

**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-110-2012-0138-DNA

CASEFILE/PROJECT NUMBER: Amend COC71504
TWA COC71504-01

PROJECT NAME: CTF 24" Pipeline Connect

LEGAL DESCRIPTION: Sixth Principal Meridian, Colorado
T. 2 S., R. 97 W.,
Section 28, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$;

APPLICANT: Enterprise Gas Processing, LLC

ISSUES AND CONCERNS: Located in Severe Winter Range; Raptor surveys may be required in selected areas.

DESCRIPTION OF PROPOSED ACTION: Enterprise Gas Processing, LLC (EGP) proposes to construct a 24 inch residue pipeline that will connect the Enterprise Exxon Mobil CTF facility to the existing 36 inch Enterprise Piceance Creek Pipeline (PCP). This right-of-way (ROW) was originally granted in May 2009. EGP would like to change the existing route to the route shown on Exhibit A (see Exhibit A). The proposed route would be shorter (3,310 feet) than the granted route (4,220.7 feet), for a difference of 910.7 feet. Approximately 3.8 acres would be disturbed for the permanent ROW and approximately 1.9 acres disturbed for the temporary use area for a total of 5.7 acres disturbed. The existing ROW, if built, would have disturbed 7.2 acres.

Design Features: A Construction, Operation, and Maintenance Plan was submitted by the applicant and shall become a part of the authorization.

Decision to be Made: The BLM will decide whether or not to approve the 24" pipeline to connect the CTF facility to the existing 36" Enterprise PCP, and if so, under what conditions.

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: [CO-110-2005-219-EA](#) - Piceance Development Project

Date Approved: 6/07/2005,

Name of Document: [CO-110-2004-188-EA](#) - Meeker Pipeline and Gas Plant Project

Date Approved: 3/25/2008

Name of Document: [CO-110-2009-202-EA](#) – Ryan Gulch Gathering Project

Date Approved: 6/21/2010

NEPA ADEQUACY CRITERIA:

1. Is the new Proposed Action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document? 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 is consistent with the existing site usage authorized by right-of-Way COC71504 and analyzed by EAs CO-110-2005-219, CO-110-2004-188 and CO-110-2009-202.

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, the range of alternatives in EAs CO-110-2005-219, CO-110-2004-188, and CO-110-2009-202-EA analyzed an appropriate range of alternatives given current environmental concerns, interests, and resource values.

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, the existing analysis remains valid since there are no new circumstances or information.

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 are adequately addressed in EAs CO-110-2005-219, CO-110-2004-188, and CO-110-2009-202-EA. Yes, the cumulative impacts of the Proposed Action are adequately addressed in the White River RMP/EIS.

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

Yes. Additionally, this project was posted on the WRFO online NEPA register on 9/26/2012. As of 10/28/2012, no comments or inquiries have been received.

INTERDISCIPLINARY REVIEW:

The Proposed Action was presented to, and reviewed by, the White River Field Office interdisciplinary team on 9/11/2012. 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	9/20/2012
Laura Dixon	Wildlife Biologist	Special Status Wildlife Species	9/19/2012
Zoe Miller	Ecologist	Special Status Plant Species	10/23/2012

REMARKS:

Cultural Resources: The proposed pipeline route has been inventoried at the Class III (100 percent) pedestrian by all or parts of four inventory reports (Brogan 2006 compliance dated 3/13/2006, Conner et al 2009 compliance dated 2/4/2010, Elkins 5/2/2012, Red and Horn 1992 compliance dated 3/13/1992) which did not identify any significant cultural resources in the

pipeline route. Several Isolated Finds were identified in the surrounding area but they are not considered significant under the regulations. There are no new anticipated impacts to cultural resources for the Proposed Action.

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.

Paleontological Resources: The proposed pipeline is located in an area generally mapped as the Uintah Formation (Tweto 1979) which the BLM, WRFO has classified as a Potential Fossil Yield Classification 9PFYC) 5 formation. PYFC formations are known to produce scientifically noteworthy fossil resources, particularly vertebrates. If it becomes necessary to excavate into the underlying sedimentary rock formation there is a high potential to impact an important fossil resource. Any loss of scientifically noteworthy fossil would result in an irreversible and irretrievable permanent loss of scientific data from the regional paleontological data base.

