

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

ENVIRONMENTAL ASSESSMENT

NUMBER: DOI-BLM-CO-110-2012-0112-EA

CASEFILE/PROJECT NUMBER: COC75533 and COC75537

PROJECT NAME: Koch Exploration Water Pipelines

LEGAL DESCRIPTION: Sixth Principal Meridian, Colorado

T. 2 N., R. 96 W.,

sec. 19, lots 5, 6, and 7, and NE $\frac{1}{4}$ NW $\frac{1}{4}$.

COC75533

T. 2 N., R. 96 W.,

sec. 29, S $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$;

sec. 31, E $\frac{1}{2}$ NE $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$;

sec. 32, W $\frac{1}{2}$ NW $\frac{1}{4}$.

COC75537

APPLICANT: Koch Exploration Company, LLC

PURPOSE & NEED FOR THE ACTION: The purpose of the Proposed Action is to provide Koch Exploration Company, LLC with authorized use of the public land managed by the BLM to develop produced water pipelines in compliance with the Federal Land Policy Management Act of 1976 (FLPMA) and BLM right-of-way regulations.

The need for the Proposed Action is to respond to a right-of-way application request submitted by the applicant to construct, operate, maintain, and abandon produced water pipelines on public lands administered by the BLM White River Field Office.

Decision to be Made: The BLM White River Field Office (WRFO) will decide whether or not to grant the produced water pipeline ROWs and, if so, under what conditions.

SCOPING, PUBLIC INVOLVEMENT, AND ISSUES:

Scoping: Scoping was the primary mechanism used by the BLM to initially identify issues. Internal scoping was initiated when the project was presented to the White River Field Office (WRFO) interdisciplinary team on 7/24/2012. External scoping was conducted by posting this project on the WRFO's on-line National Environmental Policy Act (NEPA) register on 7/24/2012.

DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES:

Proposed Action: Koch proposes to construct two buried produced water pipelines north of Rio Blanco Lake in the Ant Hill Unit. A six-inch poly produced water pipeline would be constructed from the WRD Federal #19-31 well to the WRD Federal #19-21 well then continue north to an existing pipeline in Section 19. The pipeline would be approximately 2,861 ft long, 30 ft wide, and contain 1.97 acres. No additional work areas outside of the 30 ft width would be necessary.

A 3-inch reinforced poly produced water pipeline would be constructed from the Ant Hill #6-11D well (on private) to the WRD #29-33 water disposal well. The proposed water pipeline would tie in with an existing pipeline corridor in Section 32 and continue parallel to the existing pipeline to the WRD #29-33 water disposal well in Section 29. The pipeline would be approximately 13,424 ft long (4,000 ft is on private surface and 9,424 ft on BLM surface), 30 ft wide, and contain 6.49 acres. No additional work areas outside of the 30 ft width would be necessary.

Construction would begin as soon as the rights-of-way (ROWs) are authorized.

Design Features:

Construction Phase

- Topsoil from trenching would be stockpiled and contained within the ROW during construction.
 - a. When the pipeline has been installed in the trench, stockpiled topsoil would be returned to the trench to bury the pipeline and to match the original contour of the land.
- Trash and debris would be collected from the area surrounding the ROW upon completion of construction and will be hauled to an approved landfill.
- The ROW would be seeded with the approved BLM seed mix during the fall season following completion of construction of the pipeline. The seed mixture is shown in Table 1.

Abandonment Phase

- Upon final abandonment of the pipeline project, the pipe would be left in place and displaced with hot water unless determined otherwise by the Authorized Officer.
- The ROW would be inspected and evaluated to determine if the interim reclamation work that had been done subsequent to pipeline construction is sufficient for final reclamation. Reclamation would be considered successful when vegetation within the reclaimed ROW supports non-noxious plants that are similar in density and cover to those growing on adjacent undisturbed lands.

Table 1: Seed Mix

Variety	Common Name	Scientific Name	Rate (PLS)/ac.
Rosana	Western Wheatgrass	<i>Pascopyrum smithii</i>	4.5
Critana	Thickspike Wheatgrass	<i>Elymus lanceolatus</i>	3.5

Rimrock	Indian Ricegrass	<i>Achnatherum hymenoides</i>	2
Toe Jam Creek	Bottlebrush Squirreltail	<i>Elymus Elymoides</i>	3
	Scarlet Globemallow	<i>Sphaeralcea coccinea</i>	0.5
	Sulphur Flower Buckwheat	<i>Eriogonum umbellatum</i>	1.5
	Winterfat	<i>Krascheninnikovia lanata</i>	1
	Annual Sunflower	<i>Helianthus annus</i>	1.5

No Action Alternative: Under the No Action Alternative, BLM would deny the ROW application, and the proposed produced water lines would not be constructed.

ALTERNATIVES CONSIDERED BUT NOT CARRIED FORWARD:

PLAN CONFORMANCE REVIEW: The Proposed Action is subject to and has been reviewed for conformance with the following plan (43 CFR 1610.5, BLM 1617.3):

Name of Plan: White River Record of Decision and Approved Resource Management Plan (White River 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.”

AFFECTED ENVIRONMENT & ENVIRONMENTAL CONSEQUENCES

Standards for Public Land Health: In January 1997, the Colorado BLM approved the Standards for Public Land Health. These standards cover upland soils, riparian systems, plant and animal communities, special status species, and t quality. Standards describe conditions needed to sustain public land health and relate to all uses of the public lands. Because a standard exists for these five categories, a finding must be made for each of them in an environmental analysis (EA). These findings are located in specific elements listed below.

Cumulative Effects Analysis Assumptions: Cumulative effects are defined in the Council on Environmental Quality (CEQ) regulations (40 CFR 1508.7) as “...the impact on the environment that results from the incremental impact of the action when added to other past, present, and reasonably foreseeable actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions.” Table 2 lists the past, present, and reasonably foreseeable future

actions within the area that might be affected by the Proposed Action; for this project the area considered was the Natural Resources Conservation Service (NRCS) 5th Level Watershed. However, the geographic scope used for analysis may vary for each cumulative effects issue and is described in the Affected Environment section for each resource.

Table 2. Past, Present, and Reasonably Foreseeable Actions

Action Description	STATUS		
	Past	Present	Future
Livestock Grazing	X	X	X
Wild Horse Gathers	No	No	No
Recreation	X	X	X
Invasive Weed Inventory and Treatments	X	X	X
Range Improvement Projects : Water Developments Fences & Cattleguards	X	X	X
Wildfire and Emergency Stabilization and Rehabilitation	X	X	X
Wind Energy Met Towers			X
Oil and Gas Development: Well Pads Access Roads Pipelines Gas Plants Facilities	X	X	X
Power Lines	X	X	X
Seismic	X	X	X
Vegetation Treatments	X	X	X

Affected Resources:

The CEQ Regulations state that NEPA documents “must concentrate on the issues that are truly significant to the action in question, rather than amassing needless detail” (40 CFR 1500.1(b)). While many issues may arise during scoping, not all of the issues raised warrant analysis in an environmental assessment (EA). Issues will be analyzed if: 1) an analysis of the issue is necessary to make a reasoned choice between alternatives, or 2) if the issue is associated with a significant direct, indirect, or cumulative impact, or where analysis is necessary to determine the significance of the impacts. Table 3 lists the resources considered and the determination as to whether they require additional analysis.

