The Proposed Action was presented to, and reviewed by the White River Field Office interdisciplinary team on 4/5/2011. A list of resource specialists who participated in this review is available upon request from the White River Field Office.

REMARKS:

Cultural Resources: The proposed pipeline route has been inventoried at the Class III (100% pedestrian) level (Conner and Davenport 2005 Compliance Dated 5/26/2005, Conner et. al. 2009 Compliance Dated 6/14/2009). One site was located on the north side of the proposed access road and well tie pipeline. Provided all construction disturbance and activity is kept strictly on the south side of the road there should be no impacts to any known cultural resources. If there should be subsurface remains that were not previously recorded that are discovered during pipeline trenching there would be an adverse impact to cultural resources that would diminish the overall cultural database for the area. (MRS 4/26/2011)

Native American Religious Concerns: No Native American Religious Concerns are known in the area, and none have been noted by Northern Ute tribal authorities. Should recommended inventories or future consultations with Tribal authorities reveal the existence of such sensitive properties, appropriate mitigation and/or protection measures may be undertaken. (MRS 4/26/2011)

Paleontological Resources: The propose pipeline is located in an area generally mapped as the Uinta Formation (Tweto 1979) which the BLM, WRFO has classified as a PFYC 4/5 formation meaning it is known to produce scientifically noteworthy fossil resources. Excavation into the underlying rock formation to build the pipeline trench has the potential to impact noteworthy fossil resources. Impacts to fossil resources could be negative if fossils are destroyed during construction activities. Loss of fossils could be a serious cumulative loss of scientific data for fossil resources. (MRS 4/26/2011)

Threatened and Endangered Wildlife Species: There are no threatened or endangered wildlife species that are known to inhabit or derive important use from the project area. There is a known nest approximately 100 meters from the proposed pipeline. The BLM wildlife staff checked the nest status on May 3, 2011. The nest was found to be in excellent condition but unoccupied. As such, there are no wildlife-related issues or concerns associated with the Proposed Action. (LRB 5/3/2011)

Threatened and Endangered Plant Species: There is no plant species listed, proposed, or candidate to the Endangered Species Act that are known to inhabit areas potentially influenced by the Proposed Action.

The analysis conducted in CO-110-2009-145-EA-short was based on special status plant surveys conducted by both WestWater Engineering (WWE, 2009) and the BLM within 200 meters of the BDU F11-199 well pad, access road and pipelines in 2009. Neither occupied nor suitable habitats for special status plants were identified within this 200 meter area. While WRFO protocol now requires threatened plant surveys to be conducted within 600 meters of a proposed project, there are no mapped potential habitats or geologic formations known to support threatened plants within 600 meters of this project. Therefore, no additional threatened plant surveys have been conducted or requested for this project. The analysis for DNA CO-110-2010-263-DNA also found there to be no impacts to special status plants, and this pipeline will be in the same trench as analyzed in that DNA. (MLD 5/4/2011)

REFERENCES CITED:

Armstrong, Harley J., and David G. Wolny
1989 Paleontological Resources of Northwest Colorado: A Regional Analysis. Museum of Western Colorado, Grand Junction, Colorado.

Conner, Carl E., and Barbara J. Davenport
2005 Class III Cultural Resource Inventory Report for the Proposed Canary unit #N02-1099 Well Location and Two Linear Routes in the Canary and Left Fork Units in Rio Blanco County, Colorado for EnCana Oil and Gas (USA) Inc. Grand River Institute. Grand Junction, Colorado. (#05-11-07)

Conner, Carl E., Nicole Darnell, Barbara J. Davenport, and Dakota Smith
2009 Class III Cultural Resource Inventory Report: Seven proposed Well Locations and Related Linear Routes in the Buckhorn Draw unit, (F01-199, F11-199, H07-198, G26-199, J15-199, M09-299, G11-299) in Rio Blanco County, Colorado for EnCana Oil and Gas (USSA) Inc. Grand River Institute, Grand Junction, Colorado. (#09-11-23)

Tweto, Ogden
1979 Geologic Map of Colorado. United States Geologic Survey, Department of the ;Interior, Reston, Virginia.

MITIGATION: All applicable conditions of approval (COAs) and mitigation associated with the existing NEPA document CO-110-2009-145-EA will be carried forward and are listed in Attachment 1. There is no new site-specific mitigation that was developed during the DNA review.

