

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-110-2013-0083-CX

CASEFILE/PROJECT NUMBER: COC76122 (off-unit pipeline ROW)

PROJECT NAME: EnCana's proposed six inch surface line from the BHDU A11 2100 well pad

LEGAL DESCRIPTION: T. 2 S., R. 99 W., Sec. 5, NW¼SW¼

APPLICANT: EnCana Oil & Gas (USA) INC

DESCRIPTION OF PROPOSED ACTION: EnCana Oil & Gas (USA) INC has submitted an application to install one, 6 inch temporary surface line from their BHDU A11 2100 well pad in T. 2 S., R. 100 W., Sec. 11. The surface line will tie in to an existing pipeline at a tie-in point in T. 2 S., R. 99 W., Sec. 5, NW¼SW ¼ (Figure 1). The temporary surface line will be used to transport water and will follow an existing Right-of-Way (COC75923[water] and COC75922[gas]). No new surface disturbance will result from this action. The total distance of surface line on BLM is approximately 915 feet. The total length of the proposed surface line is approximately 2.7 miles.

The proposed surface pipeline will be in use until at least 4 months after completion operations conclude, or possibly up to 18 months from when the pipeline is installed, depending on weather conditions.

Existing NEPA documentation of anticipated impacts was completed in DOI-BLM-CO-110-2012-0022-EA, which applies to the construction, installation and maintenance of the BHDU A11 2100 well pad and associated road and pipeline infrastructure.

Design Features: EnCana Oil & Gas (USA) INC has agreed to implement the following design features:

1. EnCana Oil & Gas (USA) INC will install signage at ½ mile intervals along the proposed surface pipeline. Each sign will include contact information (e.g., company name and phone number) for the operator that is responsible for maintaining and using the surface line. In addition, the sign will indicate the type of fluids being transported in the line (e.g., water, gas, etc.). Alternatively, the operator may elect to label the surface line every 400 feet using a label that clearly identifies the information identified above.

2. EnCana Oil & Gas (USA) INC will contact the designated NRS within 24 hours after the proposed surface line has been installed, and within 24 hours after the pipeline has been removed.

**PLAN CONFORMANCE REVIEW:** The Proposed Action is subject to and has been reviewed for conformance with (43 CFR 1610.5, BLM 1617.3) 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 2-5

Decision Language: "Make federal oil and gas resources available for leasing and development in a manner that provides reasonable protection for other resource values."

**CATEGORICAL EXCLUSION REVIEW:** The Proposed Action qualifies as a categorical exclusion under 516 DM 11.9, E18: "Temporary placement of a pipeline above ground".

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 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		X

Extraordinary Circumstance	YES	NO
effects on designated Critical Habitat for these species.		
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 4/29/2013. 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	4/30/2013
Ed Hollowed	Wildlife Biologist	Special Status Wildlife Species	4/30/2013
Baili Foster	Ecologist Intern	Special Status Plant Species	4/30/2013

**REMARKS:**

*Cultural Resources:* The proposed surface pipeline route has been inventoried at the Class III (100 percent) pedestrian level (Conner and Darnell 2011 compliance dated 12/7/2011) with no cultural resources located in the area of the proposed surface pipeline. The surface line is not anticipated to impact any known cultural resources.

*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 issues.

*Special Status Plant Species:* The project area intersects suitable habitat for several BLM sensitive species. The suitable habitat is composed of barren shale slopes of the parachute creek member of the green river formation. There is approximately 3.66 acres of suitable habitat within 100 meters of the proposed pipeline. The project area was surveyed in 2012 by WestWater Engineering. No special status plant species (SSPS) were observed within 100 meters of the

Proposed Action during surveys. Due to the distance of the proposed project area from existing populations of SSPS, it is unlikely that the proposed project will have any direct impact on SSPS.

