

**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-110-2011-0001-DNA

CASEFILE/PROJECT NUMBER: COC-10892

PROJECT NAME: Alternate Pipeline Location for G11 Flowline

LEGAL DESCRIPTION: T2S, R99W, Section 11, 6th PM

APPLICANT: Mesa Energy Partners, LLC

ISSUES AND CONCERNS:

DESCRIPTION OF PROPOSED ACTION:

Background/Introduction: The White River Field Office (WRFO) received a Sundry Notice on September 30, 2010 from Mesa Energy Partners, LLC requesting to install an already approved flowline route for the BDU G11-299 well pad along a slightly different route, approximately 160 ft offset to the south. The original route was approved January 22, 2010 along with the Application for Permit to Drill (APD) approval for the BDU G11-299 well in Environmental Analysis (EA) CO-110-2009-148-EA. The original approved pipeline proposal was to bury 3,252ft (3.733 ac) of 4 inch diameter FlexSteel flowline for exploratory wells. The proposal indicated the line would run adjacent the original approved new access road, then follow an existing pipeline corridor to the southwest to end at a tie-in point with an existing pipeline in the NW¹/₄ SW¹/₄ of Section 11, T2S, R99W. According to the accompanying map, at the time of approval, the line was approved to be buried on the north side of the existing pipeline corridor and the north side of the existing road paralleling the pipeline corridor.

An as-built diagram was received July 27, 2010 via Sundry Notice depicting that the actual location of the access road was built on the northeast side of the pad rather than the southwest side. Due to this change in access road location, the new proposed 'Option B' pipeline route (see attached map) will travel along the new, constructed access road, then along an existing road to the west, and along the two-track pipeline right-of-way access road to the southwest for a total of approximately 580 additional feet.

Proposed Action: Mesa Energy Partners, LLC is requesting that the originally proposed and approved flowline route on the north side of the existing pipeline corridor (see attached map, ‘Option B’ in blue) be replaced with the proposed alternative route on the south side of the existing pipeline corridor (see attached map, ‘Option A’ in red); approximately 160 ft parallel the original approved route. The preferred option, ‘Option A’, would result in less surface disturbance than the originally approved ‘Option B’ because it lies almost entirely within the area recently cleared for the construction of the Williams pipeline last year immediately to the north of ‘Option A’. Conversely, the ‘Option B’ lies to the north side of the existing two-track pipeline right-of-way access road, where no pipelines currently exist. Installing a pipeline along the currently approved route would require the removal of several trees and result in increased new surface disturbance.

The new preferred route proposed, ‘Option A’, will be approximately 3,832 ft of pipeline. The proposed new route will utilize the access road leading from the well pad as the working surface for construction, and require only a 25 ft construction right-of-way for approximately 150 ft. The approximately 3,482 ft of pipeline that will be installed along the existing pipeline corridor will require a 50 ft right-of-way, however, no additional surface disturbance or construction right-of-way outside of the existing pipeline disturbance is required; the pipeline will be installed entirely within the existing pipeline corridor. The final approximately 200 ft of pipeline parallels the existing two-track pipeline corridor access road. This two-track road will be utilized as the working surface for construction, and the required construction right-of-way in addition to the two-track road will be 40 ft.

Total acres of new disturbance (along access roads) for the pipeline installation will be 0.27 acres, and total acres of re-disturbance (completely within the disturbed pipeline corridor) will be 3.997 acres (see table 1 for surface disturbance acreages). Reclamation would be per the BDU G11-199 APD permit approval (CO-110-2009-148-EA).

Table 1. Dimensions and acres disturbed for the proposed pipeline.

G11-299 Pipeline Section	Dimensions (ft)	New Disturbance (Acres)	RE- Disturbance (Acres)
Along Access Road from Well Pad	150 x 25	0.086	N/A
Along Existing Corridor	3,482 x 50*	0 *	3.997
Along 2-Track Access Road	200 x 40	0.184	N/A
Total Acres Disturbed		0.27	3.997

* 50 ft ROW is completely within the existing pipeline corridor disturbance. No *new* disturbance is required for pipeline installation.

No Action Alternative: The proposed ‘Option A’ pipeline route would be denied. The approved ‘Option B’ would be utilized as the pipeline route for G11-299 to the tie-in location in NW¼ SW¼ of Section 11, T2S, R99W.

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.”

_____ The Proposed Action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decisions (objectives, terms, and conditions):

Decision Number/Page:

Decision Language:

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-110-2009-148-EA](#)

Date Approved: January 22, 2010

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:

Date Approved:

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 the flowline along an alternate route approximately 160 ft to the south parallel to the originally approved 'Option B' line is essentially similar to, and is within the same analysis area as an alternative in the existing NEPA document CO-110-2009-148-EA.

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: Two alternatives (proposed action and the no action alternative), covering a reasonable range of alternatives to the proposed action were analyzed in CO-110-2009-148-EA. No reasons were identified to analyze additional alternatives to the proposed action 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-110-2009-148-EA is still valid. It is not expected that new information or circumstances would substantially change the analysis of the new proposed action. The new route would extend to the north so that the flowline could follow the actual constructed access road, but this is not expected to substantially change the analysis.