COMPLIANCE PLAN (optional): On-going compliance inspections and monitoring will be conducted by the BLM White River Field Office staff during and after construction. Specific mitigation developed in this document will be followed. The operator will be notified of compliance related issues in writing, and depending on the nature of the issue(s), will be provided 30 days to resolve such issues.

NAME OF PREPARER: Briana Potts

NAME OF ENVIRONMENTAL COORDINATOR: Heather Sauls

DATE: 5/12/2011

ATTACHMENTS:
Figure 1: Project Map
Attachment 1: Applicable Mitigation Carried Forward from CO-110-2009-148-EA

CONCLUSION

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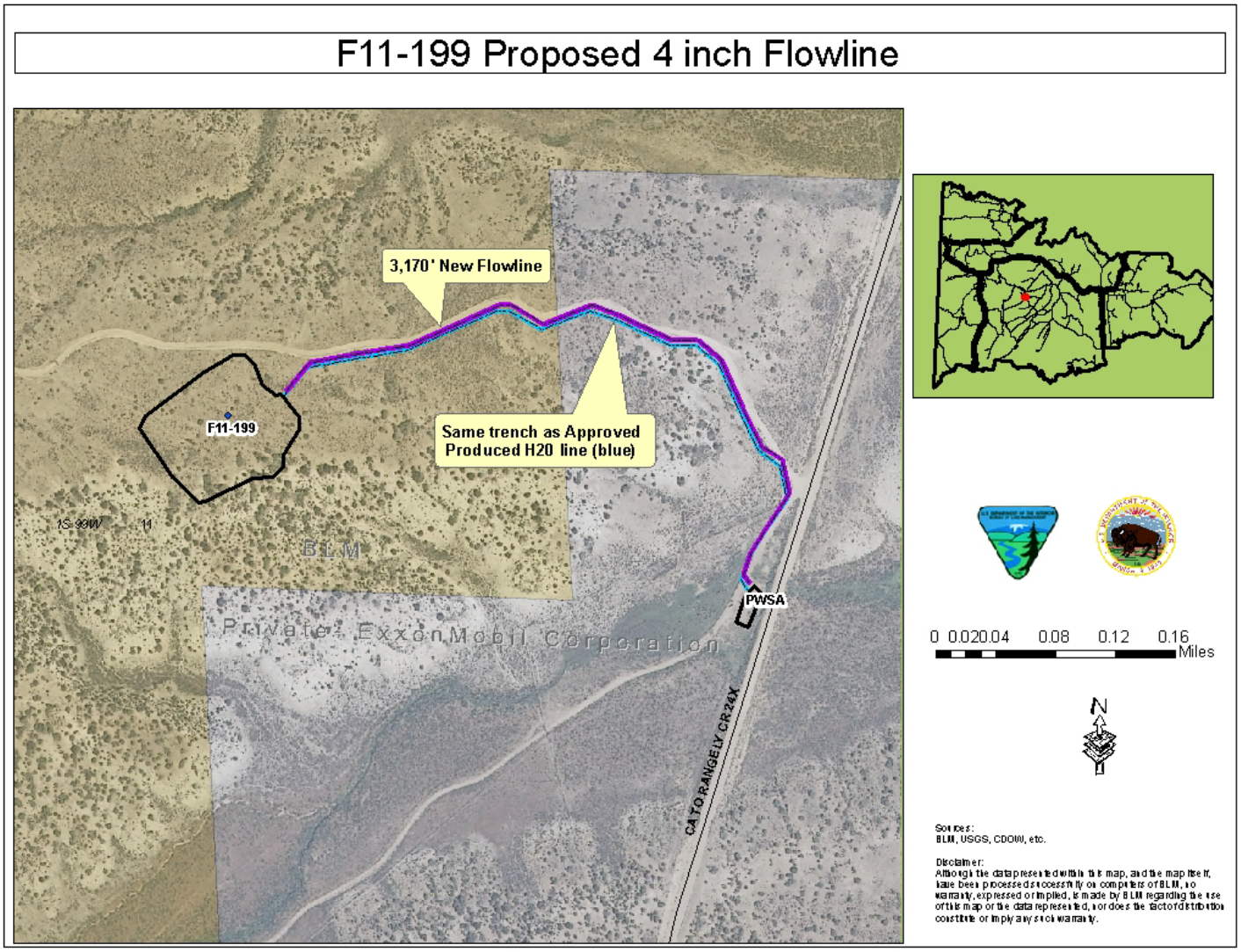
Based on the review documented above, I conclude that this proposal in consort with the applied mitigation conforms to the land use plan and that the NEPA documentation previously prepared fully covers the Proposed Action and constitutes BLM's compliance with the requirements of NEPA.

