

**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-110-2012-0057-DNA

**CASEFILE/PROJECT NUMBER:** COD055331

**PROJECT NAME:** Chevron Pipeline Replacement

**LEGAL DESCRIPTION:** Sixth Principal Meridian, Colorado  
T. 2 N., R. 103 W.,  
Sec. 13, SWSW, Sec. 14, S2NW, SE  
Sec. 15, SENE, NESW, N2SE  
Sec. 23, S2NE, S2NW  
Sec. 24, S2NE, NW  
T. 1 N., R. 102 W., Sec. 4, NWNW

**APPLICANT:** Chevron Pipe Line Company

**DESCRIPTION OF PROPOSED ACTION:** Chevron Pipe Line (CPL) Company operates the “Rangely Gathering System” in Rangely, CO. Chevron proposes to replace the main artery of the system called the A-Line (See Exhibit A). The A-Line is currently incapable of having a smart pig run through it to detect maintenance issues. In addition, there are two older, unused lines that parallel the A-Line that may contain crude oil. These two lines are referred to as the “Inactive A- Line” and the “Segmented A-Line”. The Segmented A-Line has had some sections removed and may also contain crude oil in some sections.

The Active A- Line needs replacement, however it can't be shut down for replacement as it produces 80 percent of the oil for the entire system. Shutting down this artery would cause damage to the reservoir and the field's future production. Because of this, CPL plans to construct a new 10 inch A- Line parallel to the Active A-Line. The proposed pipeline would be 18,085 feet long, 50 feet wide, and contain approximately 20.76 acres. Once the new line is put in place, both lines may be in use for a time while lateral lines are transferred from the Active A-Line to the New A-Line. Once the lateral lines have been switched over to the New A-Line, the Active A-Line will then be shut down. CPL would also like to vacate any residual oil from the Active A-Line, Inactive A-Line, and the Segmented A-Line. Those lines are to be cleaned out and abandoned.

CPL also needs to replace a lateral line running from Collection Station 4 (CS4) to the New A-Line. The line will be excavated, replaced, and covered back up. The replacement portion will be 6,192 feet long, 50 feet wide and contain approximately 7.11 acres, more or less.

CPL will also replace another part of the A-Line where it crosses Bureau of Land Management (BLM) in the NW corner of Section 4. This replacement portion will be 1,178 feet long, 50 feet wide and contain approximately 1.36 acres, more or less.

Design Features: Equipment to be used during construction and reclamation is as follows: Ford F350 work truck, AH 100 Laney slick-boring machine, Cat backhoe loader, Car hydraulic excavator, Cat bulldozer, Cat soil compactor, dump truck, hydro vacuuming truck. Construction will take four weeks.

The target date to start CS4 line replacement (6,192 feet) is July 16, 2012 with the new A-Line to follow.

Decision to be Made: The BLM will decide whether or not to approve replacement of 1) the lateral line running from CS4 to the New A-Line and 2) the Active A-Line 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-110-2011-0151EA

Date Approved: 11/22/2011

## 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?

*The Proposed Action is similar to the Proposed Action in the existing NEPA document (CO-110-2011-0151-EA). The existing NEPA document is a Field-Wide Environmental Assessment of Chevron's Weber Sand Unit (19,264 acres). Specifically the EA analyzed nine replacement flowlines in existing pipeline corridors. This DNA analyzes the replacement of existing pipelines. The project is in the same analysis area as the existing NEPA document.*

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?

*Two alternatives (Proposed Action and No Action Alternative) were analyzed in CO-110-2011-0151-EA. No reasons were identified to analyze additional alternatives 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?

*Review by BLM WRFO specialists in this document (DOI-BLM-CO-110-2012-0057-DNA) did not indicate recent endangered species listings and no indication was given to show an updated list of BLM-sensitive species that would be affected by 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?

*Review by BLM WRFO specialists in this document (DOI-BLM-CO-110-2012-0057-DNA) did not indicate there would be any direct, indirect and cumulative effects from the Proposed Action that were not adequately addressed in CO-110-2011-0151-EA.*

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

*The public involvement with this project involved posting it on a list of pending NEPA documents on the BLM WRFO's White River NEPA Register on 3/20 /2012. As of 5/23/2012, 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 2/28/2012. 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.

