

**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-110-2013-0023-CX

CASEFILE/PROJECT NUMBER: COC75968

PROJECT NAME: Pipeline Conversion To Water Line

LEGAL DESCRIPTION: Sixth Principal Meridian, Colorado

T. 3 S., R. 96 W.,  
sec. 9, NE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
sec. 15, SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
sec. 16, E $\frac{1}{2}$ E $\frac{1}{2}$ ;  
sec. 22, SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
sec. 27, SW $\frac{1}{4}$ NE $\frac{1}{4}$  and W $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
sec. 34, W $\frac{1}{2}$ E $\frac{1}{2}$ .

T. 4 S., R. 96 W.,  
sec. 3, lot 2, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , and W $\frac{1}{2}$ SE $\frac{1}{4}$ .

APPLICANT: Encana Oil & Gas (USA), Inc.

DESCRIPTION OF PROPOSED ACTION: Encana plans to convert a portion of one of the existing 12-inch natural gas pipelines in right-of-way COC62884 to a water line. The existing pipeline (Exhibit A) from Garfield County Road 401 to about one mile south of Rio Blanco County Road 5 (crossing BLM and private lands) would be internally lined to eliminate corrosion inside the pipeline.

Encana would like to start work in December 2012 and anticipates the project would take approximately 45-60 days. Encana would excavate the pipe every 2,000 to 3,000 feet (or possibly at any underground fitting on bends) and pull the liner through the pipeline. All excavations would take place within the existing right-of-way (ROW). The areas of excavation would be approximately 30 feet wide and less than 100 feet in length. There are approximately 12 excavation sites on BLM lands. Encana will use existing roads and the pipeline ROW to access the excavation sites. Encana will broadcast seed the disturbed area using Seed Mix #2 from the White River Field Office Reclamation Protocol. Encana has submitted a construction and reclamation plan that is available for review in the case file located at the White River Field Office.

The original right-of-way grant COC62884 was authorized to American Soda for the Yankee Gulch Sodium Minerals Project and assigned to Encana on December 6, 2004. The portion of the pipeline that will be converted to a water pipeline will be assigned case file COC75968. The ROW for the water pipeline will be 4.0 miles (21,120 feet) long, 50 ft wide, and contain approximately 24.24 acres.

Decision to be Made: The BLM will decide whether or not to approve the conversion of the existing natural gas pipeline to a water line, and if so, under what terms and 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."

CATEGORICAL EXCLUSION REVIEW: The Proposed Action qualifies as a categorical exclusion under 516 DM 11.9, E13: "*Amendments to existing rights-of-way, such as the upgrading of existing facilities, which entail no additional disturbances outside of the right-of-way boundary*".

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

Extraordinary Circumstance	YES	NO
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 the bureau.		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
l) 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 11/20/2012. 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	11/29/2012
Lisa Belmonte	Wildlife Biologist	Special Status Wildlife Species	12/5/2012
Zoe Miller	Ecologist	Special Status Plant Species	11/29/2012

**REMARKS:**

*Cultural Resources:* The proposed pipeline lining project is located in an area that is covered by a number of Class III (100 percent) pedestrian inventories and one monitoring project (Bacon-Schulte et al 2010, compliance dated 3/12/2010; Bearden 1980, compliance dated 5/29/1980; Berry et al 2012, compliance dated 10/12/2012; Collins and Poulson 2008, compliance dated

7/30/2008; Conner and Davenport 2000, compliance dated 4/27/2000; McDonald 1994, compliance dated 12/29/1994; 2007, compliance dated 7/5/2007; and Metcalf, 1982 compliance dated 6/15/1982). To date cultural resources along the ridge tops seem to be limited to isolated finds; whereas lower elevations, often closer to water, may have more significant sites. Further, monitoring of pipeline trench operations in the colluvial bottoms of the drainages have revealed archaic age resource procurement sites (Berry et al 2012). Therefore, excavations in the drainage bottoms have the potential to impact archaeological resources that are of scientific interest. Damage to these resources could result in a serious loss of data from the regional archaeological database. The data lost would likely involve early occupations of the area and the related subsistence strategies used by the occupants. Any loss of archaeological data would be irreversible and irretrievable.

*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 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 (PFYC) 5 formation. The Uintah formation is known to produce scientifically noteworthy fossil resources (c.f., Armstrong and Wolny 1989). Therefore, if it becomes necessary to excavate into the underlying sedimentary rock formations, there is a very high likelihood of impacting scientifically noteworthy fossil resources.

Any impacts to fossil resources as a result of construction would likely represent an irreversible and irretrievable of data to the regional fossil database. Monitoring might lessen the loss; however, the loss would still occur.

*Threatened and Endangered Wildlife Species:* There are no threatened or endangered animal species that are known to inhabit or derive important use from the project area. The sagebrush-dominated ridgeline affected by much of the project proposal represents habitat that is classified as priority sage-grouse habitat by Colorado Parks and Wildlife (CPW) and is associated with the Parachute-Piceance-Roan (PPR) population. The greater sage-grouse is considered a candidate for listing under the Endangered Species Act as well as a BLM sensitive species. BLM management of sage-grouse priority habitats were the subject of a recent Bureau-wide policy statement (BLM WO IM 2012-043) that seeks to maintain or improve the utility of these key habitats as the basis for the species recovery and avoiding subsequent Endangered Species Act listing actions. Six of the twelve proposed dig sites on public lands are located in priority habitat. Disturbance activities would be confined to the existing right-of-way (ROW).