SIGNATURE OF RESPONSIBLE OFFICIAL: FOR Field Manager

DATE SIGNED: 5/12/2011

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

FIGURE 1: Project Map- F11-199 Proposed 4” Flowline



Applicable Mitigation Carried Forward from Existing CO-110-2009-148-EA

Air Quality

1) All access roads will be treated with water and/or a dust suppressant during construction and drilling activities so that there is no visible dust trail behind vehicles. If water is used as a dust suppressant, there should be no traces of oil or solvents in the water and it should be properly permitted for this use by the State of Colorado. Only water needed for abating dust should be applied; dust abatement should not be used as a water disposal option under any circumstances.
2) All vehicles will abide by company or public speed restrictions during all activities.

Soils

3) All construction and drilling activity shall cease when soils or road surfaces become saturated to a depth of three inches unless there are safety concerns or activities are otherwise approved by the Authorized Officer.
4) If erosion features such as rilling, gullying, piping and mass wasting occur at anytime in the future on disturbed surfaces the erosion features will be addressed immediately after observation by contacting the AO and submitting a plan to assure successful soil stabilization with BMPs to address the erosion problems.

Water Quality, Surface and Ground

5) When erosion is anticipated, sediment barriers shall be constructed to slow runoff, allow deposition of sediment, and prevent it from leaving the site. In addition, straining or filtration mechanisms may also contribute to sediment removal from runoff.

Invasive, Non-Native Species

6) Promptly revegetate all areas of earthen disturbance including road and location cut and fill slopes with Native Seed mix #3:

Native Seed mix #3 (Lbs PLS/acre)		
Western wheatgrass (Rosanna)	2	Gravelly 10"-14", Pinyon/Juniper Woodland, Stony Foothills, 147 (Mountain Mahogany)
Bluebunch wheatgrass , (Whitmar)	2	
Thickspike wheatgrass (Critana)	1	
Indian ricegrass (Rimrock, Nezpar)	2	
Fourwing saltbush (Wytana)	1	
Utah sweetvetch	1	

7) Monitor both the pipeline and well pad location for the occurrence of both noxious and invasive species.
8) The operator will be responsible for eradicating all noxious and invasive species which occur onsite using materials and methods approved by the authorized officer.

9) Application of herbicides must be under field supervision of an EPA-certified pesticide applicator. Herbicides must be registered by the EPA and application proposals must be approved by the BLM.

Wildlife, Terrestrial

10) To reduce the amount of surface disturbance associated with pipeline installation, the access road should be used as a working surface, if applicable.

Cultural Resources

11) The operator 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 activities, the operator is to immediately stop activities in the immediate area of the find that might further disturb such materials, and immediately contact the authorized officer (AO). 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 site can be used (assuming in situ preservation is not necessary)
    - a timeframe for the AO to complete an expedited review under 36 CFR 800-11 to confirm, through the State Historic Preservation Officer, that the findings of the AO are correct and that mitigation is appropriate.

    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 cost. 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.

12) Pursuant to 43 CFR 10.4(g) the holder of this authorization must notify the AO, 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.

13) The pipeline shall be laid on the south side of the proposed access road to minimize impacts to the site located north of the access road.

Paleontology

14) The operator is responsible for informing all persons who are associated with the project operations that they will be subject to prosecution for knowingly disturbing paleontological sites, or for collecting fossils. If fossil materials are uncovered during any project or construction activities, the operator is to immediately stop activities in the immediate area of the find that might further disturb such materials, and immediately contact the authorized officer (AO). Within five working days the AO will inform the operator as to:

- whether the materials appear to be of noteworthy scientific interest
- the mitigation measures the operator will likely have to undertake before the site can be used (assuming in situ preservation is not feasible)

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 cost. 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.

15) Any excavations into the underlying rock formation shall be monitored by an approved paleontologist who shall be on site prior to the initiation of any excavations into the rock.