

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

## **CATEGORICAL EXCLUSION**

NUMBER: DOI-BLM-CO-110-2011-0016-CX

CASEFILE/PROJECT NUMBER: COC64011

PROJECT NAME: Renewal of Shell LUP well pads

LEGAL DESCRIPTION: Sixth Principal Meridian  
T. 1 S., R. 99 W.,  
sec. 14, NW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>, S<sup>1</sup>/<sub>2</sub>NW<sup>1</sup>/<sub>4</sub>,  
sec. 28, SE<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>, N<sup>1</sup>/<sub>2</sub>SW<sup>1</sup>/<sub>4</sub>.

APPLICANT: Shell Frontier O&G Inc.

DESCRIPTION OF PROPOSED ACTION: Shell Frontier has submitted an application to renew COC64011, a permit issued July 11, 2000 to construct 8 well pads for hydrology observation and monitoring wells. Area maps are attached as Exhibits A (1) and (2).

The project was originally analyzed in environmental assessment (EA) CO-WRFO-00-142-EA, signed July 10, 2000. Terms and conditions of the original permit will be carried forward and are attached as Exhibit B. This renewal would authorize continued monitoring with existing facilities. All pads are outside the Oil Shale RD&D leases. No additional surface disturbance is authorized by this action.

Review of the files shows that there have been no environmental concerns and the facilities are being used for the authorized purpose. Shell requests that the permit be renewed until December 31, 2017 at which time their other well permits will expire. The total encumbered area is 2.91 acres, more or less.

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

Date Approved: July 1, 1997

Decision Number/Page: Page 2-49

Decision Language: “To make public lands available for the siting of public and private facilities through the issuance of applicable land use authorizations, in a manner that provides for reasonable protection of other resource values.”

CATEGORICAL EXCLUSION REVIEW: The proposed action qualifies as a categorical exclusion under 516 DM 11.9, Number (E-9): “Renewals and assignments of leases, permits, or rights-of-way where no additional rights are conveyed beyond those granted by the original authorizations.”

The proposed action has been reviewed with the list of extraordinary circumstances described in the table below. This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. None of the following exceptions in 516 DM 2, Appendix 2, apply.

Exception	YES	NO
1. Have significant adverse effects on public health and safety.		X
2. Have significant impacts 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.		X
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources.		X
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		X
6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		X
7. Have significant impacts on properties listed, or eligible for listing, in the National Register of Historic Places as determined by either the bureau of office.		X
8. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have adverse effects on designated Critical Habitat for these species.		X
9. Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.		X
10. Have a disproportionately high and adverse effect on low income or minority populations		X
11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly affect the		X

<b>Exception</b>	<b>YES</b>	<b>NO</b>
physical integrity of such sacred sites.		
12. 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:

The proposed action was presented to and reviewed by the White River Field Office interdisciplinary team on November 2, 2010. 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 areas for renewal were inventoried at the Class III (100% pedestrian level (Conner and Davenport 2000 Compliance Dated 6/21/2000, 2001a Compliance Dated 12/19/2001, 2001b Compliance Dated 12/19/2001) with no cultural resources identified near any of the pad locations. The proposed action involves no new ground disturbance and will have no impact on known cultural resources. (MRS 11/24/2010)

*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 11/24/2010)

*Threatened and Endangered Wildlife Species:* Because the proposed action does not involve any additional surface disturbance, no impacts to terrestrial wildlife populations or important habitats are anticipated. (LRB 12/08/10)

*Threatened and Endangered Plant Species* Because there is no additional surface disturbance this action will have no impact to threatened and/or endangered plant species beyond what was previously analyzed. (MT 12/7/2010)

REFERENCES CITED:

Conner, Carl E., and Barbara J. Davenport  
 2000 Class III Cultural Resource Inventory Report for Three Block Areas Totaling 212.5 Acres in Rio Blanco County, Colorado, For Shell Frontier Oil and Gas, inc. Grand River Institute, Grand Junction, Colorado. (00-11-05)

2001a Class III Cultural Resource Inventory Report for the BLM portions of a Proposed Land Exchange in Rio Blanco County, Colorado, for Shell Frontier Oil and Gas, Inc. Grand River Institute, Grand Junction, Colorado. (01-11-10)

2001b Addendum: Class III Cultural Resource inventory Report for the BLM Portions of a Proposed Land Exchange in Rio Blanco County, Colorado, for Shell Frontier Oil and Gas, Inc. Grand River Institute, Grand Junction, Colorado. (01-11-12)

MITIGATION: See Exhibit B.

COMPLIANCE PLAN On-going compliance inspections and monitoring will be conducted by White River Field Office staff during construction, operation, maintenance, and reclamation of the project. Specific mitigation developed for the Proposed Action in this Categorical Exclusion and the terms and conditions of the original associated permits will be followed.