Threatened and Endangered Wildlife Species: Those portions of the White River occupied by the endangered Colorado pike minnow are roughly 55 valley miles distant from the project area, however cumulative water depletions from the Colorado River Basin are considered likely to jeopardize the continued existence of the Colorado pikeminnow, humpback chub, bonytail, and razorback sucker and result in the destruction or adverse modification of their critical habitat. In 2008, BLM prepared a Programmatic Biological Assessment (PBA) that addressed water depleting activities associated with BLM's fluid minerals program in the Colorado River Basin in Colorado, including water used for well drilling, hydrostatic testing of pipelines, and dust abatement on roads. In response, the U.S. Fish and Wildlife Service (FWS) prepared a Programmatic Biological Opinion (PBO) that addressed water depletions associated with fluid minerals development on BLM lands. The PBO included reasonable and prudent alternatives which allowed BLM to authorize oil and gas activities that result in water depletion while avoiding the likelihood of jeopardy to the endangered fishes and avoiding destruction or adverse modification of their critical habitat. The reasonable and prudent alternative authorized BLM to solicit a one-time contribution to the Recovery Implementation Program for Endangered Fish Species in the Upper Colorado River Basin (Recovery Program) in an amount based on the average annual acre-foot depleted by fluid minerals activities on BLM lands. This contribution was ultimately provided to the Recovery Program through an oil and natural gas development trade association. Development associated with this project would be entered into the WRFO fluid minerals water depletion log that is submitted to the Colorado State Office at the end of each Fiscal Year. Implementation of State and federally-imposed design measures to control erosion and spills would limit the risk of contaminants migrating off-site and degrading water quality in the White River.

The Proposed Action is located in big game severe winter range. These habitats are typically occupied from October through April. Construction activities associated with the Proposed Action are prohibited from December 1st through April 30th. Pinyon-juniper surrounding the site may provide suitable nesting substrate for woodland raptors. There are several known nest locations within 500 meters of the project area. If construction activities begin after March 15th a

raptor survey will be required prior to construction activities. Appropriate timing stipulations will be applied if an active nest is located during the survey. Impacts to migratory birds would vary depending on construction timeframes. Should construction activities be initiated during the nesting season (typically mid-May through mid to late-July) there would be greater potential to influence nesting activities/outcomes including bird displacement, nest abandonment and possible nestling mortality. Therefore, vegetation removal and construction activities associated with the Proposed Action will need to occur outside the migratory bird nesting season from May 15th through July 15th.

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

MITIGATION:

The following applicable mitigation from DOI-BLM-CO-110-2009-0202-EA has been carried forward:

1. All activities shall comply with all applicable local, state, and federal laws, statutes, regulations, standards, and implementation plans. This would include acquiring all required State and Rio Blanco County permits, effectively coordinating with existing facility ROW holders, and implementing all applicable mitigation measures required by each permit.
2. The pipeline ROW shall be treated with water or a chemical dust suppressant, if approved by the BLM, during construction activities so that there is not a visible dust trail behind vehicles and/or construction equipment. If water is used, only the water needed for abating dust should be applied; and the water should be fresh water free of chemicals, oils, or solvents.
3. During pipeline construction, the ROW shall remain undisturbed to the maximum extent possible. That is, only the minimum necessary disturbance is approved for making the working surface safe and passable. Do not remove topsoil under areas used for the storage of soils and if possible do not remove topsoil from working surfaces. Do not use material below or adjacent to the trench spoils to feed pipeline padding machines.
4. After pipeline construction activities are completed the holder shall be responsible for taking measures to prevent off-road vehicle use along the pipeline ROW until reclamation has been successful or as directed by the AO.
5. All activity shall cease when soils or road surfaces become saturated to a depth of three inches unless otherwise approved by the AO.
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 junk equipment. The holder shall be prepared to provide documentation that all waste is properly disposed of at the appropriate regulated disposal facility.