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 will remain unchanged from those identified in the existing NEPA document CO-110-2009-148-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-110-2009-148-EA is adequate for the current proposal.

INTERDISCIPLINARY REVIEW: A list of resource specialists who participated in this review is available upon request from the White River Field Office.

The proposed action was presented to, and reviewed by the White River Field Office interdisciplinary team on October 5, 2010.
Date

REMARKS:

Cultural Resources: According to Weston and Welch, who based their analysis on OAHP and BLM WRFO records, the newly proposed pipeline corridor ('Option A') has previously been inventoried to a Class III (100% pedestrian) level (2006). According to available WRFO data, most of the project area has been inventoried at the Class III level, with one area of questionable coverage entirely and obviously within an area previously disturbed for the CIG Uinta Basin Lateral pipeline (2009 NAIP images, Pennefather-O'Brien, Lubinski, and Metcalf 1992). The northeastern terminus of the proposed flowline, occurring in an area of previously undisturbed ground surface, has also been inventoried at the Class III level (Conner et al. 2009). 'Option B' was adequately analyzed for CO-110-2009-148-EA. Though Isolated Finds have occurred near the project area, no cultural resources potentially eligible for listing on the National Register of Historic Places have been identified within 500 meters of the project area. (GLH 11/10/2010)

Native American Religious Concerns: Currently, no Native American Religious Concerns or Traditional Cultural Properties are known in or near the project area. Should future consultations with tribal authorities reveal the existence of such sensitive properties, appropriate mitigation and/or protection measures may be undertaken. (GLH 11/9/2010)

Threatened and Endangered Wildlife Species: There are no wildlife-related issues or concerns that were not adequately addressed in the original document CO-110-2009-148-EA. A raptor-nest survey conducted in April 2010 found no raptor nests in the project area; because this

project would involve no further clearing of adjacent woodlands, this raptor survey report remains valid. (EH 11/15/2010)

Special Status Plant Species: The eastern half of the proposed pipeline alignment was thoroughly surveyed for special status plant species by WestWater Engineering during the 2010 blooming season. No occupied, suitable or potential habitat was located. The proposed action is expected to have no impact on special status plants or associated habitats. (JKS 10/08/10)

MITIGATION: All applicable conditions of approval (COA's) and mitigation associated with the existing NEPA document CO-110-2009-148-EA will be carried forward and are listed below along with any new site-specific mitigation.

New Site-Specific Mitigation

- 1) None.

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

Timing Limitations

- 2) The operator shall apply proper pre-planning and plan all activities and operations in a manner so as to avoid infringing on any timing limitations; without the need to apply for exceptions to the specified timing limitations.
- 3) There will be no development allowed from 1 January through 30 April to avoid big game severe winter ranges (TL-08 White River ROD/RMP).
- 4) It is recommended that all earthwork associated with the proposed action take place outside of the migratory bird breeding season (May 15 – July 15).

Pre-Construction Activities and Notifications

- 5) The holder is responsible for obtaining all appropriate Rio Blanco County and/or State of Colorado permits.
- 6) The holder shall take all measures necessary to protect existing facilities including implementation of Colorado One Call and coordination with Bargath, Inc. prior to pipeline construction.
- 7) The *designated Natural Resource Specialist* will be notified 24 hours prior to beginning all construction-related activities associated with this project that result in disturbance of surface soils via email or by phone. Construction-related activities may include, but are not limited to, pad and road construction, clearing pipeline corridors, trenching, etc. Notification of all construction-related activities, regardless of size, that result in disturbance of surface soils as a result of this project is required.

Resource-Specific Mitigation During Construction, Drilling, and Production:

Air Quality

- 8) All access roads will be treated with water and/or an approved chemical dust suppressant during construction and drilling activities so that there is not a visible dust trail behind

vehicles. All vehicles will abide by company or public speed restrictions during all activities. 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.

Soils

- 9) 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.
- 10) If erosion features such as rilling, gullyng, 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.

Forest Management

- 11) Trees or shrubs that must be removed for construction or ROW preparation shall be cut down to a stump height of 6 inches or less prior to other heavy equipment operation ensuring that there are adequate woody materials for reclamation. Trees removed for construction that are not needed for reclamation purposes shall be cut in four foot lengths (down to 4 inches diameter) and placed in manageable stacks immediately adjacent to a public road to facilitate removal by the public or removed for company use. Woody materials required for reclamation shall be stockpiled along the margins of the authorized use area separate from the topsoil piles. It is recommended to chip the smaller limbs and; the boles and limbs of the larger trees should be retained for redistribution. Once the disturbance has been recontoured and reseeded, stockpiled woody material shall be scattered across the reclaimed area where the material originated. Chipped material shall be scattered across reclaimed areas in a manner that avoids the development of a mulch layer that suppresses growth or reproduction of desirable vegetation. Redistribution of woody debris will not exceed 20% ground cover. Woody material will be distributed in a manner that effectively deters vehicle use. Materials would be distributed in such a way to avoid large concentrations of heavy fuels.

