

**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-110-2011-0181-CX

CASEFILE/PROJECT NUMBER: COC74206-01

PROJECT NAME: TUP for Piceance Creek Pipeline Looping Project

LEGAL DESCRIPTION: T. 3 S., R. 96 W. Sec. 22, 23, 26, 35
T. 4 S., R 96 W. Sec. 2

APPLICANT: Enterprise Gas Processing, LLC

DESCRIPTION OF PROPOSED ACTION:

On July 13, 2011, BLM approved temporary use permit (TUP) COC74206-01 for the Piceance Creek Pipeline (PCP) Looping Project. Due to side-hill construction limitations, Enterprise is requesting to move the pipeline's centerline between mile posts (MPs) 11.23 and 12.85 (see Figure 1) and MPs 14.11 and 14.90 (see Figure 2) on Federal lands. All construction would occur within the construction right-of-way (ROW) described in the Piceance Creek Pipeline Looping Project Environmental Assessment (DOI-BLM-CO-110-2010-135-EA) and approved ROW grant.

The temporary extra workspaces (TEWs), originally on the east side, need to be moved to the west side between MPs 11.23 and 12.85, which is outside of the disturbance area described in the EA. The total disturbance area is the same as that approved in the ROW grant.

PLAN CONFORMANCE REVIEW: The Proposed Action is subject to and has been reviewed for conformance with (43 CFR 1610.5-3, BLM 1601.08) 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, E-19: “*Issuance of short-term (3 years or less) rights-of-way or land use authorizations for such uses as storage sites, apiary sites and construction sites where the proposal includes rehabilitation to restore the land to its natural or original condition.*”

The Proposed Action has been reviewed with the list of extraordinary circumstances (43 CFR 46.215) described in the table below.

Extraordinary Circumstance	YES	NO
a) Have significant adverse effects on public health and safety.		X
b) 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
c) Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources.		X
d) Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X
e) Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		X
f) Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		X
g) 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
h) 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
i) Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.		X
j) Have a disproportionately high and adverse effect on low income or minority populations		X
k) Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly affect the physical integrity of such sacred sites.		X

Extraordinary Circumstance	YES	NO
1) 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 8/30/2011. 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	9/9/2011
Ed Hollowed	Wildlife Biologist	Special Status Wildlife Species	9/12/2011
Zoe Miller	Ecologist	Special Status Plant Species	9/13/2011

REMARKS:

Cultural Resources: The proposed TEWs are within the area inventoried at the Class III (100 percent pedestrian) level (Tyberg 2010 compliance dated 1/25/2011) where no cultural resources have been identified. There should be no significant new impacts to cultural resources from approval of the TEWs.

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.

Special Status Wildlife Species: No wildlife-related issues or concerns. The proposed modifications involve virtually identical habitat character (basin big sagebrush bottomlands) and extent as that evaluated in the original EA.

Special Status Plant Species: There are no concerns associated with special status plant species.

REFERENCES CITED:

Tyberg, Joel J.

2010 Class III Cultural Resource Inventory for the Proposed Reroutes of the Piceance Creek Pipeline in Rio Blanco and Garfield Counties, Colorado. Cultural Resource Analysts, Inc., Longmont Colorado. (10-162-02: SHPO #RB.LM.R1226)

MITIGATION:

All applicable terms and conditions contained in the original right-of-way grant (COC74206-01) and DOI-BLM-CO-110-2010-135-EA 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 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.

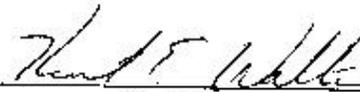
NAME OF PREPARER: Janet Doll

NAME OF ENVIRONMENTAL COORDINATOR: Heather Sauls

COMPLIANCE WITH NEPA

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, E-19. This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The Proposed Action has been reviewed, and none of the extraordinary circumstances described in 43 CFR 46.215 apply.