Table 3. Resources and Determination of Need for Further Analysis

Determination ¹	Resource	Rationale for Determination
Physical Resources		
PI	Air Quality	See discussion below.
NI	Geology and Minerals	Construction of the proposed pipelines would have no effect on geologic or mineral resources.

Determination ¹	Resource	Rationale for Determination
PI	Soil Resources*	See discussion below.
PI	Surface and Ground Water Quality*	See discussion below.
Biological Resources		
NI	Wetlands and Riparian Zones*	Pipeline COC75533 crosses Ray gulch (an ephemeral channel) ~3.3 miles from the nearest wetland and riparian habitat, the White River. Due to the distance between the pipeline crossing and ephemeral nature of the channel no sediment from construction is expected to reach the White River, even under heavy flow conditions. Pipeline COC75537 is separated from the nearest wetland and riparian habitat, the White River, by more than 600 meters of ephemeral channel and highway 64. The pipeline also crosses an ephemeral channel ~0.76 miles from the White River. Due to the distance from the river and ephemeral nature of the channel, sedimentation from construction is not expected to reach the White River.
PI	Vegetation*	See discussion below.
PI	Invasive, Non-native Species	See discussion below.
PI	Special Status Animal Species*	See discussion below; See Aquatic wildlife for discussion pertaining to special status fish.
NP	Special Status Plant Species*	There are no special status plant species concerns associated with the Proposed Action.
PI	Migratory Birds	See discussion below.
NI	Aquatic Wildlife*	The closest habitat that supports higher aquatic wildlife is the White River. Pipeline COC75533 and Pipeline COC75537 are separated from the White River by ~3.3 miles and 600 meters of ephemeral channel, respectively. The Proposed Action will have no effect on aquatic wildlife.
PI	Terrestrial Wildlife*	See discussion below.
NP	Wild Horses	The proposed project is not located within the Piceance-East Douglas Herd Management Area or the North Piceance and West Douglas Herd Areas.
Heritage Resources and the Human Environment		
PI	Cultural Resources	See discussion below.
PI	Paleontological Resources	See discussion below.
NP	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.
PI	Visual Resources	See discussion below.
PI	Hazardous or Solid Wastes	See discussion below.

Determination ¹	Resource	Rationale for Determination
NI	Fire Management	The Proposed Action is within the B4 Crooked Wash/Indian Valley fire management polygon. The area affected is predominantly grass and some brush. The Proposed Action would have no effect on fire management within the polygon.
NI	Social and Economic Conditions	There would not be any substantial changes to local social or economic conditions.
NP	Environmental Justice	According to the most recent Census Bureau statistics (2000), there are no minority or low income populations within the WRFO.
NP	Lands with Wilderness Characteristics	There are no Lands with Wilderness Characteristics identified within the project area.
Resource Uses		
NI	Forest Management	There are some individual trees within the project area, but there are no occurrences of PJ woodlands (according to the 2003-2005 survey performed by WRFO personnel).
PI	Rangeland Management	The Proposed Action involves two livestock grazing allotments. See discussion below.
PI	Floodplains, Hydrology, and Water Rights	See discussion below.
PI	Realty Authorizations	See discussion below.
PI	Recreation	See discussion below.
PI	Access and Transportation	See discussion below.
NP	Prime and Unique Farmlands	There are no Prime and Unique Farmlands within the project area.
Special Designations		
NP	Areas of Critical Environmental Concern	The closest ACEC is the White River ACEC which is >1000 meters away from the project area (on the other side of CR 84). No negative impacts to this ACEC are expected under the Proposed Action.
NP	Wilderness	There are no Wilderness Areas or Wilderness Study Areas within the project area.
NP	Wild and Scenic Rivers	There are no Wild and Scenic Rivers in the WRFO.
NP	Scenic Byways	There are no Scenic Byways within the project area.

¹ NP = Not present in the area impacted by the Proposed Action or Alternatives. NI = Present, but not affected to a degree that detailed analysis is required. PI = Present with potential for impact analyzed in detail in the EA.

* Public Land Health Standard

AIR QUALITY

Affected Environment: The Proposed Action is an attainment area for national and state air quality standards, based on a review of designated non-attainment areas for criteria pollutants published by the Environmental Protection Agency (EPA 2012). The Proposed Action is also located more than 10-miles from any special designation airsheds or non-attainment areas. Non-attainment areas are designated by U.S. Environmental Protection Agency (EPA) and have air pollution levels that persistently exceed the national ambient air quality (NAAQ) standards.

Projects that could impact special designation areas and/or non-attainment areas may require special consideration from the Colorado Department of Public Health and Environment (CDPHE) and the EPA. The closest special designation areas are Dinosaur National Monument located north of the project area (designated Class II airshed with Prevention of Significant Deterioration (PSD) with thresholds for sulfur oxides and visibility) and the Mount Zirkel and Flat Tops Wilderness Areas located north and east of the Proposed Action (designated Class I areas). The closest non-attainment area in Colorado is near Denver on the Front Range, and it is designated for ozone. General conformity regulations require that federal activities do not cause or contribute to a new violation of NAAQ standards; that actions do not cause additional or worsen existing violations of the NAAQ standards; and that attainment of these standards is not delayed by federal actions in non-attainment areas.

The Proposed Action is in Rio Blanco County within the Western Counties Monitoring Region of Colorado (APCD 2010). Local air quality parameters are measured at monitoring sites located at Meeker, Rangely, Dinosaur, and Ripple Creek Pass near the Flat Tops Wilderness Area. Ozone data have been collected in Meeker and Rangely since 2010 and at Colorado National Monument in Mesa County since 2007. To a limited extent, ozone is also measured at Dinosaur National Monument. The closest location for an Interagency Monitoring of Protected Visual Environments (IMPROVE) site is near the Flat Tops Wilderness, northeast of the Project Area. IMPROVE sites measure visibility impairment from air borne particles.

Environmental Consequences of the Proposed Action:

Direct and Indirect Effects: The Proposed Action would result in low and short-term impacts on air quality during construction and installation of pipelines. Increases in the following criteria pollutants would occur due to combustion of fossil fuels: carbon monoxide, ozone (secondary pollutant formed photochemically from volatile organic compounds (VOCs) and nitrogen oxides (NO_x)), nitrogen dioxide, and sulfur dioxide.

Soil disturbance resulting from construction and heavy equipment is expected to cause increases in fugitive dust and inhalable particulate matter, specifically particulate matter (PM) 10 microns (μm) or less in diameter (PM₁₀) and particles 2.5 μm or less in diameter (PM_{2.5}). Particulate matter is made up of a number of components, including acids (such as nitrates and sulfates), organic chemicals, metals, and soil or dust particles. More than 70 percent of PM₁₀ (coarse particles) is created from windblown dust and soil from roads, fields, and construction sites. A smaller percentage of coarse particles comes from automobile and diesel engine exhaust, soot from wood fires, and sulfates and nitrates from combustion sources such as industrial boilers (CAQCC 2011). Dust production is the most likely during the construction phase, especially when conditions are dry and/or windy. Particulate matter is the major contributor to reductions in visibility, due to their ability to scatter or absorb light. Particulate matter can also have human health impacts.

Fugitive dust emissions would likely cause low, short-term impacts to local air quality, specifically visibility. Once reclamation is initiated, topsoil removed during pipeline construction would be redistributed, stabilized and seeded. As vegetation establishes in the reclaimed areas, dust production is unlikely. The increase in airborne particulate matter from

this project is not expected to exceed Colorado Ambient Air Quality (CAAQ) or NAAQ standards on an hourly, 8-hour average or daily basis.