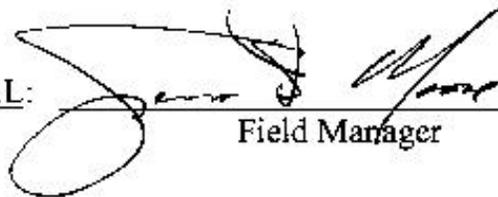
NAME OF PREPARER: Linda Jones

NAME OF ENVIRONMENTAL COORDINATOR: Heather Sauls

DECISION AND RATIONALE: I have reviewed this CX and have decided to approve the proposed action.

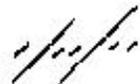
This action is listed in the Department Manual as an action that may be categorically excluded. I have evaluated the action relative to the 12 criteria listed above and have determined that it does not represent an exception and is, therefore, categorically excluded from further environmental analysis.

SIGNATURE OF AUTHORIZED OFFICIAL:



Field Manager

DATE SIGNED:



ATTACHMENTS:

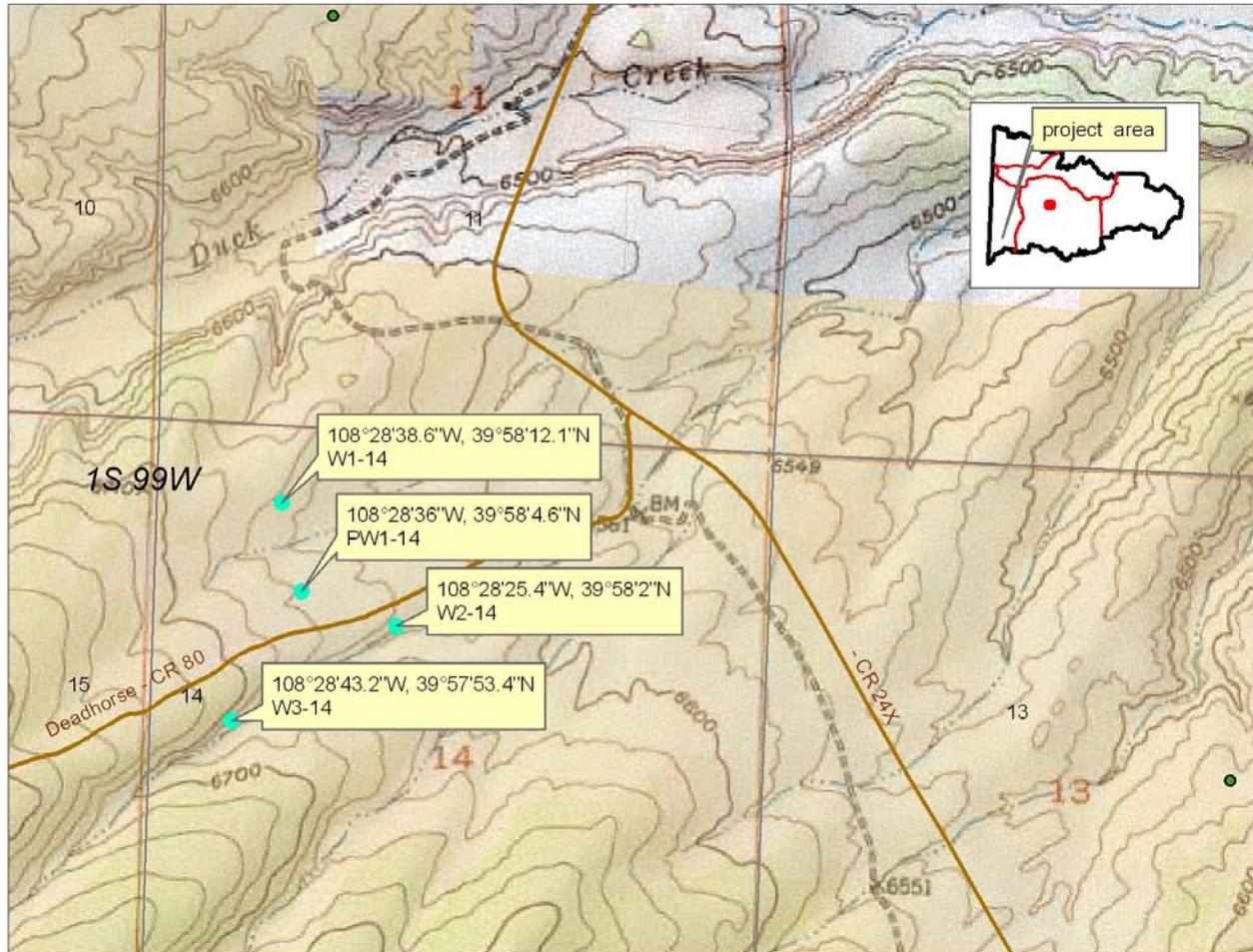
Exhibits A (1) and (2) – Maps of the Shell Hydro Test Well Locations  
Exhibit B - Original Permit Stipulations