<b>Name</b>	<b>Title</b>	<b>Resource</b>	<b>Date</b>
Michael Selle	Archaeologist	Cultural Resources, Native	3/14/2012
Lisa Belmonte	Wildlife Biologist	Special Status Wildlife Species	5/7/2012
Zoe Miller	Ecologist	Special Status Plant Species	5/16/2012

#### REMARKS:

*Cultural Resources:* There are currently no known cultural resources or acceptable cultural resource inventories along the proposed A-Line replacement routes. Examination of aerial photographs of the proposed pipeline routes indicates that the areas are previously disturbed. In agreement with the Colorado State Historical Preservation Office (SHPO) the BLM will require archaeological monitoring of all construction pending completion of the field wide Class III inventory. There would be no known impacts to cultural resources from replacement of the pipelines.

*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 pipelines to be replaced are located in an area generally mapped as the Mancos Shale formation (Tweto 1979). The BLM, WRFO has classified the Mancos Shale in the Rangely area as a Possible Fossil Yield Classification (PFYC) 3 formation meaning it is unclear whether the formation is capable of producing scientifically noteworthy fossil resources (c.f. Armstrong and Wolny, 1989). There is a small potential for impact to scientifically noteworthy fossil during pipeline construction. Any such impacts could result in a small, long term, irreversible and irretrievable loss the overall regional database.

*Threatened and Endangered Wildlife Species:* The project area is broadly encompassed by white-tailed prairie dog colonies. White-tailed prairie dogs, a BLM sensitive species, and their burrow systems are important components of burrowing owl habitat, as well as potential habitat for reintroduced populations of the federally endangered black-footed ferret. Under the auspices of a non-essential, experimental population rule, black-footed ferrets have been released in

Coyote Basin (8 miles southwest) and Wolf Creek (13 miles northeast) of Rangely Oil Field since 1999 and 2001, respectively. The rule applies to any ferrets that may occupy or eventually be released in northwest Colorado and northeast Utah. Although there is no direct continuity between Coyote Basin or Wolf Creek and the project site (i.e., lesser physical barriers and habitats unoccupied by prairie dog), there is potential for ferrets to colonize and successfully breed in the Rangely Oil Field. There have been no verified sightings of ferrets, nor any known reproduction occurring in the project area.

Burrowing owls, a BLM sensitive species, are relatively uncommon in this Resource Area. These birds return to occupy a maintained burrow system in early April and begin nesting soon after. Most birds have left the area by September. The nearest known burrowing owl nest (active in 2009) is roughly 0.80 miles from the project area.

Ferruginous hawks are relatively rare in the WRFO Resource Area. Suitable nesting substrate (typically individual pinyon or juniper trees) is lacking in the immediate vicinity of the project area. Aerial surveys conducted in 2009 and 2011 showed no evidence of recent nesting attempts in or around the project area.

Brewer's sparrow, a BLM sensitive species, is relatively common and widely distributed throughout the oil field where appropriate habitat exists (i.e., sagebrush communities). This species typically returns in late-April and May and begins nesting the latter part of May. Young are fledged by mid to late July. Beginning in 2010, BLM wildlife staff established a bird route which traverses portions of the project area. Surveys are conducted through visual, but predominately aural observations. Noise associated with construction activities would make it extremely difficult for surveyors to detect the presence of bird species in the immediate vicinity. In addition, construction activities would likely deter birds from nesting in suitable adjacent habitats which would bias data collected for the 2012 breeding season.

*Threatened and Endangered Plant Species:* There are no special status plant species issues or concerns associated with the Proposed Action.

*Resources Cited:*

- Armstrong, Harley J., and David G. Wolny  
1989 Paleontological Resources of Northwest Colorado: A Regional Analysis. Museum of Western Colorado, Grand Junction, Colorado.
- Tweto, Ogden  
1979 Geologic Map of Colorado. United States Geologic Survey, Department of the Interior, Reston, Virginia.