Soil disturbance resulting from construction and installation of pipelines is expected to cause increases in fugitive dust and inhalable particulate matter in the project area and immediate vicinity and may contribute to reductions in regional visibility. Even with these increased pollutants the Proposed Action is unlikely to result in an exceedance of NAAQ and CAAQ standards, and is likely to comply with applicable PSD increments and other significant impact thresholds.

Cumulative Effects: The Proposed Action is in the two-county area (Rio Blanco and Garfield Counties). Principal air pollution sources include emissions from motor vehicles, oil and gas development, coal-fired power plants, coal mines, sand and gravel operations, windblown dust, and wildfires and prescribed burns (CAQCC 2010). Facility emissions in the two-county area are dominated by emissions related to oil and gas exploration, processing, or transportation. Due to these emission sources in the Piceance, White River, and in the nearby Uinta and Yampa River Basins, VOCs, nitrogen oxides, and dust (particulate matter) are likely to increase into the future. However, with the exception of ozone, overall air quality conditions in the White River Basin are likely to continue to be in attainment of NAAQ standards due to effective atmospheric dispersion.

Environmental Consequences of the No Action Alternative:

Direct and Indirect Effects: No impacts to air quality would result from the No Action Alternative.

Cumulative Effects: Impacts would be similar to those described for the No Action Alternative.

Mitigation: None Identified.

SOIL RESOURCES

Affected Environment: The classifications of soils within 100 ft of the surface disturbance of the centerline of the proposed pipelines that could be impacted by the installation of the pipelines are shown in Table 4. There are no fragile soils or soils prone to landslides on federal lands that would be impacted by the Proposed Action.

Table 4. Soil Classifications Within 100 ft of the Proposed Surface Disturbance (NRCS 2008)

Soil Classification/ Attributes	Slope Class (Percent)	Range Site	Erosion Hazard (Roads and Trails)	Soil Rutting Hazard	Soil Texture	Acres
Forelle loam	3 to 8	Rolling Loam	Moderate	Severe	loam	40
Moyerson stony clay loam	15 to 65	Clayey Slopes	Severe	Moderate	stony clay loam	26
Kobar silty clay loam	8 to 15	Deep Clay Loam	Severe	Severe	silty clay loam	10

Tisworth fine sandy loam	0 to 5	Alkaline Slopes	Moderate	Moderate	fine sandy loam	7
Glendive fine sandy loam	None	Foothill Swale	Moderate	Severe	fine sandy loam	2
Badland	None	None	Severe	Slight	weathered bedrock	1

The pipeline would mostly impact Forelle loam (53 percent of the analysis area) and Moyerson stony clay loam soils (35 percent of the analysis area). Moyerson stony clay loam and Kobar silty clay loam soils both have alkaline and clay in the surface textures that may make reclamation difficult and results in a severe erosion hazard. This area generally has steep gullies that bisect the pipeline routes in Wray Gulch and Oil Springs Gulch. Steep slopes along the proposed ROW as the pipelines drop into these gulches are the most likely place for instability of soils and erosion.

Environmental Consequences of the Proposed Action:

Direct and Indirect Effects: The Proposed Action would directly disturb an estimated 8.5 acres, with a portion of the ROW on private lands. With proper best management practices (BMPs) for stormwater, construction practices, reclamation practices described in the design features, and mitigation described below, impacts to soils outside the 100 ft buffer from the center line would be reduced. Final reclamation on the pipeline would be achieved within three to five years after installation, and with successful reclamation, the Proposed Action is not expected to result in long-term impacts to the productivity of soils.

Direct impacts from the pipeline installation would include soil compaction, removal of vegetation, exposure of subsoil, mixing of soil horizons, loss of topsoil productivity, and an increase in the susceptibility of soils to wind and water erosion. Compaction due to construction activities would reduce aeration, permeability, and water-holding capacities of soils in some locations. Removal of vegetation exposes soils to erosion from rainfall, wind and surface runoff. Exposure of subsoil and mixing of soil horizons can change the physical characteristics of subsoil and may reduce the productivity of these soils before reclamation is complete. Loss of topsoil productivity can occur during topsoil storage due to nutrient loss through percolation of precipitation through the soils, physical loss and mixing of less productive soil layers during moving, and a loss of structure. An increase in surface runoff and sedimentation could be expected from impacted soils, and these soils are likely to be less resilient to erosion from surface runoff after disturbance.

These direct impacts could result in increased indirect impacts, such as increased runoff and erosion, to soils off the construction sites. Implementation of BMPs for stormwater, mitigation, and reclamation would reduce impacts from this project and should limit impacts to construction sites. However, there is the potential for intense storm events and BMP failures resulting in erosion off the construction site. This is most likely to occur on the steep slopes along the pipeline ROW. Monitoring of areas along the pipeline, as required in the mitigation below, should identify any failure of BMPs or unanticipated erosion and allow a plan to be developed for addressing them.

Indirect impacts from this project could result in contamination of surface and subsurface soils due to unintentional leaks or spills from construction equipment, and if these spills occurred, they would affect the productivity of soils.

Cumulative Effects: Well pads in the general area (Wray Gulch, Oil Well Gulch, and Blacks Gulch, which are tributaries to the White River) have been and are likely to continue to be production in nature and well density is generally 12 well pads per square mile. There is a water treatment facility on private lands to the east of the proposed pipelines in Section 20. Production of wells includes surface disturbance for well pads, pipelines, roads, and support facilities. Livestock grazing is permitted in the area and dispersed recreation occurs on public and private lands in the area. These activities may reduce canopy cover and lead to localized erosion in some reclamation areas. Recreation impacts would increase if there was vehicle travel on the ROW after pipeline installation. No other impacts other than oil and gas development, livestock, and recreation are expected in this area. In general, soil disturbance associated with the Proposed Action and other activities are likely to reduce soil productivity and may lead to increased erosion and instability of soils in local areas. The Proposed Action is only expected to impact soils within 100 ft of the centerline of the pipeline.

Environmental Consequences of the No Action Alternative:

Direct and Indirect Effects: No impacts to soils would occur.

Cumulative Effects: Impacts would be similar to those described for the No Action Alternative.

Mitigation: 1. In order to protect public health standards for soils, erosion features such as rilling, gulying, piping and mass wasting on the surface disturbance or adjacent to the pipeline ROW as a result of this action will be addressed immediately after observation by contacting the AO and by submitting a plan to assure successful soil stabilization with BMPs to address erosion problems.

2. Due to severe rutting hazards for soils in this area, all construction activity shall cease when soils or road surfaces become saturated to a depth of three inches unless approved by the Authorized Officer.

3. Due to potential difficulties in establishing vegetation during reclamation for some of the soils in the project area, topsoil will not be removed under areas used for the storage of soils and, if possible, topsoil will not be removed from working surfaces. Under no circumstances will topsoil be used as padding in the trench, to fill sacks for trench breakers, or for any other use as construction material.

4. If, after initial construction activities are completed and if soil productivity is diminished from its pre-disturbance condition, then reseedling, hydro-mulching or other efforts will be initiated to re-establish soil productivity during reclamation activities.

5. After pipeline construction activities are completed, the holder will 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.

Finding on the Public Land Health Standard #1 for Upland Soils: This action is unlikely to reduce the productivity of soils on public lands.

SURFACE & GROUND WATER QUALITY

Affected Environment: Surface Water: Surface disturbance associated with the Proposed Action is within ephemeral tributaries north of the White River. Table 5 describes water segments that may be impacted by this project.

