

**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-110-2011-0139-DNA

CASEFILE/PROJECT NUMBER: Amend COC74681

PROJECT NAME: Whiting WRD 23-33 Access Road

LEGAL DESCRIPTION: Sixth Principal Meridian, Colorado
T. 2 N., R. 97 W.,
sec. 34, lots 21, 24, and 25.

APPLICANT: Whiting Oil and Gas Corporation

DESCRIPTION OF PROPOSED ACTION:

Background: Right-of-way (ROW) COC74681 authorizes the off-lease portion of the access road to serve the WRD 23-33 well pad. The existing ROW is 2,873 feet long, 25 feet wide, containing approximately 1.65 acres. The original access road was analyzed in DOI-CO-110-2011-0007-EA; however the original intersection of the access road and Highway 64 was not approved by the Colorado Department of Transportation (CDOT). The CDOT requested that Whiting Oil and Gas Corporation (Whiting) move the intersection to a safer location farther east on Highway 64. The CDOT issued Whiting a temporary permit for the existing access road that is effective through September 2011. Whiting will then reclaim the existing intersection of the access road where it crosses private property off of Highway 64 to prevent vehicle use.

Proposed Action: Whiting is requesting an amendment to ROW COC74681 for an additional 1,444 feet of off-lease access road to serve the WRD 23-33 well pad. The additional portion of access road would allow Whiting to cross private property and the intersection of the access road and Highway 64 would be safer. If approved, the entire off-lease portion of the access road authorized in ROW COC74681 would be 4,317 feet long, 25 feet wide, containing approximately 2.48 acres (See Exhibit A).

All applicable terms and conditions contained in the original ROW grant will be carried forward and remain in full force and effect. Whiting has submitted a revised road design plan which is available in the case file and well file.

PLAN CONFORMANCE REVIEW:

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."

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: June 1996

Name of Document: DOI-CO-110-2011-0007-EA

Date Approved: 3/7/2011

NEPA ADEQUACY CRITERIA:

1. Is the new Proposed Action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document? 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? If there are differences, can you explain why they are not substantial?

Yes. The Proposed Action to authorize an amendment to the access road to serve the WRD 23-33 well pad is essentially similar to, and is within the same analysis area as, the existing NEPA document CO-110-2011-0007-EA, which analyzed the access road.

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

Yes, a reasonable range of alternatives (the Proposed Action and the No Action Alternative were analyzed in CO-110-2011-0007-EA. No reasons were identified to

analyze additional alternatives to the Proposed Action 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?

Yes, a reasonable range of alternatives (the Proposed Action and the No Action Alternative were analyzed in CO-110-2011-0007-EA. No reasons were identified to analyze additional alternatives to the Proposed Action and these alternatives are considered to be adequate and valid for the 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?

Yes. The direct and indirect impacts of the Proposed Action remains unchanged from those identified in the existing NEPA document CO-110-2011-0007-EA.

5. Is the public involvement and interagency review associated with existing NEPA documents adequate for the current Proposed Action?

Yes. The public involvement and interagency review associated with the existing NEPA document CO-110-2011-0007-EA are adequate for the current proposal to authorize an amendment to the access road was analyzed previously.

INTERDISCIPLINARY REVIEW:

The Proposed Action was presented to, and reviewed by, the White River Field Office interdisciplinary team on 6/7/2011. A complete list of resource specialists who participated in this review is available upon request from the White River Field Office. The table below lists resource specialists who provided additional remarks concerning cultural resources and special status species.

Name	Title	Resource	Date
Michael Selle	Archaeologist	Cultural Resources, Native American Religious Concerns	9/20/2011
Lisa Belmonte	Wildlife Biologist	Special Status Wildlife Species	7/26/2011
Zoe Miller	Ecologist	Special Status Plant Species	6/23/2011

REMARKS:

Cultural Resources: The proposed access road realignment has been inventoried at the Class III (110 percent pedestrian) level (Stahl 2001, Compliance dated 9/19/2001) with one previously recorded historic trash deposit located in the area of potential effect. The historic debris is very limited and disturbed and not eligible for NRHP consideration. The project will not adversely impact the regional database or the site.