MITIGATION:

The following applicable mitigation from DOI-BLM-CO-110-2011-0151-EA has been carried forward:

1. The operator shall employ dust suppression techniques (i.e., freshwater use) whenever there is a visible dust trail behind service vehicles. Any technique other than the use of freshwater as a dust suppressant on BLM lands will require prior written approval from BLM.
2. If salt is observed on the surface of soils during or after reclamation activities Chevron Pipeline Company will notify the Natural Resource Specialist and a plan will be developed with approval of the BLM, that may include the administration of soil amendments, the reapplication of soil preparation, seeding, and stabilization measures to achieve successful reclamation.
3. 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 Authorized Officer (AO). Chevron 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. Chevron, 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.
4. The current reclamation plan states that Chevron Pipe Line Company will reseed the pipeline corridors with a BLM approved seed mix. The WRFO recommends using one of the four seed mixes listed below for reclamation depending on the ecological site of the disturbance, and the level of difficulty for reclamation. The operator will submit proposed seed mixes to BLM via Sundry Notice for review and approval prior to applying the seed.

<b>SEED MIX #1 FROM THE RECLAMATION PROTOCOL</b>			
<b>Common Name</b>	<b>Scientific Name</b>	<b>Variety</b>	<b>Lbs PLS/Acre</b>
Western wheatgrass	<i>Pascopyrum smithii</i>	Rosana	4.5
Thickspike wheatgrass	<i>Elymus lanceolatus</i>	Critana	3.5
Bottlebrush squirreltail	<i>Elymus elymoides</i>	Toe Jam Creek	3

Scarlet Globemallow	Sphaeralcea coccinea		0.5
Sulphur flower	Eriogonum umbellatum		1.5
Winterfat	Krascheninnikovia lanata		0.5

<b>SEED MIX #3 FROM THE RECLAMATION PROTOCOL</b>			
<b>Common Name</b>	<b>Scientific Name</b>	<b>Variety</b>	<b>Lbs PLS/Acre</b>
Western wheatgrass	Pascopyrum smithii	Rosana	4
Bluebunch wheatgrass	Pseudoroegneria spicata	Whitmar	3.5
Indian ricegrass	Achnatherum hymenoides	Rimrock	3
Needle and Thread	Hesperostipa comata		2.5
Lewis Flax	Linum Lewisii	Maple grove	1
Scarlet Globemallow	Sphaeralcea coccinea		0.5

<b>SEED MIX #8 FROM THE RECLAMATION PROTOCOL</b>			
<b>Common Name</b>	<b>Scientific Name</b>	<b>Variety</b>	<b>Lbs PLS/Acre</b>
Galleta Grass	Pleuraphis jamesii	Viva florets	3
Indian Ricegrass	Achnatherum hymenoides	Rimrock	3

Bottlebrush squirreltail	Elymus elymoides	Toe Jam Creek	2.5
Western wheatgrass	Pascopyrum smithii	Rosana	4
Scarlet Globemallow	Sphaeralcea coccinea		0.25
Annual sunflower	Helianthus annus		2.5
Mat saltbush	Atriplex confertifolia		2

<b>SEED MIX #9 FROM THE RECLAMATION PROTOCOL</b>			
<b>Common Name</b>	<b>Scientific Name</b>	<b>Variety</b>	<b>Lbs PLS/Acre</b>
Western wheatgrass	Pascopyrum smithii	Rosana	5
Russian wildrye	Psathyrostachys juncea	Bozoisky	3
Crested wheatgrass	Agropyrum cristatum	Hycrest	3
Annual sunflower	Helianthus annus		5