7. If during any phase of the construction, operation, or termination of the pipeline or related facilities, any oil or other pollutant should be discharged from the pipeline system, or from containers or vehicles impacting Federal lands, the control and total removal, disposal, and cleanup of such oil or other pollutant, wherever found, shall be the responsibility of the holder, regardless of fault. Upon failure of the holder to control, clean up, or dispose of such discharge on or affecting Federal lands, or to repair all damages to Federal lands, the AO may take such measures as deemed necessary to control and clean up the discharge and restore the area, at the full expense of the holder. Such action by the AO shall not relieve the holder of any liability or responsibility.
8. Commercial and non-commercial woodlands removed as a result of development shall be appraised and purchased by the holder prior to removal.
9. The holder shall provide the BLM AO with data in a format compatible with the WRFO's ESRI ArcGIS Geographic Information System (GIS) to accurately locate and identify the right-of-way and all constructed infrastructure, (as-built maps) within 60 days of construction completion. Acceptable data formats are: (1) corrected global positioning system (GPS) files with sub-meter accuracy or better; (2) ESRI shapefiles or geodatabases; or at last resort, (3) AutoCAD .dwg or .dxf files. Option 2 is highly preferred. In ALL cases the data must be submitted in UTM Zone 13N, NAD 83, in units of meters. Data may be submitted as: (1) an email attachment; or (2) on a standard compact disk (CD) in compressed (WinZip only) or uncompressed format. All data shall include metadata, for each submitted layer, that conforms to the Content Standards for Digital Geospatial Metadata from the Federal Geographic Data Committee standards. Questions should be directed to WRFO BLM GIS staff at (970) 878-3800.
10. No construction or scheduled maintenance activities would be authorized to take place from December 1st to April 30th for big game severe winter range.
11. If construction activities are scheduled to occur during the raptor breeding season (typically April 1st to August 15th), a raptor surveys will be necessary prior to construction initiation. If the nest is determined to be active, appropriate BLM timing stipulations will be applied.
12. Vegetation removal associated with the Proposed Action will take place outside the migratory bird nesting season of May 15th through July 15th.
13. The holder is responsible for informing all persons who are associated with the project that they will be subject to prosecution for knowingly disturbing archaeological sites or for collecting artifacts.
14. If any archaeological materials are discovered as a result of operations under this authorization, activity in the vicinity of the discovery will cease, and the BLM WRFO Archaeologist will be notified immediately. Work may not resume at that location until approved by the AO. The holder will make every effort to protect the site from further impacts including looting, erosion, or other human or natural damage until BLM determines

a treatment approach, and the treatment is completed. Unless previously determined in treatment plans or agreements, BLM will evaluate the cultural resources and, in consultation with the State Historic Preservation Office (SHPO), select the appropriate mitigation option within 48 hours of the discovery. The holder, under guidance of the BLM, will implement the mitigation in a timely manner. The process will be fully documented in reports, site forms, maps, drawings, and photographs. The BLM will forward documentation to the SHPO for review and concurrence.

15. Pursuant to 43 CFR 10.4(g), the holder must notify the AO, by telephone and 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), the holder must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the AO.
16. Pursuant to 43 CFR 10.4(g), the holder must notify the AO, by telephone and 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), the holder must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the AO.
17. The holder 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.
18. If any paleontological resources are discovered as a result of operations under this authorization, the holder or any of his agents must stop work immediately at that site, immediately contact the BLM Paleontology Coordinator, and make every effort to protect the site from further impacts, including looting, erosion, or other human or natural damage. Work may not resume at that location until approved by the AO. The BLM or designated paleontologist will evaluate the discovery and take action to protect or remove the resource within 10 working days. Within 10 days, the operator will be allowed to continue construction through the site, or will be given the choice of either (a) following the Paleontology Coordinator's instructions for stabilizing the fossil resource in place and avoiding further disturbance to the fossil resource, or (b) following the Paleontology Coordinator's instructions for mitigating impacts to the fossil resource prior to continuing construction through the project area.
19. Any excavations into the underlying native sedimentary stone must be monitored by a permitted paleontologist. The monitoring paleontologist must be present before the start of excavations that may impact bedrock.
20. The holder shall promptly revegetate all areas of earthen disturbance not necessary for production, with an approved seed mix. The BLM recommends the following seed mix. Revegetation shall commence immediately after construction and will not be delayed until the following fall. Drill seeding is the preferred method of application. Prior to seed

application, the seedbed shall be prepared via tilling the soil to a minimum depth of 4 inches by utilizing a disk or harrow. In all accessible areas, seeding shall be accomplished using a rangeland drill. Seed shall be drilled to a depth of 0.25 inch to 0.50 inch. In areas where a rangeland drill cannot access, seed shall be hand broadcast at twice the drill rate, and harrowed to provide an adequate degree of soil to seed contact.