SIGNATURE OF AUTHORIZED OFFICIAL:



Field Manager

DATE SIGNED:

09/14/2011

ATTACHMENTS:

Figure 1: Modifications between MP 11.23 and 12.85

Figure 2: Modifications between MP 14.11 and 14.90

Figure 1: Modifications between MP 11.23 and 12.85

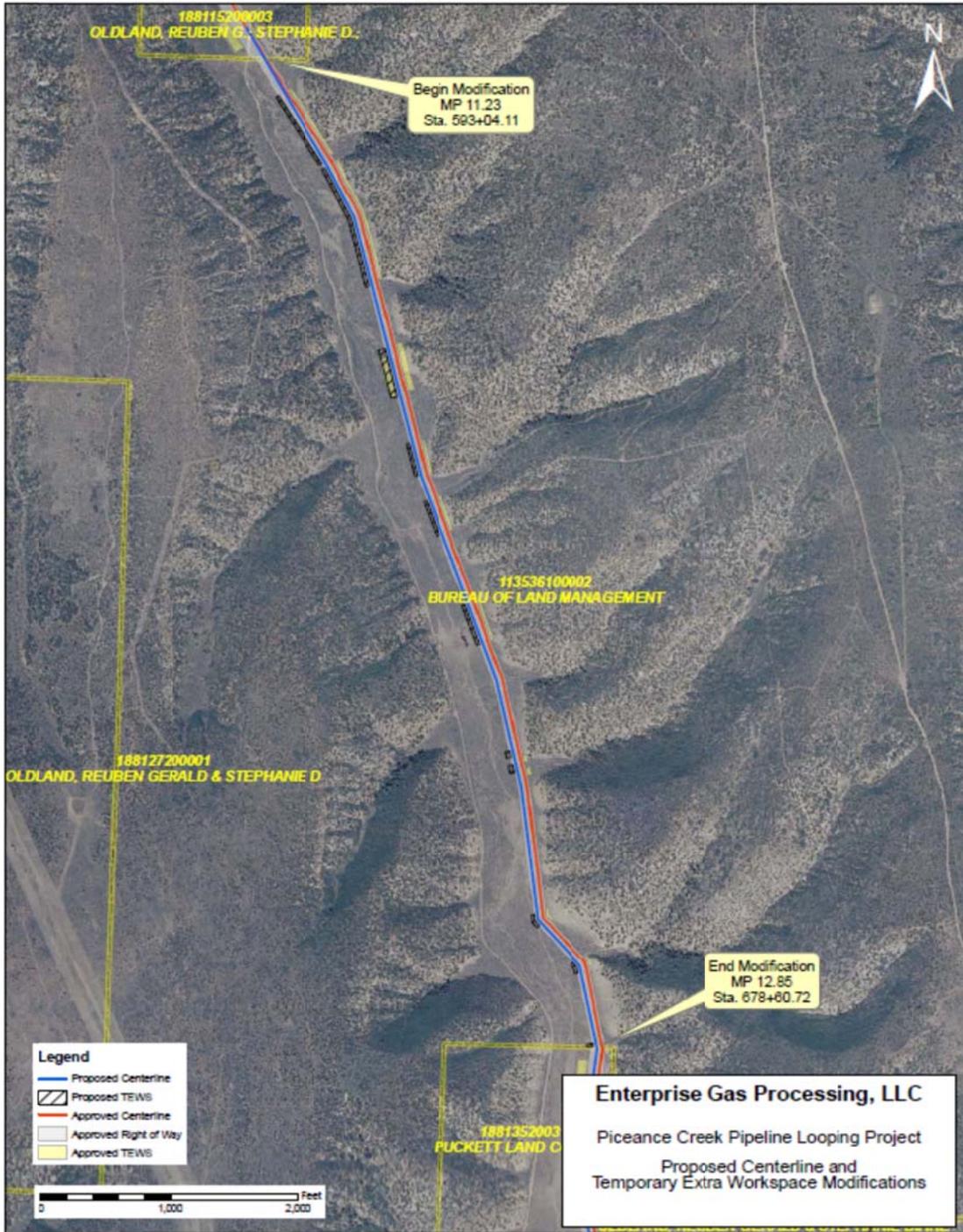
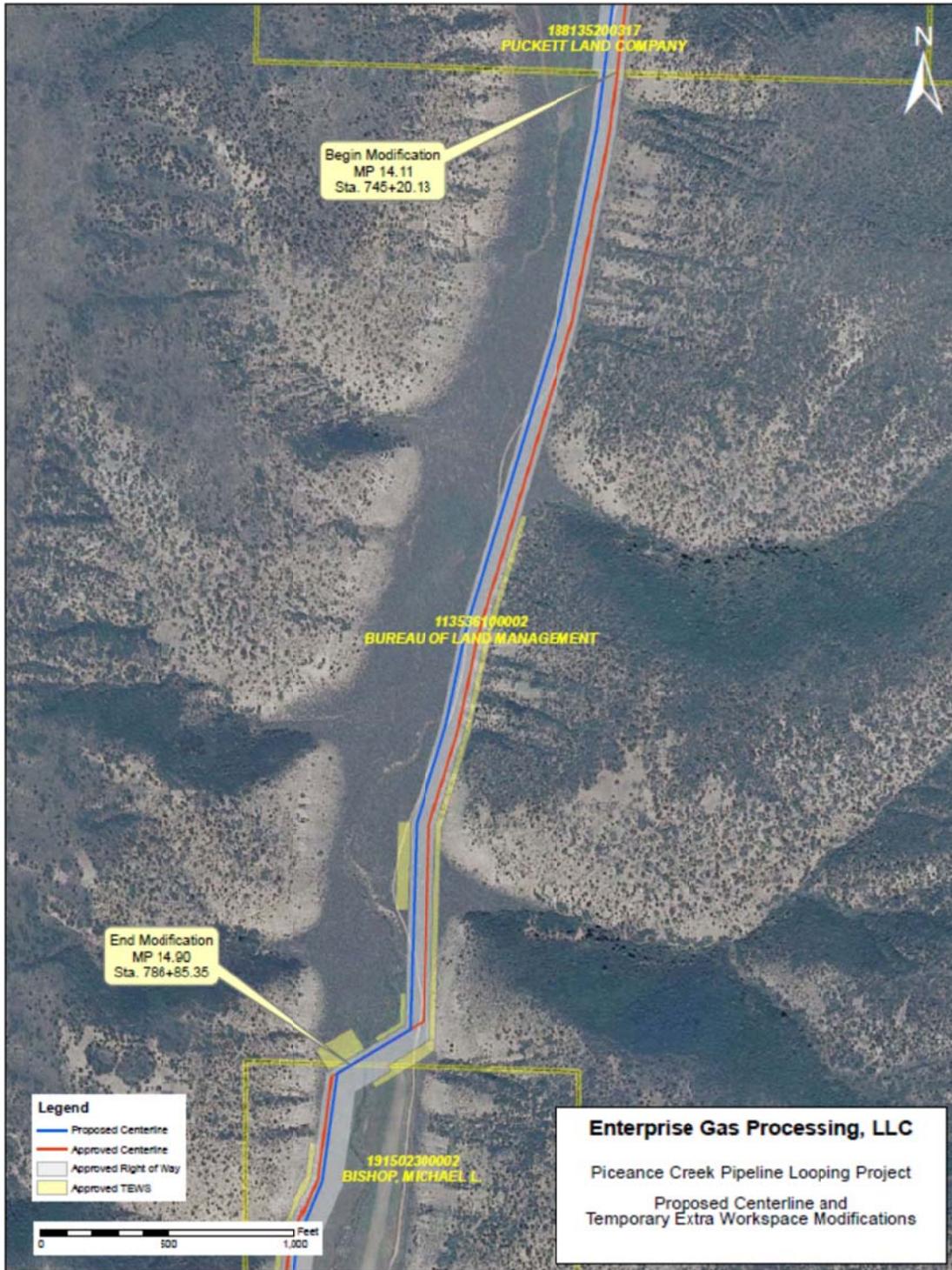


Figure 2: Modifications between MP 14.11 and 14.90



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DECISION RECORD

PROJECT NAME: TUP for Piceance Creek Pipeline Looping Project

CATEGORICAL EXCLUSION NUMBER: DOI-BLM-CO-2011-0181-CX

DECISION

It is my decision to implement the Proposed Action, as mitigated in DOI-BLM-CO-2011-0181-CX, authorizing the variance to the TUP for Piceance Creek Pipeline Looping Project.

Mitigation Measures

All applicable terms and conditions contained in the original right-of-way grant (COC74206-01) and DOI-BLM-CO-110-2010-135-EA 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 public was informed of the Piceance Creek Looping Pipeline Project since a copy of the completed EA was posted on the WRFO website on 7/13/2011. A copy of the completed Categorical Exclusion will also be posted on the WRFO website.

RATIONALE

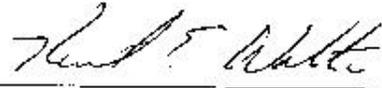
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ADMINISTRATIVE REMEDIES

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:



Field Manager

DATE SIGNED:

09/14/2011