5. To avoid impacts to existing realty rights-of-way, Chevron would need to coordinate with right-of-way holders prior to any construction activity.
6. The holder 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.
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. The holder agrees to indemnify the United States against any liability arising from the release of any hazardous substance or hazardous waste (as these terms are defined in the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C 9601, et seq. or the Resource Conservation and Recovery Act of 1976, 42 U.S.C. 6901, et. seq.) on the right-of-way (unless the release or threatened release is wholly unrelated to the right-of-way holder's activity on the right-of-way). This agreement applies without regard to whether a release is caused by the holder, its agent, or unrelated third parties.
9. Construction sites and all facilities shall be maintained in a sanitary condition at all times; waste materials 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.
10. Pursuant to 43 CFR 10.4(g), Chevron 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), Chevron must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the AO.
11. Chevron Pipe Line Company is responsible for informing all persons who are associated with the projects that they will be subject to prosecution for knowingly disturbing archaeological sites or for collecting artifacts. If archaeological materials are discovered as a result of operations under this authorization, Chevron must immediately contact the appropriate BLM representative.
12. If any paleontological resources are discovered as a result of operations under this authorization, Chevron or any of their 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 working 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.

13. The applicant 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 any paleontological resources are discovered as a result of operations under this authorization, the permittee/applicant must immediately contact the appropriate BLM representative.
14. The AO may require occasional spot checking of trenching operations to inspect for possible presence of fossil resources.
15. Activities associated with the Proposed Action will be avoided from April 15 – July 15 to avoid the reproductive period/breeding season of white-tailed prairie dogs and migratory birds. Activities will be allowed from July 16 – April 14.

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.

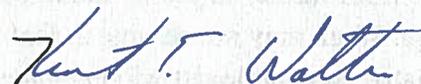
NAME OF PREPARER: Janet Doll

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:



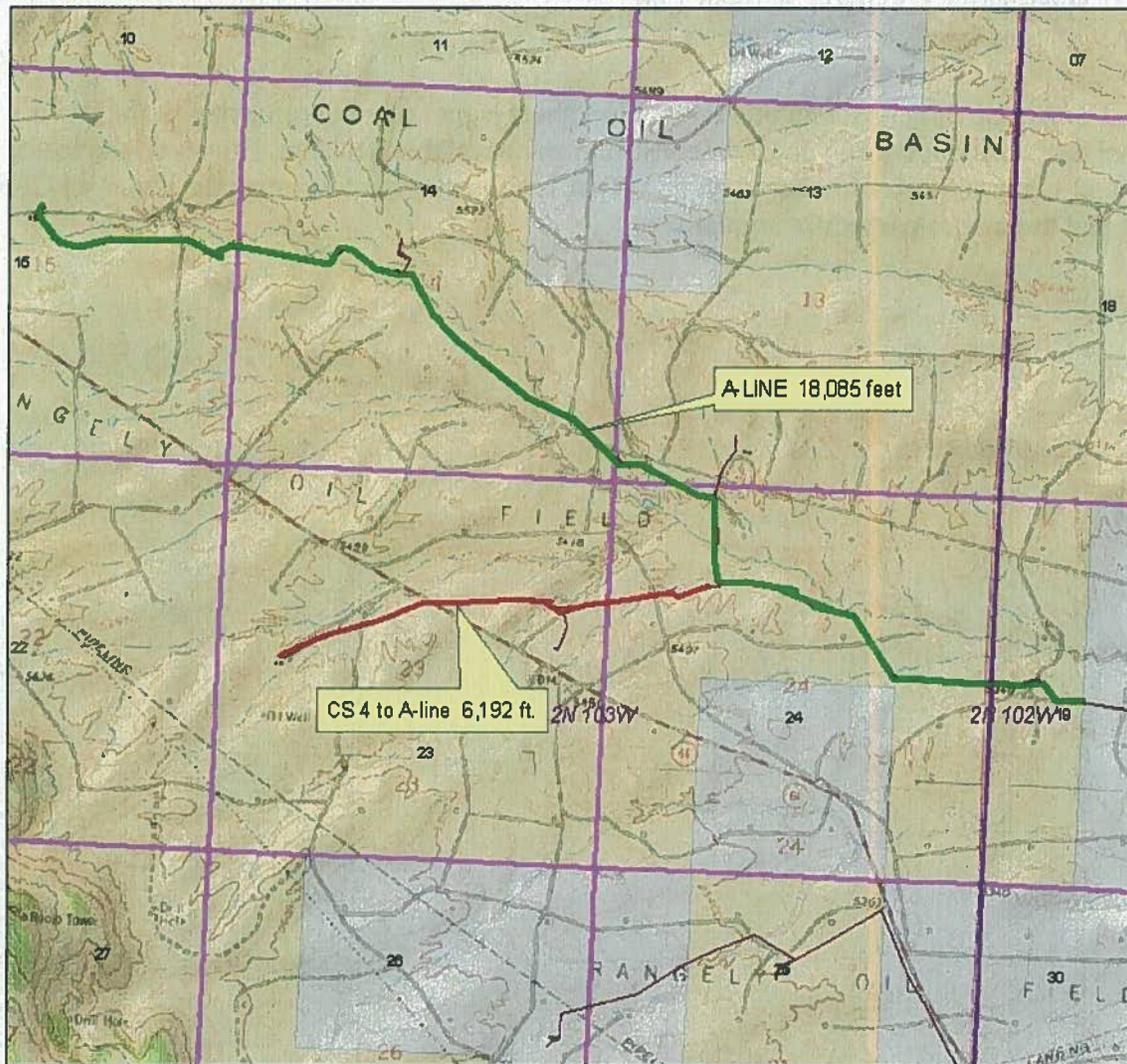
Field Manager

DATE SIGNED: 06/14/2012

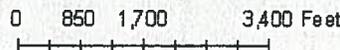
ATTACHMENTS: EXHIBIT A: Map 1 and 2

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.

# Chevron Pipe Line Company line replacement COD55331

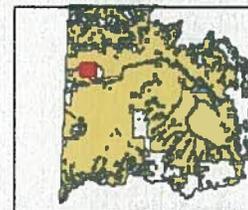


February 2012 JD



Sources:  
BLM, USGS, CDOW, etc.

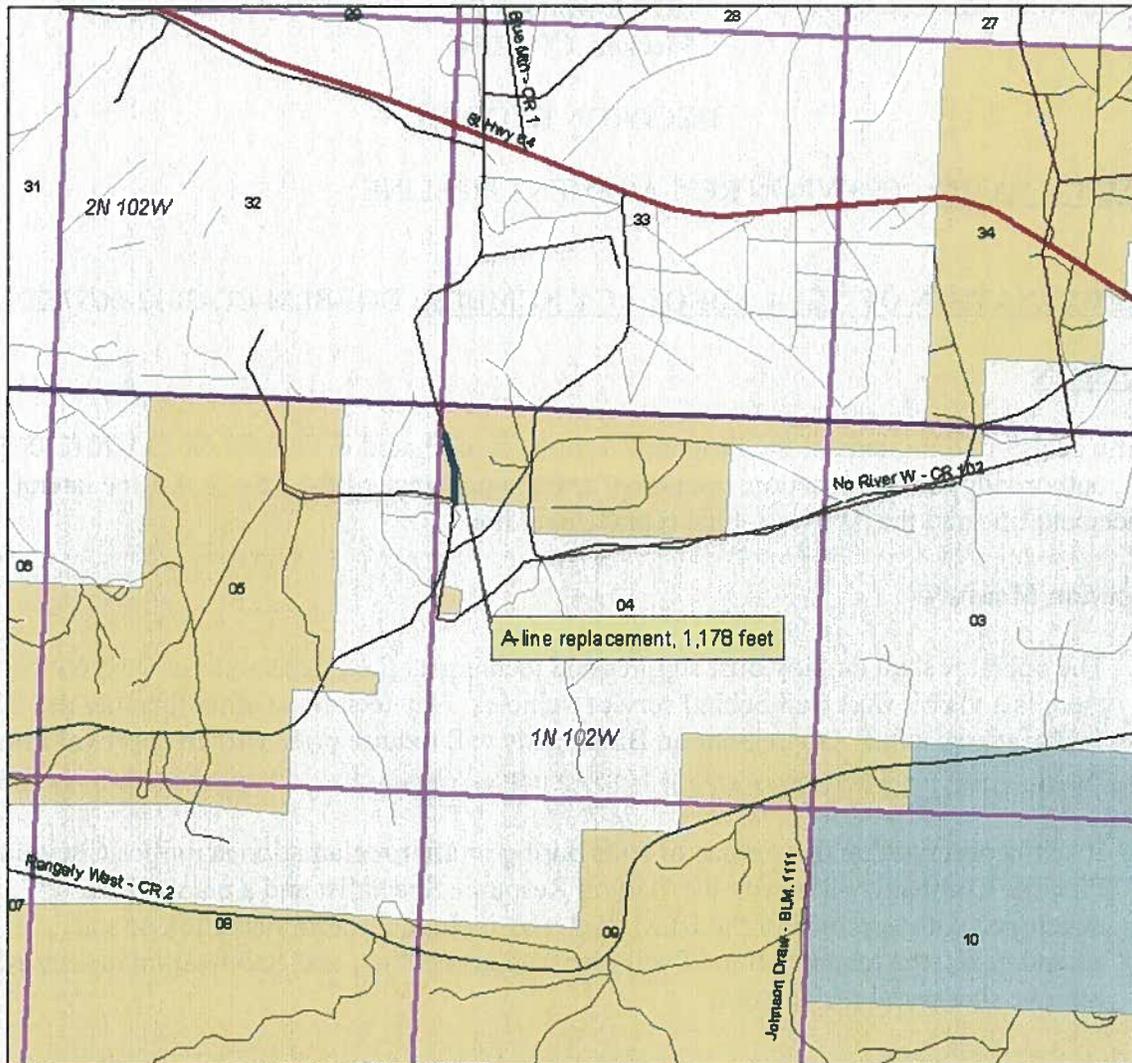
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## Exhibit A