# RENEWAL SHELL HYDRO TEST WELLS



# EXHIBIT A (1)



DOIBLMCO-110-2011-0016-CX

COC64011

Sixth Principal Meridian  
T.1S., R.99W.,  
sec 14 map A (1)  
sec 28 map A (2)



- Projects: point
- County
- State
- OilShale\_RDD\_Nominated
- PLSS\_Townships\_GCDB2-
- PLSS\_Sections\_GCDB20C
- BLM
- CDW
- County
- FOR
- NPS
- PRI
- STA



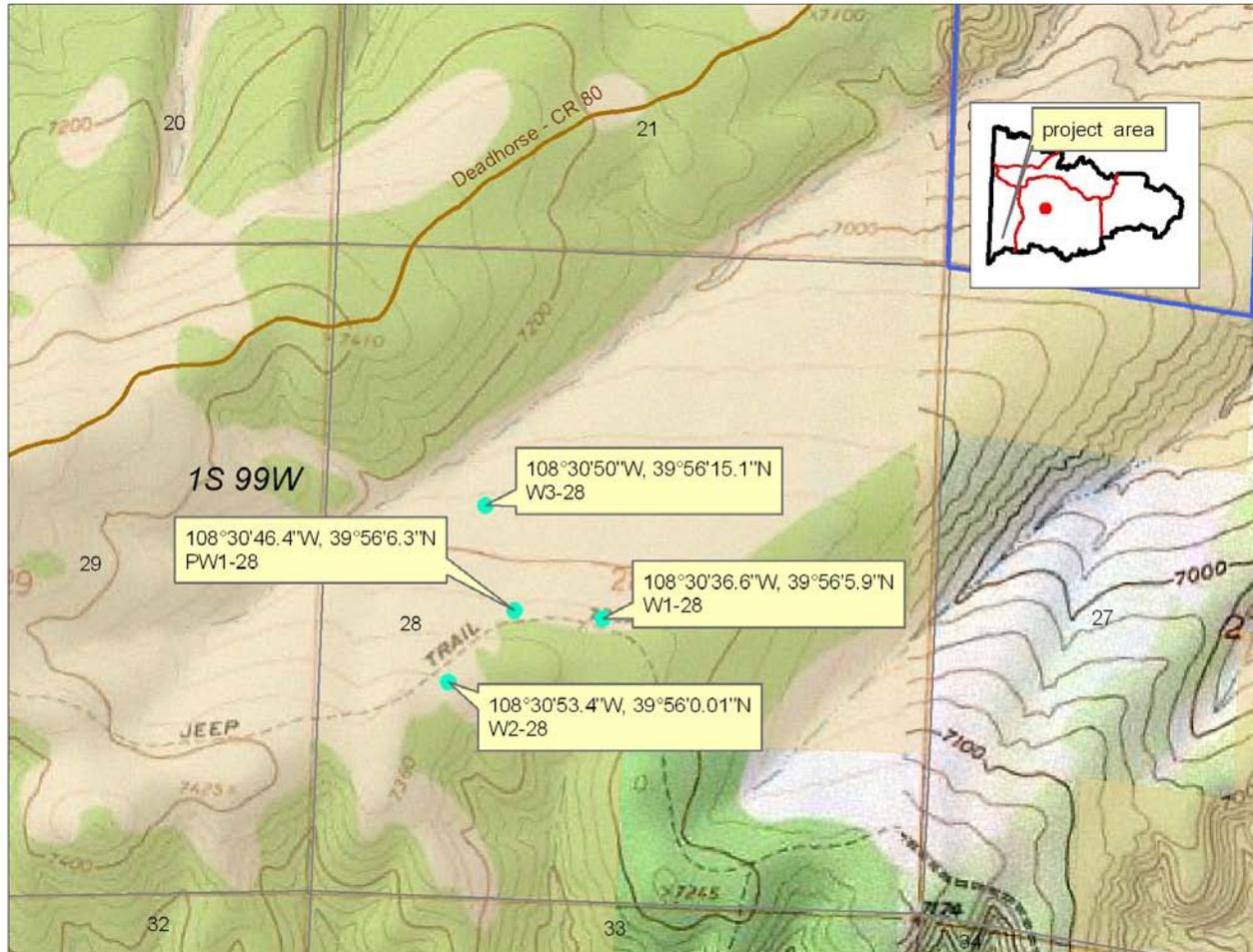
DATE: 8/16/2011 10:00:00 AM  
 USER: JACOB  
 PROJECT: RENEWAL SHELL HYDRO TEST WELLS  
 SHEET: 100010 LLJ