Based on CPW research, this ridgeline receives considerable use from sage-grouse during the lekking and brood-rearing season, with birds returning during the winter months. Construction activities as well as associated traffic would likely temporarily displace sage-grouse using the area; however, birds would be expected to return once work is complete. As proposed, construction would be completed by February 1 and would have no potential to disrupt breeding activities. Prompt and effective reclamation in the disturbed areas would benefit sage-grouse as well as other resident wildlife in the short term.

The BLM conferred with CPW biologists regarding potential impacts to sage-grouse from this project. CPW concurred with BLM's assessment that construction should not be extended past February 15<sup>th</sup> in order to minimize disruption immediately preceding the lekking season.

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

#### 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.

Bearden, David. G

1980 Report of Examination for Cultural Resources: Stewart Division Fence #2. Bureau of Land Management, White River Resource Area, Meeker, Colorado. (80-10-43: SHPO # MC.LM.NR124)

Berry, Michael, Carl Conner, James C. Miller, Courtney Groff and Holly Shelton

2012 Cultural Resources Monitor Report for the Construction of the Meeker to Greasewood and PCP Loop Pipelines in Garfield and Rio Blanco Counties, Colorado for Enterprise Products, Incorporated (USA). Grand River Institute, Grand Junction, Colorado. (12-11-24: MC.LM.R656)

Collins, Gary D. and Lorraine L. Poulson

2008 A Class III Cultural Resource Inventory of the Barnes Ridge Pinyon Juniper Removal project in Rio Blanco County, Colorado. Bureau of Land Management, White River Field Office, Meeker, Colorado. (08/10/05: SHPO #RB.LM.R1115)

Conner, Carl E., and Barbara J. Davenport

2000 Class III Cultural Resource Inventory Report for the Yankee Gulch Sodium Minerals Project Proposed Piceance to Parachute Pipeline in Garfield and Rio Blanco Counties, Colorado, for American Soda, L.L.P. Grand River Institute, Grand Junction, Colorado. (00-11-04: SHPO #MC.LM.R185)

McDonald, Kae

1994 Greasewood Compressor Station to parachute Creek, A Class III Cultural Resource Inventory on Phase I of a Proposed Pipeline for Colorado Interstate Gas Company, Rio Blanco and Garfield Counties, Colorado. Metcalf Archaeological Consultants, Inc., Eagle, Colorado. (94-54-28: SHPO # MC.LM.R996)

2007 Conoco Phillips Wells G35, M33, E06, and Associated Access Roads and Pipelines, A Class III Cultural Resource Inventory in Garfield County, Colorado. (07-54-02: SHPO # GF.LM.NR830)

Tweto, Ogden

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

Weston-Schulte, Weston, Tosh McKetta, and Joel Tyberg

2010 Class III Cultural Resource Inventory for the Proposed Piceance Creek Pipeline in Rio Blanco and Garfield Counties, Colorado. Cultural Resource Analysts, Longmont, Colorado. (10-162-01: SHPO #MC.OLM.R561)

#### MITIGATION:

1. All terms and conditions of right-of-way grant COC62884 shall remain in full force and effect.
2. Any proposal involving surface disturbance, outside of the existing right-of-way, requires an application to the BLM for analysis and authorization. New stipulations for construction would be applied to projects subject to the regulations and policies existing at the time of authorization.
3. 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 25 lbs./day, up to 250 lbs./year), or collecting fossils for commercial purposes on public lands.
4. 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 holder 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.
5. 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.
6. 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.

7. 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.

8. 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.

9. An archaeological monitor shall be required for all excavations into the alluvial/colluvial bottoms of all drainages.

10. All activities (including construction and travel) must be completed prior to February 15, 2013 to minimize disruption to breeding sage-grouse.

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

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, E13. 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:

*Hunt T. Walte*

Field Manager

DATE SIGNED:

12/21/12

ATTACHMENTS: Exhibit A - Map of Proposed Action



**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:** Pipeline Conversion To Water Line

**CATEGORICAL EXCLUSION NUMBER:** DOI-BLM-CO-110-2013-0023-CX

**DECISION**

It is my decision to implement the Proposed Action, as mitigated in DOI-BLM-CO-110-2013-0023-CX, authorizing the installation of a liner for conversion of the existing pipeline to a water pipeline.

**Mitigation Measures**

1. All terms and conditions of right-of-way grant COC62884 shall remain in full force and effect.
2. Any proposal involving surface disturbance, outside of the existing right-of-way, requires an application to the BLM for analysis and authorization. New stipulations for construction would be applied to projects subject to the regulations and policies existing at the time of authorization.
3. 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 25 lbs./day, up to 250 lbs./year), or collecting fossils for commercial purposes on public lands.
4. 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 holder 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.
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9. An archaeological monitor shall be required for all excavations into the alluvial/colluvial bottoms of all drainages.

10. All activities (including construction and travel) must be completed prior to February 15, 2013 to minimize disruption to breeding sage-grouse.

#### **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**

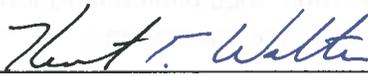
The BLM informed the public about this project by listing it on the online WRFO NEPA Register on 12/11/2012 and a copy of the completed Categorical Exclusion will be posted on the WRFO website.

#### **RATIONALE**

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, E13. 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.

**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:** 12/21/12