- RANGELY
- PLSS\_Townships\_GCDB2008

# Chevron Pipe Line Company line replacement COD55331



## Exhibit A

- RANGELY
- State
- County
- BLM
- USFS
- NPS
- Other
- PLSS\_Townships\_GCDB2008

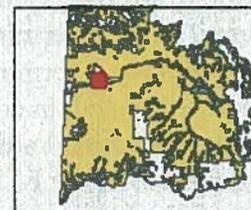


February 2012 JD

0 850 1,700 3,400 Feet

CONTOUR:  
BLM, USGS, CDOW, etc.

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

**DECISION RECORD**

**PROJECT NAME:** CHEVRON REPLACEMENT PIPELINE

**DETERMINATION OF NEPA ADEQUACY NUMBER:** DOI-BLM-CO-2012-0057-DNA

**DECISION**

It is my decision to implement the Proposed Action, as mitigated in DOI-BLM-CO-2011-0057-DNA, authorizing the construction, operation, and maintenance of the CS4 to A-Line lateral replacement line and the Active A-Line replacement line.

**Mitigation Measures**

1. The operator shall employ dust suppression techniques (i.e., freshwater use) whenever there is a visible dust trail behind service vehicles. Any technique other than the use of freshwater as a dust suppressant on BLM lands will require prior written approval from BLM.
2. If salt is observed on the surface of soils during or after reclamation activities Chevron Pipeline Company will notify the Natural Resource Specialist and a plan will be developed with approval of the BLM, that may include the administration of soil amendments, the reapplication of soil preparation, seeding, and stabilization measures to achieve successful reclamation.
3. 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 Authorized Officer (AO). Chevron 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. Chevron, 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.

4. The current reclamation plan states that Chevron Pipe Line Company will reseed the pipeline corridors with a BLM approved seed mix. The WRFO recommends using one of the four seed mixes listed below for reclamation depending on the ecological site of the disturbance, and the level of difficulty for reclamation. The operator will submit proposed seed mixes to BLM via Sundry Notice for review and approval prior to applying the seed.