Seed Mix 3			
Cultivar	Common Name	Scientific Name	Application Rate (lbs PLS/acre)
Rosana	Western Wheatgrass	<i>Pascopyrum smithii</i>	4
Whitmar	Bluebunch Wheatgrass	<i>Pseudoroegneria spicata ssp. inermis</i>	3.5
Rimrock	Indian Ricegrass	<i>Achnatherum hymenoides</i>	3
	Needle and Thread Grass	<i>Hesperostipa comata ssp. comata</i>	2.5
Maple Grove	Lewis Flax	<i>Linum lewisii</i>	1
	Scarlet Globemallow	<i>Sphaeralcea coccinea</i>	0.5
Alternates			
Critana	Thickspike Wheatgrass	<i>Elymus lanceolatus ssp. lanceolatus</i>	3
	Sulphur Flower Buckwheat	<i>Eriogonum umbellatum</i>	1.5

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.

Brogan, John

2006 Exxon-Mobil Corporation’s proposed Piceance Tight Gas Project (Phase I) Class III Cultural Resource Inventory in Rio Blanco County, Colorado. Metcalf Archaeological Consultants, Inc., Eagle, Colorado. (06-54-02: SHPO #RB.LM.R1120)

Conner, Carl E., Barbara J. Davenport, and Nicole Darnell

2009 Class III Cultural Resource Inventory Report for Portions of Five Pipeline Projects (Pitcher’s Mound, Black Sulphur, Dry Gulch, Water Fork, and Ryan Ridge) and the Dry Gulch Compressor Station in Rio Blanco County, Colorado for Bargath, Inc. Grand River Institute, Grand Junction, Colorado. (09-11-32: SHPO # RB.LM.R1184)

Elkins, Melissa A.

2012 Class III Cultural Resource Inventory of Proposed Seismic Line Reroutes and Associated Facilities for ExxonMobil Corporation’s 2009 Piceance 3D Seismic Survey Project, Rio Blanco County, Colorado. Metcalf Archaeological Consultants, Inc., Eagle, Colorado. (12-54-01: SHPO RB.LM.R1278)

Reed, Alan D., Jonathan C. Horn,

1992 Cultural Resource Inventory of the Planned Transcolorado Natural Gas Pipeline, Western Colorado and Northwestern New Mexico: A Report of the 1991 Field Season. Alpine Archaeological Consultants, Inc., Montrose, Colorado. (92-83-01A: SHPO #RB.LM.R59)

Tweto, Ogden

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

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

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:



Field Manager

DATE SIGNED:

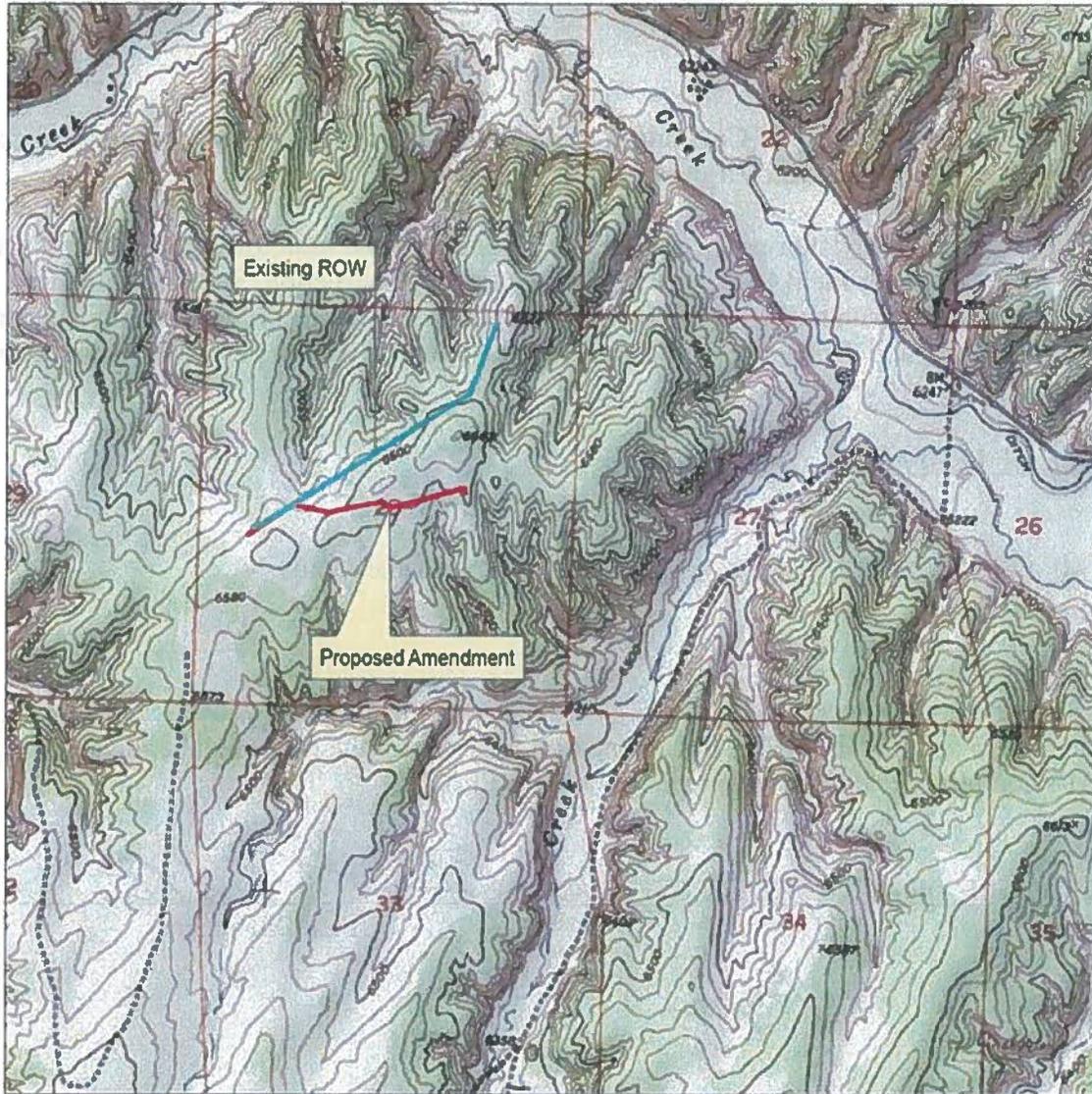
10/29/12

ATTACHMENTS: Exhibit A-Map

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.

Exhibit A:

Enterprise Gas Connect CTF to PCP Pipeline Amend COC71504

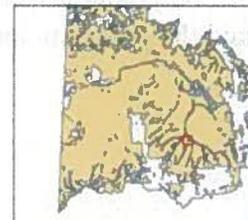


September 2012 JD



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.



Legend

-  Projects: Existing ROW
-  Projects: Proposed Amendment

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

DECISION RECORD

PROJECT NAME: CTF 24” Pipeline Connect

DETERMINATION OF NEPA ADEQUACY NUMBER: DOI-BLM-CO-2012-0138-DNA

DECISION

It is my decision to implement the Proposed Action, as mitigated in DOI-BLM-CO-2012-0138-DNA, authorizing the construction, operation, and maintenance of the CTF 24” Pipeline Connect to the PCP 36” Pipeline as a revised route to that which was granted in COC71504 in May 2009.

Mitigation Measures

The following applicable mitigation from DOI-BLM-CO-110-2009-0202-EA has been carried forward:

1. All activities shall comply with all applicable local, state, and federal laws, statutes, regulations, standards, and implementation plans. This would include acquiring all required State and Rio Blanco County permits, effectively coordinating with existing facility ROW holders, and implementing all applicable mitigation measures required by each permit.
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	Needle and Thread Grass	<i>Hesperostipa comata ssp. comata</i>	2.5
Maple Grove	Lewis Flax	<i>Linum lewisii</i>	1
	Scarlet Globemallow	<i>Sphaeralcea coccinea</i>	0.5
Alternates			
Critana	Thickspike Wheatgrass	<i>Elymus lanceolatus ssp. lanceolatus</i>	3
	Sulphur Flower Buckwheat	<i>Eriogonum umbellatum</i>	1.5

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 on 10/10/2012 and a copy of the completed Categorical Exclusion will be posted on the WRFO website.

RATIONALE

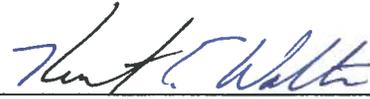
The proposal for the connection of the pipelines, in concert with the applied mitigation, conforms to the land use plan. The NEPA documentation previously prepared fully covers the Proposed Action and constitutes BLM’s compliance with the requirements of NEPA. The revised, shorter pipeline route will disturb less area (5.7 acres) than the route that was originally approved (7.2 acres).

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:

10/29/12