Table 5. Water Quality Classification Table*

Segment	Segment Name	Use Protected	Protected Beneficial Uses			
			Aquatic Life	Recreation	Agriculture	Water Supply
9b	All tributaries to the White River from the confluence with Flag Creek to Piceance Creek	No	Cold 2	Not Primary Contact Recreation	Yes	Yes
7	The mainstem of the White River from Miller Creek to Piceance Creek	No	Cold 1	Existing Primary Contact Recreation	Yes	Yes

* Colorado Department Of Public Health And Environment, Water Quality Control Commission, Regulation No. 37 Classifications and Numeric Standards For Lower Colorado River Basin, Effective June 30, 2011

Segment 9b describes tributaries to the White River that are protected for cold water aquatic life (Cold 2). The cold designation for these water segments means that the classification standards would be protective of aquatic life normally found in waters where the summer weekly average temperatures do not frequently exceeds 20°C. The Cold 2 designation means that it has been determined that these waters are not capable of sustaining a wide variety of cold water biota. It is important to note that Wray Gulch, Oil Springs, and Blacks Gulch are all ephemeral and would not support perennial flows necessary for cold water aquatic life. Therefore, these standards are not applicable to these ephemeral systems.

Segment 7 is protected for aquatic life (Cold 1), meaning that water temperatures in the White River on this segment are typically below 20°C and would support cold water aquatic species. These segments are also protected for recreation, agricultural, and water supply.

Wray Gulch, Oil Springs, and Blacks Gulch are ephemeral and dominated by storm events in the late summer with generally high sediment rates and high dissolved salts during these short flood events. These tributaries are not listed on the monitoring and evaluation list or the list of impaired water bodies for the State of Colorado (CDPHE 2011).

Groundwater: Precipitation in this area generally moves from areas of recharge to surface waters via alluvial aquifers and on the surface during spring melt and rain storms. A portion of annual precipitation infiltrates to deeper bedrock aquifers that contribute to contact springs. Springs and ground water inputs generally occur in both bedrock and alluvial aquifers along valley bottoms, next to badland soil areas, and in the headwaters of stream systems.

Environmental Consequences of the Proposed Action:

Direct and Indirect Effects: Surface Waters: Clearing, grading, and soil stockpiling activities associated with the Proposed Action would alter overland flow and natural infiltration patterns. Potential direct impacts include surface soil compaction caused by construction equipment and vehicles, removal of vegetation, and disturbance of surface soils, which would increase rain-splash erosion and reduce the soil's ability to absorb water and increase the volume and rate of surface runoff, which in turn would increase surface erosion. Steep-sloped hillsides adjacent to and along the pipeline are the most likely areas for this surface erosion to occur. Stormwater measures and best management practices that include periodic monitoring of any erosion problems would be essential to avoid erosion and increased sedimentation to surface waters. Therefore, impacts are not expected outside the construction sites.

Surface runoff associated with extreme storm events may increase sediment loads in surface waters down gradient of disturbed areas before reclamation is complete, but this is unlikely with proper construction practices. Surface erosion for this project is most likely to occur during the construction and early production phases of the project and would be mitigated using BMPs for stormwater.

Groundwaters: Potential freshwater zones are anticipated near the surface in the alluvium. No impacts to groundwaters are expected. Although spills or leaks from the pipeline system could impact groundwaters if they occurred.

Cumulative Effects: Well pads in the general area (Wray Gulch, Oil Well Gulch, and Blacks Gulch, which are tributaries to the White River) have been and are likely to continue to be production in nature and would likely occur on average at 12 well pads per square mile. In addition to normal oil and gas activities, there is a water treatment facility on private lands to the east of the proposed pipelines in Section 20. Production of wells would include surface disturbance for well pads, pipelines, roads, and support facilities. Livestock grazing is permitted in the area and dispersed recreation occurs on public and private lands in the area. Grazing and recreation activities may reduce canopy cover and lead to localized erosion in some reclamation areas. No other impacts other than oil and gas development, livestock and recreation are expected.

Environmental Consequences of the No Action Alternative:

Direct and Indirect Effects: Neither ground nor surface water quality would be impacted by the No Action Alternative.

Cumulative Effects: Impacts would be similar to those described for the No Action Alternative, but would not include the impacts from the Proposed Action.

Mitigation: None Identified.

Finding on the Public Land Health Standard #5 for Water Quality: It is unlikely that the installation of the pipelines would result in an exceedence of state water quality standards.

VEGETATION

Affected Environment: Table 5 lists plant communities and the dominant plant species for the ecological sites associated with the Proposed Action.

Table 5: Plant Communities

Ecological Site / Woodland Type	Plant Community Appearance	Predominant Plant Species in the Plant Community
Alkaline Slopes	Sagebrush / Grass Shrubland	Wyoming big sagebrush, winterfat, low rabbitbrush, wheat grasses, Indian rice grass, squirreltail
Clayey Slopes	Grassland	Salina wildrye, mutton grass, western wheatgrass, June grass, squirreltail, shadscale
Deep Clay Loam	Grass / Open Shrub Shrubland	Western wheatgrass, slender wheatgrass, mutton grass, squirreltail, June grass, Letterman and Columbia needle grasses, mountain big sagebrush
Rolling Loam	Sagebrush / Grass Shrubland	Wyoming big sagebrush, winterfat, low rabbitbrush, horsebrush, bitterbrush, western wheat grass, Indian rice grass, squirreltail, June grass, Nevada and Sandberg bluegrass

Plant communities located within the Proposed Action are currently within acceptable thresholds and seral ratings with desirable plant communities as defined in the White River ROD/RMP and meet the Standards for Public Land Health. However, some areas do have some cheatgrass but have not reached levels that cross the threshold of not meeting land health standards. Vegetation production and species composition provide adequate cover for soil protection and provide sufficient forage production to sustainably meet forage demands.

The majority of the BLM lands are comprised of rolling loam sagebrush/grassland sites. The sagebrush/grass/shrublands are primarily vegetated with a combination of sagebrush (*Artemisia tridentata*) with a grass understory of western wheatgrass (*Agropyron smithii*), needle-and-thread grass (*Stipa comata*), squirreltail (*Sitanion hystrix*), Indian rice grass (*Oryzopsis hymenoides*), and Sandberg bluegrass (*Poa secunda*). Common forbs within the allotment are globemallow (*Sphaeralcea spp.*), lupine (*Lupinus spp.*), arrowleaf balsamroot (*Balsamorhiza sagittata*), buckwheat (*Eriogonum spp.*), and phlox (*Phox spp.*). Cheatgrass (*Bromus tectorum*), a winter annual, is present to some extent in most of the plant communities.

Environmental Consequences of the Proposed Action:

Direct and Indirect Effects: The Proposed Action would disturb an overall total of 8.5 acres. The produced water line from the WRD Federal #19-31 well to the WRD Federal #19-21 well would disturb 2.0 acres. The produced water line from the Ant Hill #6-11D well (on private) to the WRD #29-33 produced water disposal well would disturb 6.5 acres. The primary impact to vegetation would be complete removal of vegetation for the construction of the pipeline. Dust

settling on vegetation adjacent to the construction site would temporarily reduce photosynthetic processes until adequate precipitation washes the dust away.

Cumulative Effects: In terms of plant community composition, structure, and function, the primary impact over the long term would occur if cheatgrass or noxious weeds are allowed to establish and proliferate on the disturbed area. If reclamation is prompt and plant materials establish effectively, there likely would be no long term negative impacts to the vegetation.