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.

Threatened and Endangered Wildlife Species: There are no additional wildlife-related issues or concerns associated with the road reroute outside of those covered in the parent document (DOI-CO-110-2011-0007-EA).

Threatened and Endangered Plant Species: There are no special status plant species concerns.

REFERENCES CITED:

Stahl, Jenny

2011 Whiting Oil & Gas: A Class III Cultural Resource Inventory of the WRD 23-33-Access Road in Rio Blanco County, Colorado. Metcalf Archaeological Consultants, Inc., Grand Junction, Colorado. (11-54-14: SHPO #RB.LM.R1269)

MITIGATION:

All applicable terms and conditions in the original right-of-way grant will be carried forward and remain in full force and effect.

COMPLIANCE PLAN: 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 holder will be notified of compliance related issues, and depending on the nature of the issue(s), will be provided 30 days to resolve such issues.

NAME OF PREPARER: Stacey Burke

NAME OF ENVIRONMENTAL COORDINATOR: Heather Sauls

CONCLUSION

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

SIGNATURE OF AUTHORIZED OFFICIAL: Est M MBE
Acting Field Manager

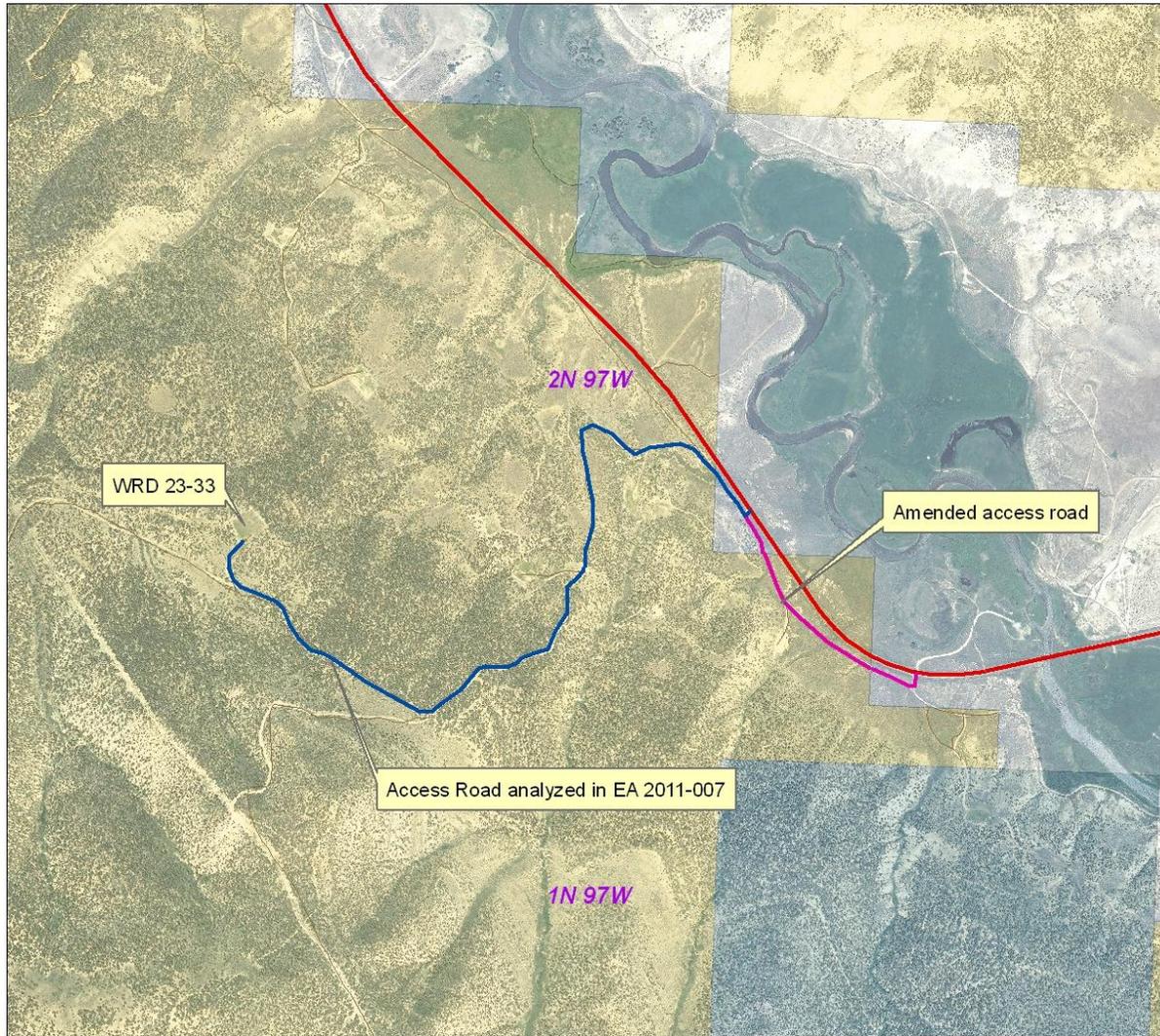
DATE SIGNED: 9/26/11

ATTACHMENTS: Exhibit A – Map of Proposed Action

Note: The signed Conclusion in this DNA Worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision. However, the lease, permit, or other authorization based on this DNA is subject to protest or appeal under 43 CFR Part 4 and the program-specific regulations.

WRD 23-33 Access Road ROW COC74681 Amendment T2N, R97W

EXHIBIT A



- WRD 23-33 Access Road
- COC74681
- State
- County
- BLM
- USFS
- NPS
- Other
- BLM
- CDW
- County
- FOR
- NPS
- PRI
- STA
- PLS9_Townships_GCD82008



Sources:
BLM, USGS, CDOW, etc.

Disclaimer:
Although the data presented within this map, and the map itself, have been processed successfully on computers of BLM, no warranty, expressed or implied, is made by BLM regarding the use of this map or the data represented, nor does the fact of distribution constitute or imply any such warranty.



June 2011



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Meeker, CO 81641**

DECISION RECORD