REFERENCES CITED:

Conner, Carl E., and Nicole Darnell

- 2011 Class III Cultural Resource Inventory Report for the Proposed BHDU A11 21000, and Linear Route in Rio Blanco County, Colorado for EnCana Oil and Gas (USA). Grand River Institute, Grand Junction, Colorado (11-11-34: SHPO #RB.LM.R1275)
- 2012 WestWater Engineering, Rare Plant and Noxious Weed Surveys, EnCana. Piceance Basin, Rio Blanco County, CO. Grand Junction, CO, December 2012

MITIGATION:

1. EnCana Oil & Gas (USA) INC 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.
2. 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. EnCana Oil & Gas (USA) INC 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. EnCana Oil & Gas (USA) INC, 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.
3. Pursuant to 43 CFR 10.4(g), EnCana Oil & Gas (USA) INC 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), EnCana Oil & Gas (USA) INC must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the AO.

COMPLIANCE PLAN: On-going compliance inspections and monitoring will be conducted by the BLM White River Field Office staff after the surface line has been installed. 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: Brett Smithers

NAME OF ENVIRONMENTAL COORDINATOR: Heather Sauls

COMPLIANCE WITH NEPA

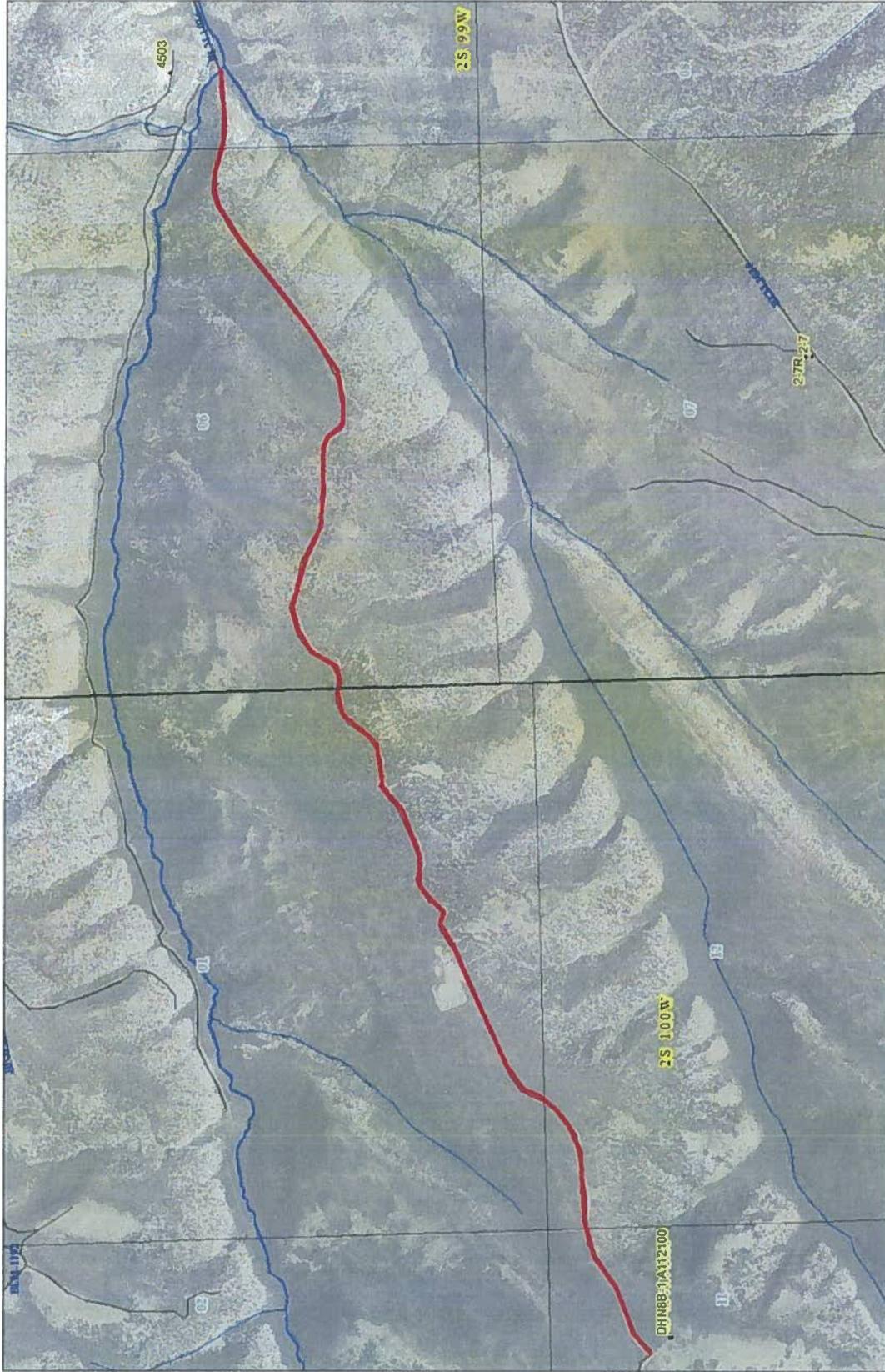
The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, E18. This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that 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:

  
Acting Field Manager

DATE SIGNED: 5/1/13

ATTACHMENTS: **Figure 1.** Project area map.



**Figure 1.** The figure above illustrates the geographic location of the proposed temporary surface line (symbolized as a red line).

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**DECISION RECORD**

**PROJECT NAME:** EnCana's proposed six inch surface line from the BHDU A11 2100 well pad

**CATEGORICAL EXCLUSION NUMBER:** DOI-BLM-CO-110-2013-0083-CX

**DECISION:** It is my decision to implement the Proposed Action, as mitigated in DOI-BLM-CO-110-2013-0083-CX, authorizing the installation of a temporary 6 inch surface pipeline in T. 2 S., R. 99 W., Sec. 5, NW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>.

As part of their proposal, EnCana Oil & Gas (USA) INC has agreed to implement the following design features:

1. EnCana Oil & Gas (USA) INC will install signage at ½ mile intervals along the proposed surface pipeline. Each sign will include contact information (e.g., company name and phone number) for the operator that is responsible for maintaining and using the surface line. In addition, the sign will indicate the type of fluids being transported in the line (e.g., water, gas, etc.). Alternatively, the operator may elect to label the surface line every 400 feet using a label that clearly identifies the information identified above.
2. EnCana Oil & Gas (USA) INC will contact the designated NRS within 24 hours after the proposed surface line has been installed, and within 24 hours after the pipeline has been removed.

Additional required mitigation measures include the following:

3. EnCana Oil & Gas (USA) INC 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.
4. 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. EnCana Oil & Gas (USA) INC 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. EnCana Oil & Gas (USA) INC, 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.

5. Pursuant to 43 CFR 10.4(g), EnCana Oil & Gas (USA) INC 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), EnCana Oil & Gas (USA) INC must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the AO.

### **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 will inform the public about this project by listing it on the online WRFO NEPA Register and a copy of the completed Categorical Exclusion will also 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, E18. 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**

#### **State Director Review**

Under regulations addressed in 43 CFR 3165.3(b), any adversely affected party that contests a decision of the Authorized Officer may request an administrative review, before the State Director, either with or without oral presentation. Such request, including all supporting documentation, shall be filed in writing with the BLM Colorado State Office at 2850 Youngfield Street, Lakewood, Colorado 80215 within 20 business days of the date such decision was received or considered to have been received. Upon request and showing of good cause, an extension may be granted by the State Director. Such review shall include all factors or circumstances relevant to the particular case.

#### **Appeal**

Any party who is adversely affected by the decision of the State Director after State Director review, under 43 CFR 3165.3(b), of a decision may appeal that decision to the Interior Board of Land Appeals pursuant to the regulations set out in 43 CRF Part 4.

**SIGNATURE OF AUTHORIZED OFFICIAL:**

*Est M M. Cf*  
Acting Field Manager

**DATE SIGNED:** 5/1/13