Environmental Consequences of the No Action Alternative:

Direct and Indirect Effects: Under the No Action Alternative, the pipelines would not be constructed and there would be no direct or indirect impacts to vegetation.

Cumulative Effects: The No Action Alternative results in no produced water pipelines being constructed; this would result in no new disturbance to vegetation.

Mitigation: 1. Seeding will commence immediately after completion of construction at the first appropriate seeding window (September 1 to March 15) using the applicant proposed Native Seed Mix #1.

2. Seed mixture rates are Pure Live Seed (PLS) pounds per acre. Drill seeding is the preferred method of application. If drill seeding cannot be accomplished, seed should be broadcast at double the rate used for drill seeding.

3. The holder will use seed that is certified and free of noxious weeds. All seed tags will be submitted within 14 calendar days from the time the seeding activities have ended. The notification will include the purpose of the seeding activity (i.e., seeding reclaimed pipeline disturbance, etc.). In addition, the notification will include the case file number for the ROW associated with the seeding activity, if applicable, the name of the contractor that performed the work, his or her phone number, the method used to apply the seed (e.g., broadcast, hydro-seeded, drilled), an estimate of the total acres seeded, an attached map that clearly identifies all disturbed areas that were seeded, and the date the seed was applied.

4. The holder may refer to the White River Field Office Surface Reclamation Plan document for more specific recommendations for soil handling and reclamation of the pipelines.

Finding on the Public Land Health Standard #3 for Plant and Animal Communities: Public lands within the Proposed Action are currently meeting the public land health standards.

INVASIVE, NON-NATIVE SPECIES

Affected Environment: Within the Proposed Action there are small infestations of cactus (*Opuntia spp.*), perennial pepperweed (*Lepidium latifolium*), Canada thistle (*Cirsium arvense*), and bull thistle (*Cirsium vulgare*) scattered throughout the area in places where disturbance such as heavy livestock use and oil and gas development have occurred. The invasive annual, cheatgrass (*Bromus tectorum*), is a non-native invasive species present to some extent in most

plant communities located throughout the Proposed Action area. Cheatgrass is a highly competitive grass species that readily invades degraded rangelands and other areas of soil disturbance. Cheatgrass is so competitive because it completes its annual lifecycle by producing seed early in the spring before native plant species have an opportunity to produce seed. In general, its occurrence and distribution is a consequence of historical livestock grazing practices and non-vegetated soil disturbance associated with roads and mechanical equipment.

Environmental Consequences of the Proposed Action:

Direct and Indirect Effects: The Proposed Action would create about 8.5 acres of new disturbance. This new disturbance could create or intensify a noxious weed problem by importing weed seed on vehicles and equipment or by creating suitable conditions in the form of non-vegetated disturbed soils. Construction activities associated with construction of the project could spread noxious weed species to other areas, some of which have no invasive or noxious weeds at this time. Seed distribution could occur through seeds or plant parts being carried on construction equipment. Cheatgrass occurrences are scattered throughout the proposed project area, and cheatgrass invasion is very likely if the disturbed surfaces are not reclaimed immediately following the pipeline construction.

Establishment of noxious or invasive weeds on the project's disturbed soils could result in some areas becoming dominated by aggressive weed species. It would also result in additional seed sources that would expand into adjacent plant communities. Treatment of established weed populations would have considerable cost to the company.

Cumulative Effects: Noxious weeds could spread from the project sites to surrounding native rangelands resulting in a long term negative impact. There would be a low likelihood of long term negative impact if the proposed mitigation is properly implemented. However, existing roads through the area are common sources of invasive and noxious weeds, so elimination of these species from the general area may be unlikely.

Environmental Consequences of the No Action Alternative:

Direct and Indirect Effects: The No Action Alternative results in no produced water pipelines being constructed. This would result in no new further disturbance to vegetation and soils that could create a pathway for weed establishment.

Cumulative Effects: Invasive and non-native weeds are present in the area from past livestock grazing and human development in the area. The No Action Alternative would minimize the risk of further weeds establishment in the grazing allotment.

Mitigation: 1. All equipment used for construction of the project will be washed prior to being brought onto the project area to prevent seeds from being transported on site from other areas.

2. The holder will implement an integrated weed management plan according to BLM Manual 9015-Integrated Weed Management (BLM 1992). Prior to pipeline construction, the holder should submit Pesticide Use Proposals (PUPs), for the use of herbicides appropriate for control/eradication of the known noxious and invasive nonnative species in and around the project area, to the AO.

SPECIAL STATUS ANIMAL SPECIES

Affected Environment: The majority of the disturbance associated with the Proposed Action (~8.5 acres) would be adjacent to existing roads and pipeline corridors. These areas most likely already experience a reduction in use by special status animal species due to vehicle use and habitat dominated by cheatgrass. Approximately 0.75 acres of disturbance would be in a previously undisturbed area composed of sagebrush dominated ecosystem.

Although the distribution of bats in the WRFO is not completely understood, recent acoustic surveys along the lower White River have documented the localized presence of Townsend's big-eared and big free-tailed bats along larger perennial waterways. Bats typically use caves, mines, bridges, and unoccupied buildings for night, nursery, and hibernation roosts, but in western Colorado, single or small groups of bats use rock crevices and tree cavities. Although rock outcrops and mature conifers that are suitable as temporary daytime roosts for small numbers of bats are widely available in the resource area, they are not present in the immediate vicinity of the project area. There are also no underground mines or known caves, and unoccupied buildings are extremely limited in the project area.

There is potential nesting habitat for bald eagles along the White River in cottonwood gallery forests. The nearest active nest is located approximately 19 miles from the project site, but bald eagles have been known to nest within 1.5 miles of the project area. The greatest increase in the number of bald eagles is observed in the field office during the winter months. Fish, scavenged carrion from other raptor kills, and road kill are the primary food source for bald eagles in the resource area.

Brewer's sparrows are common and widely distributed in virtually all big sagebrush, greasewood, saltbush, and mixed brush communities throughout the planning area. These birds are typically one of the most common members of these avian communities, and breeding densities generally range between 1- 4 pairs per 10 acres. Typical of most migratory passerines in this area, nesting activities normally take place between mid-May and mid-July.

The whole of the project area that is on BLM administered lands is located within the four-mile buffer for the Blacks Gulch lek site for greater sage-grouse (CPW 2012). The habitat present along the proposed pipeline alignment within the four-mile lek buffer is composed primarily of sagebrush and greasewood shrublands intermixed; sage-grouse prefer broad relatively flat areas dominated by sagebrush shrublands. The project area would experience the highest use by sage grouse during the lekking and brood rearing seasons which typically last from March 15 to July 7.

Environmental Consequences of the Proposed Action:

Direct and Indirect Effects: The proposed project would not result in the loss of habitat or roost sights for special status bat species as the majority of disturbance associated with the Proposed Action is located along previously disturbed corridors. While bats may forage along the White River or roost in the dead cottonwoods along the White River, the proximity of the terminus of ROW COC75537 to the White River (over 1,969 ft), a complete lack in riparian

habitat for foraging and lack of roosting sites between the two ensures that there would be no effects to bat species.