PROJECT NAME: Whiting WRD 23-33 Access Road

CATEGORICAL EXCLUSION NUMBER: DOI-BLM-CO-2011-0139-DNA

DECISION

It is my decision to implement the Proposed Action, as mitigated in DOI-BLM-CO-2011-0007-EA, authorizing the construction, operation, and maintenance of an access road to the WRD 23-33 well pad.

Mitigation Measures

All applicable terms and conditions in the original right-of-way grant will be carried forward and remain in full force and effect.

COMPLIANCE WITH LAWS & CONFORMANCE WITH THE LAND USE PLAN

This decision is in compliance with the Endangered Species Act and the National Historic Preservation Act. It is also in conformance with the 1997 White River Record of Decision/Approved Resource Management Plan.

PUBLIC INVOLVEMENT

The BLM informed the public about this project by listing it on the online WRFO NEPA Register and a copy of the completed Documentation of NEPA Adequacy will be posted on the WRFO website.

RATIONALE

The proposal for an access road in concert with the applied mitigation conforms to the land use plan and the NEPA documentation previously prepared fully covers the Proposed Action and constitutes BLM's compliance with the requirements of NEPA.

ADMINISTRATIVE REMEDIES

This decision shall take effect immediately upon the date it is signed by the Authorized Officer and shall remain in effect while any appeal is pending unless the Interior Board of Land Appeals issues a stay (43 CFR 2801.10(b)). Any appeal of this decision must follow the procedures set forth in 43 CFR Part 4. Within 30 days of the decision, a Notice of Appeal must be filed in the office of the Authorized Officer at White River Field Office, 220 East Market St., Meeker, CO 81641 with copies sent to the Regional Solicitor, Rocky Mountain Region, 755 Parfet St., Suite 151, Lakewood, CO 80215, and to the Department of the Interior, Board of Land Appeals, 801

North Quincy St., MS300-QC, Arlington, VA, 22203. If a statement of reasons for the appeal is not included with the notice, it must be filed with the Interior Board of Land Appeals at the above address within 30 days after the Notice of Appeal is filed with the Authorized Officer.

SIGNATURE OF AUTHORIZED OFFICIAL: Eyl 777777 Eyl
Acting Field Manager

DATE SIGNED: 9/20/11