# RENEWAL SHELL HYDRO TEST WELLS



# EXHIBIT A (2)



DOI-BLM-CO-110-2011-0016-CX

COC64011

Sixth Principal Meridian  
T.1S., R.99W.,  
sec 14 map A (1)  
sec 28 map A (2)



- Projects: point
- County
- State
- OilShale\_RDD\_Nominated
- PLSS\_Townships\_GCDB2
- PLSS\_Sections\_GCDB20C
- BLM
- CDW
- County
- FOR
- NPS
- PRI
- STA



DATE: 11/10/11 10:00 AM  
 BY: J. COOK  
 TITLE: RENEWAL SHELL HYDRO TEST WELLS  
 DESCRIPTION: This map shows the locations of the hydro test wells and the map area. The map is based on the 100010 LLJ map. The map is based on the 100010 LLJ map. The map is based on the 100010 LLJ map. The map is based on the 100010 LLJ map.

## Exhibit B – Stipulations Carried Forward from Original Permit

### Special Stipulations

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, 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.

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.

The holder shall protect all survey monuments found within the right-of-way. Survey monuments include, but are not limited to, General Land Office and Bureau of Land Management Cadastral Survey Corners, reference corners, witness points, U.S. Coastal and Geodetic benchmarks and triangulation stations, military control monuments, and recognizable civil (both public and private) survey monuments. In the event of obliteration or disturbance of any of the above, the holder shall immediately report the incident, in writing, to the authorized officer and the respective installing authority if known. Where General Land Office or Bureau of Land Management right-of-way monuments or references are obliterated during operations, the holder shall secure the services of a registered land surveyor or a Bureau cadastral surveyor to restore the disturbed monuments and references using surveying procedures found in the Manual of Surveying Instructions for the Survey of the Public Lands of the United States, latest edition. The holder shall record such survey in the appropriate county and send a copy to the authorized officer. If the Bureau cadastral surveyors or other Federal surveyors are used to restore the disturbed survey monument, the holder shall be responsible for the survey cost.

The holder shall seed all disturbed areas with the seed mixture(s) listed below. The seed mixture(s) shall be planted in the amounts specified in pounds of pure live seed (PLS)/acre. There shall be no primary or secondary noxious weed seed in the seed mixture. Seed shall be tested and the viability testing of seed shall be done in accordance with State law(s) and within 9 months prior to purchase. Commercial seed shall be either

certified or registered seed. The seed mixture container shall be tagged in accordance with State law(s) and available for inspection by the authorized officer.

Seed shall be planted using a drill equipped with a depth regulator to ensure proper depth of planting where drilling is possible. The seed mixture shall be evenly and uniformly planted over the disturbed area. (Smaller/heavier seeds have a tendency to drop to the bottom of the drill and are planted first. The holder shall take appropriate measures to ensure this does not occur.) Where drilling is not possible, seed shall be broadcast and the area shall be raked or chained to cover the seed. When broadcasting the seed, the pounds per acre noted below are to be doubled. The seeding will be repeated until a satisfactory stand is established as determined by the authorized officer. Evaluation of growth will not be made before completion of the second growing season after seeding. The authorized officer is to be notified a minimum of two days prior to seeding of the project.

Seed Mixture

<u>Species of Seed</u>	<u>Variety</u>	<u>Pounds/Acre PLS</u>
Pubescent wheatgrass	Luna	4
Western wheatgrass	Rosanna	2
Crested wheatgrass	Ephraim	1
Indian ricegrass	Nezpar	1
Orchardgrass	Piute	1

Total 9 lbs/acre PLS Pure Live Seed (PLS) formula: % of purity of seed mixture times % germination of seed mixture = portion of seed mixture that is PLS.

Alternates: Fourwing saltbush, Intermediate wheatgrass, Cicer Milkvetch (Monarch)

5. The holder shall be responsible for weed control on disturbed areas within the limits of the right-of-way. The holder is responsible for consultation with the authorized officer and/or local authorities for acceptable weed control methods (within limits imposed in the grant stipulations).
6. Construction sites shall be maintained in a sanitary condition at all times; waste materials at those sites shall be disposed of promptly at an appropriate waste disposal site. "Waste" means all discarded matter including, but not limited to, human waste, trash, garbage, refuse, oil drums, petroleum products, ashes, and equipment.
7. The holder(s) shall comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated. In any event, the holder(s) 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. Prior to termination of the right-of-way, the holder shall contact the authorized officer to arrange a pretermination conference. This conference will be held to review the termination provisions of the grant.
9. The holder shall comply with all applicable State and County laws and regulations, and obtain all necessary permits, provided that this requirement shall be waived if the Bureau of Land Management determines that such State and local laws, regulations, or permitting requirements impermissibly conflict with the achievement of a Congressionally approved use of the public lands.
10. 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.