Until functional sagebrush canopies reestablish along the pipeline corridors (which could be 15 to 20 years depending upon moisture and aspect of the site), a total of approximately 8.5 acres of sagebrush shrublands would be removed and may result in a loss of nesting habitat for Brewer's sparrows. The majority of sagebrush shrublands (approximately 8.5 acres) that would be removed as a result of this project are located next to existing ROWs and county roads, which more than likely are already experiencing reduced utility as nesting and foraging habitat for Brewer's sparrows.

While there is potential bald eagle nesting habitat and foraging areas along the White River near the terminus of ROW COC75537, the two areas are separated by State Highway 64, and there is already heavy development in and around the project area. It is also unlikely that bald eagles would forage for food outside of the river corridor as there is virtually no habitat for bald eagles within the area encompassed by the Proposed Action.

The entirety of the Proposed Action that occurs on federally administered lands lies within proposed general habitat for the greater sage grouse. Right-of-way (ROW) COC75533 is located at the edge of proposed general habitat and due to existing disturbance in the area and pinyon juniper habitat surrounding the project area, it is unlikely that the Proposed Action would have any effect on sage grouse during the lekking or brood rearing period. However, ROW COC75537 is located approximately one and a half miles from an active lek and is encompassed by sagebrush parks that are known to support broods. Activities associated with ROW COC75537 would therefore need to take place outside of the lekking and brood rearing period from March 15 to July 7.

Cumulative Effects: The Proposed Action would not add substantially to disturbance in the project area as approximately 93 percent of the disturbance is located in previously disturbed areas. With proper mitigation the Proposed Action would not contribute a measurable effect to special status animal species.

Environmental Consequences of the No Action Alternative:

Direct and Indirect Effects: There would be no direct and/or indirect effects to special status animal species and/or their habitats under the No Action Alternative.

Cumulative Effects: There would be no contribution to previous or existing disturbances under the No Action Alternative.

Mitigation: Construction activities associated with ROW COC75537 will take place outside the greater sage-grouse lekking and brood rearing period of March 15 to July 7.

See the reclamation mitigation in the *Vegetation* section of this document.

Finding on the Public Land Health Standard #4 for Special Status Species: The project area is generally meeting the land health standards for special status species at a landscape scale.

Neither the Proposed Action nor the No Action Alternative is expected to detract from the continued meeting of these standards.

MIGRATORY BIRDS

Affected Environment: The proposed water pipeline alignments for the majority of the routes (approximately 8.5 acres) would parallel existing ROWs and developed roads. Vegetation present along the proposed alignments is composed of re-seeded grass/forb species along previous ROWs, invasive weeds, and stands of sagebrush shrublands. Approximately 0.75 acres of disturbance would be in a previously undisturbed area composed of sagebrush dominated ecosystem.

The U.S. Fish and Wildlife Service (USFWS 2008b) has compiled a list of Birds of Conservation Concern (BCC). The 1973 Endangered Species Act (ESA) charged USFWS with identifying species, subspecies, and populations of all migratory non-game birds that, without additional conservation actions, are likely to become candidates for listing under ESA. Birds of Conservation Concern that may be found within the project area include Brewer's sparrow, juniper titmouse, and pinyon jays. Brewer's sparrows are migratory birds that are also BLM sensitive species and are discussed in the *Threatened, Endangered and Sensitive Animal Species* section of this EA.

Environmental Consequences of the Proposed Action:

Direct and Indirect Effects: There is the potential for the Proposed Action to impact migratory birds by direct removal of habitat or abandonment of adults due to increased human activity. The peak of the migratory nesting season (when most incubation and brood rearing takes place) is generally considered to begin May 1st and last until July 15th. Approximately 8.5 acres of sagebrush shrublands and grass communities would be removed as a result of this project. If construction activities associated with the Proposed Action occur within this time frame, they could impact nesting migratory birds resulting in bird displacement, short-term loss of forage and cover, nest abandonment and/or failure, and potential mortality of nestlings. Annual forbs and grasses would likely return along the pipeline alignment during the following growing season, which would provide forage and some cover for species of birds. However, woody shrubs used for nesting and cover would not return to the pipeline alignment for approximately 15 to 20 years. Birds may also avoid available habitat for nesting, cover, and forage adjacent to (areas within 984 ft of the Proposed Action) the produced water line corridor during construction activities. The indirect disturbance associated with this project would affect 257 acres of functional forage and nesting habitats due to reductions in nest densities and avoidance of habitats associated with increased human activity and vehicle traffic during construction activities.

Cumulative Effects: Approximately 93 percent of the habitat that would be removed as a result of the Proposed Action is located next to existing roads, rights-of-way, and previously disturbed areas. Activities associated with the Proposed Action would contribute in the short term to reduction in the availability of habitat for nesting and foraging migratory birds. However, in the long term, especially with effective reclamation, it is unlikely that the Proposed Action would result in a detectable change to migratory birds and/or their habitats.

Environmental Consequences of the No Action Alternative:

Direct and Indirect Effects: There would be no direct and/or indirect effects under the No Action Alternative.

Cumulative Effects: There would be no contribution to previous or existing disturbances under the No Action Alternative.

Mitigation: No construction activities associated with the Proposed Action will be authorized to occur during the migratory bird nesting season from May 15 to July 15.

See reclamation mitigation in the *Vegetation* section of this document.

TERRESTRIAL WILDLIFE

Affected Environment: Right-of-way (ROW) COC75537 is located immediately north of Rio Blanco Lake between Blacks Gulch and Oil Well Gulch in habitats dominated by sagebrush, salt desert shrub, and bare soil. Right-of-way COC75533 is located approximately two miles north of Rio Blanco Lake along Wray Gulch in habitats primarily dominated by sagebrush. Both are located at 5,000 ft above sea level, a relatively low elevation in the resource area. Approximately 93 percent of construction associated with the Proposed Action is located in previously disturbed areas along roads and existing ROWs.

Both produced water lines are located in mule deer severe winter range as mapped by Colorado Parks and Wildlife (CPW). Suitable raptor-nesting habitat is found to the south of the project area along the White River, but there is very little potential habitat in the immediate vicinity of the Proposed Action. There are also no recent records of raptors nesting near the project area except for an osprey pair that returns yearly to a nest built atop a light pole in a pipe yard north of State Highway 64 and Rio Blanco Lake. Small-mammal species that are likely to occur in the project area exhibit broad ecological tolerance and are widely distributed throughout the region. No narrowly distributed or highly specialized species or sub-specific populations are known to inhabit this area.

Environmental Consequences of the Proposed Action:

Direct and Indirect Effects: Approximately 8.5 acres of habitat would be removed for the long-term until sagebrush re-establish along the produced water line rights-of-way (15 to 20 years). Activities associated with construction and human activity associated with construction of the produced water lines may cause wildlife avoidance of nearby habitat for forage and cover. However, avoidance would be short term and related to construction as the majority of the produced water lines are located next to an existing road or ROW. Prompt and effective reclamation would result in the return of annual grasses and forbs to areas disturbed by the Proposed Action within the first growing season after construction has been completed.

Because the majority (93 percent) of the pipeline routes associated with this project would be adjacent to existing roads and ROWs, it is unlikely that this project would cause increased habitat fragmentation or avoidance in those areas. However, the creation of an unauthorized road along ROW COC75533 in previously undisturbed habitat would cause new fragmentation and

continual disruption to wildlife inhabiting the area. Should construction activities associated with the Proposed Action take place during the winter months, there would be greater potential to displace mule deer during the time frame when they are most sensitive to increased energetic demands. Timing limitations designed to limit disturbance during the core period of occupation of the project area by big game (December 1 to April 30) would limit impacts to mule deer from the Proposed Action. Since the majority of the proposed water lines follow existing roads and ROWs, there is lack of suitable habitat, and the only active nest near the project area is already in a high use area, it is unlikely that there would be any impacts to nesting raptors as a result of the Proposed Action.