<b>SEED MIX #1 FROM THE RECLAMATION PROTOCOL</b>			
<b>Common Name</b>	<b>Scientific Name</b>	<b>Variety</b>	<b>Lbs PLS/Acre</b>
Western wheatgrass	<i>Pascopyrum smithii</i>	Rosana	4.5
Thickspike wheatgrass	<i>Elymus lanceolatus</i>	Critana	3.5
Bottlebrush squirreltail	<i>Elymus elymoides</i>	Toe Jam Creek	3
Scarlet Globemallow	<i>Sphaeralcea coccinea</i>		0.5
Sulphur flower	<i>Eriogonum umbellatum</i>		1.5
Winterfat	<i>Krascheninnikovia lanata</i>		0.5

<b>SEED MIX #3 FROM THE RECLAMATION PROTOCOL</b>			
<b>Common Name</b>	<b>Scientific Name</b>	<b>Variety</b>	<b>Lbs PLS/Acre</b>
Western wheatgrass	<i>Pascopyrum smithii</i>	Rosana	4
Bluebunch wheatgrass	<i>Pseudoroegneria spicata</i>	Whitmar	3.5
Indian ricegrass	<i>Achnatherum</i>	Rimrock	3

	hymenoides		
Needle and Thread	Hesperostipa comata		2.5
Lewis Flax	Linum Lewisii	Maple grove	1
Scarlet Globemallow	Sphaeralcea coccinea		0.5

**SEED MIX #8 FROM THE RECLAMATION PROTOCOL**

Common Name	Scientific Name	Variety	Lbs PLS/Acre
Galleta Grass	Pleuraphis jamesii	Viva florets	3
Indian Ricegrass	Achnatherum hymenoides	Rimrock	3
Bottlebrush squirreltail	Elymus elymoides	Toe Jam Creek	2.5
Western wheatgrass	Pascopyrum smithii	Rosana	4
Scarlet Globemallow	Sphaeralcea coccinea		0.25
Annual sunflower	Helianthus annuus		2.5
Mat saltbush	Atriplex confertifolia		2

**SEED MIX #9 FROM THE RECLAMATION PROTOCOL**

Common Name	Scientific Name	Variety	Lbs PLS/Acre
Western wheatgrass	Pascopyrum smithii	Rosana	5

Russian wildrye	Psathyrostachys juncea	Bozoisky	3
Crested wheatgrass	Agropyrum cristatum	Hycrest	3
Annual sunflower	Helianthus annuus		5

5. To avoid impacts to existing realty rights-of-way, Chevron would need to coordinate with right-of-way holders prior to any construction activity.
6. The holder 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.
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. The holder agrees to indemnify the United States against any liability arising from the release of any hazardous substance or hazardous waste (as these terms are defined in the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C 9601, et.seq. or the Resource Conservation and Recovery Act of 1976, 42 U.S.C. 6901, et. seq.) on the right-of-way (unless the release or threatened release is wholly unrelated to the right-of-way holder's activity on the right-of-way). This agreement applies without regard to whether a release is caused by the holder, its agent, or unrelated third parties.
9. Construction sites and all facilities shall be maintained in a sanitary condition at all times; waste materials 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.

10. Pursuant to 43 CFR 10.4(g), Chevron 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), Chevron must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the AO.
11. Chevron Pipe Line Company is responsible for informing all persons who are associated with the projects that they will be subject to prosecution for knowingly disturbing archaeological sites or for collecting artifacts. If archaeological materials are discovered as a result of operations under this authorization, Chevron must immediately contact the appropriate BLM representative.
12. If any paleontological resources are discovered as a result of operations under this authorization, Chevron or any of their 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 working 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.
13. The applicant 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 any paleontological resources are discovered as a result of operations under this authorization, the permittee/applicant must immediately contact the appropriate BLM representative.
14. The AO may require occasional spot checking of trenching operations to inspect for possible presence of fossil resources.

15. Activities associated with the Proposed Action will be avoided from April 15 – July 15 to avoid the reproductive period/breeding season of white-tailed prairie dogs and migratory birds. Activities will be allowed from July 16 – April 14.

**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 3/20/2012 and a copy of the completed Categorical Exclusion will be posted on the WRFO website.

**RATIONALE**

The proposal for the replacement 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 replacement pipelines are needed to fulfill safety compliance with current regulation of pipelines.

**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:**

06/14/2012