Cultural Resources

- 12) 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 archaeological sites or for collecting artifacts. If artifacts 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.

Paleontology

13) The operator is responsible for informing all persons who are associated with the project operations that they will be subject to prosecution for disturbing or collecting vertebrate fossils, collecting large amounts of petrified wood (over 25lbs./day, up to 250lbs./year), or collecting fossils for commercial purposes on public lands. If significant paleontological resources are discovered during surface disturbing actions or at any other time, the proponent or any of his agents must:

- stop work immediately at that site;
- contact the appropriate BLM representative, typically the project inspector or Authorized Officer (AO), as soon as possible; and
- make every effort to protect the site from further impacts, including looting, erosion, or other human or natural damage.

The BLM or designated paleontologist will evaluate the discovery and take action to protect or remove the resource within 10 working days. Work may not resume at that location until approved by the official BLM representative.

14) 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, significant delays may occur while the AO enacts mitigation procedures. The operator may elect to contract an approved paleontologist to execute site mitigations in order to expedite proceedings. 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) All excavations into previously undisturbed portions of the underlying formation must be monitored by an approved paleontologist. Such paleontologist must be present before the start of construction activities that may impact the underlying formation.

Pre-Reclamation Notification

16) The *designated Natural Resource Specialist* will be notified 24 hours prior to beginning all reclamation activities associated with this project via email or by phone. Reclamation activities may include, but are not limited to, seed bed preparation that requires disturbance of surface soils, seeding, constructing exclosures (e.g., fences) to exclude livestock from reclaimed areas.

17) Promptly revegetate all disturbed areas with **Native Seed mix #3**. Revegetation operations will commence immediately after construction and will not be delayed until the following fall. Woody debris will not be scattered on the pipeline until after seeding operations are completed. Seed mixture rates are Pure Live Seed (PLS) pounds per acre. Drill seeding is the preferred method of application.

Native Seed mix #3			
3	Western wheatgrass (Rosanna)	2	Gravelly 10"-14", Pinyon/Juniper Woodland, Stony Foothills, 147 (Mountain Mahogany)
	Beardless wheatgrass (Whitmar)	2	
	Thickspike wheatgrass (Critana)	1	
	Indian ricegrass (Rimrock,)	2	
	Alternates: Needle and thread, globemallow		

18) Distribute topsoil evenly over the location and prepare a seedbed by disking or ripping. Drill seed on contour at a depth no greater than 1/2 inch. In areas that cannot be drilled, broadcast at double the seeding rate and harrow seed into the soil.

19) Use seed that is certified and free of noxious weeds. All seed tags will be submitted to the *designated Natural Resource Specialist* within 14 calendar days from the time the seeding activities have ended via Sundry Notice. The sundry will include the purpose of the seeding activity (i.e., seeding well pad cut and fill slopes, seeding pipeline corridor, etc.). In addition, the SN will include the well or well pad number associated with the seeding activity, if applicable, the name of the contractor that performed the work, his or her phone number, the method used to apply the seed (e.g., broadcast, hydro-seeded, drilled), whether the seeding activity represents interim or final reclamation, an estimate of the total acres seeded, an attached map that clearly identifies all disturbed areas that were seeded, and the date the seed was applied.

20) The operator will be required to monitor the project area for the life of the project and eradicate all noxious and invasive species which occur on site using materials and methods approved in advance by the Authorized Officer. Application Pesticide Use Proposals (PUPs) must be approved by the BLM prior to application.

REFERENCES CITED:

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 (USA), Inc.* Grand River Institute, Grand Junction, Colorado. WRFO CRIR# 09-11-23.

Pennefather-O'Brien, Elizabeth, Patrick Lubinski, and Michael D. Metcalf, ed.
1992 *Colorado Interstate Gas Company Uinta Basin Lateral 20" Pipeline: Class III Cultural Resource Final Report Utah, Colorado and Wyoming*. Metcalf Archaeological Consultants, Eagle, Colorado. WRFO CRIR# 92-54-26.

Weston, Jason D. and James M. Welch
2006 *Twin Basin Gathering System Class III Cultural Resource Inventory for Installation of a Natural Gas Gathering System Pipeline in Rio Blanco County, Colorado*. Western Land Services, Archaeology Department, St. Sheridan, Wyoming. WRFO CRIR# 06-161-02.

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: Kristin Bowen

DATE: 11/16/2010

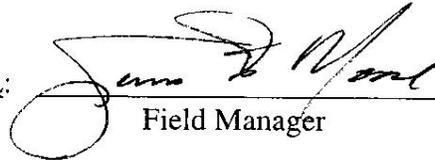
ATTACHMENTS: Project Map

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:


Field Manager

DATE SIGNED:

11/16/2010

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.

G11-299 Alternate Pipeline Route