Cumulative Effects: The majority of disturbance associated with the Proposed Action is located next to existing roads, rights-of-way, and previously disturbed areas. Activities associated with the Proposed Action would contribute in the short term to reduction in the availability of habitat for terrestrial wildlife. However, in the long term, especially with effective reclamation, it is unlikely that the Proposed Action would result in a detectable change to terrestrial wildlife and/or their habitats.

Environmental Consequences of the No Action Alternative:

Direct and Indirect Effects: There would be no direct and/or indirect effects to terrestrial wildlife under the No Action Alternative.

Cumulative Effects: There would be no contribution to previous or existing disturbances under the No Action Alternative.

Mitigation: 1. No construction activities associated with the Proposed Action will be permitted to take place from December 1 to April 30 to avoid impacts to mule deer in severe winter range.

2. The holder will deter vehicular use of the ROW in the previously undisturbed habitat from the WRD Federal #19-31 well to the WRD Federal #19-21 during reclamation and the life of the project using a BLM approved method.

Finding on the Public Land Health Standard #3 for Plant and Animal Communities: The project area currently meets the public land health standards for terrestrial animals. Since the pipelines would primarily be constructed along existing corridors, and habitat loss would be short term, the project is expected to continue to meet Standard 3.

CULTURAL RESOURCES

Affected Environment: The proposed pipeline routes for the pipelines have been inventoried at the Class III (100 percent pedestrian) level (Hatcher 2012a, compliance dated 12/13/2012; 2012b, compliance dated 1/8/2013; Pennefather-O'Brien et al 1992, compliance dated 12/17/1992; Pennefather-O'Brien 2003, compliance dated 5/21/2003; Redman and Chandler 2004, compliance dated 6/24/2005). No cultural resources were identified or impacted by the pipeline project for the produced water pipeline from the WRD Federal #19-21 and 19-31 well locations.

For the Ant Hill #6-11D produced water pipeline, one site (NRHP eligible) is located in the project right-of-way. The site is historical in nature and does not appear to have substantial subsurface remains that would contribute to the site's eligibility for nomination to the National Register of Historic Places (NRHP). The proposed water pipeline would be placed between two interstate pipelines where consultation and mitigation have already been completed (c.f., Pennefather-O'Brien et. al. 1992; Pennefather-O'Brien 2003; Redman and Chandler 2004).

Environmental Consequences of the Proposed Action:

Direct and Indirect Effects: The proposed water pipeline for the WRD 19-21 and 19-31 wells would have no direct or indirect impacts on any known cultural resources. There would only be a temporary increase in human activity during the construction of the pipeline, as most of the roads were constructed earlier providing easier access to the area. The new pipeline does not represent an increase in access to the area which could increase the potential for unlawful collection over the current situation.

The proposed Ant Hill 6-11D produced water pipeline would be routed through the site in the disturbed area between two major natural gas pipelines. Monitoring of these pipelines indicates that there are no subsurface remains to be impacted by construction. Routing the new line between the existing lines within the existing construction disturbance would not introduce any new contextual disturbance to the site. The construction is a temporary procedure that would impact the visual quality of the site until reclamation is completed and the route is revegetated. The Proposed Action does not create any new access into the area that could result in an increase in human activity in the area beyond what now occurs except during the construction process. It is unlikely there would be any increase in unlawful collection of artifacts from the site during construction.

In consultation with the Colorado State Historic Preservation Office (SHPO), the BLM has determined that there would be no adverse impacts to the NRHP eligible site from the Ant Hill 6-11D pipeline project.

Cumulative Effects: It is unlikely that the Proposed Action would result in any increase in the loss of data to the regional archaeological database unless previously unknown and unrecorded subsurface remains are encountered. Natural erosion processes could expose these resources at some time in the future, but the loss rate is very slow, although it could result in an irreversible and irretrievable loss of data.

Environmental Consequences of the No Action Alternative:

Direct and Indirect Effects: There would be no new impacts to any known cultural resources under the No Action Alternative due to construction activities. No additional human activity or access is anticipated which would also reduce the potential for unlawful collection of artifacts.

Cumulative Effects: Limited, slow occurring erosion would continue in the area resulting in the potential to expose previously unknown and unrecorded archaeological resources. The

loss rate would likely be very slow but would never the less constitute an irreversible and irretrievable loss of data in the regional archaeological database.

Mitigation: 1. 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.

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. 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.

3. 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.

PALEONTOLOGICAL RESOURCES

Affected Environment: The entire length of 19-31 to 19-21 and north produced water pipeline is located in an area generally mapped as the Wasatch Formation (Tweto 1989), which the BLM WFRO has classified as a Potential Fossil Yield Classification (PFYC) 5 formation. Formations classified as a PFYC 5 formation are well known for producing scientifically noteworthy fossil resources (c.f., Armstrong and Wolny 1989; Doi 1990)

All but the southernmost 2,687 feet (819 meters) of Ant Hill 6-11D to WRD 29-33 produced water pipeline is located in an area generally mapped as the Wasatch Formation (Tweto 1989), which the BLM WFRO has classified as a Potential Fossil Yield Classification (PFYC) 5 formation. Formations classified as a PFYC 5 formation are well known for producing scientifically noteworthy fossil resources (ibid). The southernmost portion of 2,687 feet (819 meters) is located in what is mapped as Quaternary Alluvium (ibid), which is not known to produce fossils in the WFRO (c.f., Armstrong and Wolny 1989).

Environmental Consequences of the Proposed Action:

Direct and Indirect Effects: Construction of the proposed 19-31 to 19-21 and north buried produced water pipeline would have a very high likelihood of impacting scientifically noteworthy fossil resources. Fossils would be directly impacted by construction activity which would seriously disrupt the context the fossils might be found in. Further, the smaller fossils that

are found in the Wasatch Formation would be at very high risk of total destruction due to crushing and obliteration during the construction process, including overland travel and trenching operations.

Indirect impacts could include increased unauthorized collection of fossils, particularly any of the larger more visible fossils, due to increased human activity in the area. Delayed or inadequate reclamation could result in increased loss of fossil, particularly the smaller, lighter fossils which are more easily displaced by water erosion.

Except for the southernmost 2,687 feet (819 meters) of the Ant Hill 6-11D to WRD 29-33 produced water pipeline which is located in Quaternary Alluvium, construction of the proposed buried pipeline would have a very high likelihood of impacting scientifically noteworthy fossil resources. Fossils would be directly impacted by construction activity, which would seriously disrupt the context the fossils might be found in. Further, the smaller fossils that are found in the Wasatch Formation would be at very high risk of total destruction due to crushing and obliteration during the construction process, including overland travel and trenching operations.

Indirect impacts could include increased unauthorized collection of fossils, particularly any of the larger more visible fossils, due to increased human activity in the area. Delayed or inadequate reclamation could result in increased loss of fossil, particularly the smaller, lighter fossils which are more easily displaced by water erosion.

Cumulative Effects: The construction of one or both of the proposed produced water pipelines would likely have a very severe irreversible and irretrievable impact to the regional paleontological data base. The potential severity of the loss is due to the very small nature of many of the fossils that are found in the formation, which not only makes them much more susceptible to crushing and obliteration during construction but also by the fact that they are often masked by dust and debris that occur as a result of the construction process.

Delayed or inadequate reclamation would also result in an irreversible and irretrievable loss of fossils, particularly the smaller, lighter remains, as they are easily displaced by water erosion.

Larger, more visible fossils could still be lost due to unauthorized collect during and possibly after construction, as they are more likely to be exposed. This could happen regardless of the presence of monitors during construction.

Environmental Consequences of the No Action Alternative:

Direct and Indirect Effects: There would be no new construction related impacts to fossil resources under the No Action Alternative. Without the increased human visitation and activity in the area that would accompany improved access and construction work, there would not be a potential increase in unauthorized collection as fossils would not be as exposed without the construction trenching. The slow natural exposure and loss due to natural weathering and erosion would likely continue as it has for centuries.

Cumulative Effects: The slow, natural loss of fossil resources as a result of natural weathering and some unknown level of unauthorized fossil collection would likely continue as it

has for a long time, centuries perhaps, resulting in a very slow irreversible and irretrievable loss of scientific data to the regional paleontological database. The loss is likely slow enough that periodic visits by interested paleontologists would identify and recover some of the scientific data and important fossil resources before the loss becomes too severe.

Mitigation: 1. 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.

2. 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.

3. Any excavations into the underlying native sedimentary rock must be monitored by a permitted paleontologist. The monitoring paleontologist must be present before the start of excavations that may impact bedrock.

VISUAL RESOURCES

Affected Environment: Visual resources are the visible physical features of a landscape that convey scenic value. Scenic values in the BLM White River Resource Area have been classified according to the Visual Resource Management (VRM) system, and VRM objectives were established in the 1997 White River ROD/RMP. The Proposed Action is located within a Visual Resource Management (VRM) Class III area. The objective of the VRM III classification is to partially retain the existing character of the landscape. The level of change to the characteristic landscape should be moderate. Management activities may attract attention but should not dominate the view of the casual observer. Changes should repeat the basic elements found in the predominant natural features of the characteristic landscape.

Generally, the landscape character in the project area of the Proposed Action consists of sloping and undulating terrain, with soft sloping sides and the occasional sharp line from rocky outcrops. This area consists of areas of exposed soils mixed with areas covered with sagebrush, grasses, and mixed stands of mountain shrub species. Color tones of the landscape are typical of the area, with a contrast of soil and vegetation. Generally the soils are tan and grey with dark and light green colors in the more heavily vegetated areas. Some existing roads, oil and gas facilities, and

utility ROWs have created impacts to the form, line, and color that affect the natural appearance of the landscape.

Environmental Consequences of the Proposed Action:

Direct and Indirect Effects: Implementation of the Proposed Action would cause some weak visual impacts, primarily through the removal of existing vegetation causing unnatural vegetation/soil color contrasts between the existing landscape and the proposed 30 ft wide, 12,285 ft long produced water pipeline ROWs. The Proposed Action follows areas with linear disturbances such as existing roads and ROWs, so the degree of sharp visual contrasts impact on the landscape would be incremental. The duration of visual contrast impact would also depend on the type of vegetation affected. In areas of existing exposed soils, the visual impacts would not be very noticeable at all. In grasslands, the visual impacts would be shorter in duration after reclamation efforts are complete, and vegetation has returned to its original state. Areas cleared of sagebrush and scrubs would cause the most visual impact, and these impacts could persist for years. The amount of unnatural soil/vegetation color contrasts would be greatly reduced after the construction phase is reclaimed and revegetated to the production phase. The overall level of change to the characteristic landscape would be low to moderate and the objectives of the VRM III classification would be retained.

Cumulative Effects: Combined with other ongoing oil and gas development activities in the area and existing visually impacts, the Proposed Action may begin to contribute to an increasingly impacted visual landscape.

Environmental Consequences of the No Action Alternative:

Direct and Indirect Effects: As the Proposed Action would not occur, no impacts are expected.

Cumulative Effects: None have been identified.

Mitigation: Restore the appearance of naturally rocky slopes and areas that have a natural gravel, cobble, or boulder veneer on the surface by layering or scattering rock across the ROW.

HAZARDOUS OR SOLID WASTES

Affected Environment: There are no known hazardous or other solid wastes on the subject lands. No hazardous materials are known to have been used, stored, or disposed of at sites included in the project area.

Environmental Consequences of the Proposed Action:

Direct and Indirect Effects: The proposed activities may use regulated materials and would generate some solid and sanitary wastes. The potential for harm to human health or the environment is presented by the risks associated with spills of fuel, oil and/or hazardous substances used during construction and operation of the pipelines. Other accidents and mechanical breakdowns of machinery are also possible.

Cumulative Effects: Construction and operation of these proposed pipelines would contribute some small amounts of hazardous materials to those already present as a result of the oil and gas activities in the area.

Environmental Consequences of the No Action Alternative:

Direct and Indirect Effects: No hazardous or other solid wastes would be generated under the No Action Alternative.

Cumulative Effects: Not implementing the Proposed Action would reduce the risk of harm to human health and/or the environment, but the No Action Alternative would not substantially result in a cumulative change to the resource area.

Mitigation: 1. As a reasonable and prudent ROW holder acting in good faith, the holder will report all emissions or releases that may pose a risk of harm to human health or the environment, regardless of a substance's status as exempt or nonexempt and regardless of fault, to the BLM WRFO (970) 878-3800.

2. As a reasonable and prudent ROW holder, acting in good faith, the holder will provide for the immediate clean-up and testing of air, water (surface and/or ground), and soils contaminated by the emission or release of any substance that may pose a risk of harm to human health or the environment, regardless of that substance's status as exempt or non-exempt. Where the holder fails, refuses, or neglects to provide for the immediate clean-up and testing of air, water (surface and/or ground), and soils contaminated by the emission or release of any quantity of a substance that poses a risk of harm to human health or the environment, the BLM WRFO may take measures to clean-up and test air, water (surface and/or ground), and soils at the holder's expense. Such action will not relieve the holder of any liability or responsibility.

3. Where required by law or regulation to develop a plan for the prevention of releases or the recovery of a release of any substance that poses a risk of harm to human health or the environment, the holder will provide a current copy of said plan to the BLM WRFO.

4. With the acceptance of this authorization, the commencement of operations under this authorization, or within thirty calendar days from the issuance of this authorization, whichever occurs first, the holder, and through its agents, employees, subcontractors, successors and assigns, stipulate and agree to indemnify, defend and hold harmless the United States Government, its agencies, and employees from all liability associated with the emission or release of substances that pose a risk of harm to human health or the environment.

5. All substances that pose a risk of harm to human health or the environment shall be stored in appropriate containers. Fluids that pose a risk of harm to human health or the environment, including but not limited to produced water, oil, or methanol, shall be stored in appropriate containers and in secondary containment systems sized at least 110 percent of the largest vessel's capacity. Secondary fluid containment systems, including but not limited to tank batteries, shall be lined with a minimum 24 mil impermeable liner.

6. 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.

7. The holder shall comply with all federal, state and/or local laws, rules, and regulations addressing the emission of and/or the handling, use, and release of any substance that poses a risk of harm to human health or the environment.

RANGELAND MANAGEMENT

Affected Environment: The proposed pipelines are located within two separate grazing allotments: West Shutta (06604) and Little Toms Draw (06603). Within the West Shutta allotment two pastures, Middle and South, would be affected by the produced water pipelines. In the West Shutta allotment, livestock run on the dates provided in Table 6 resulting in a total of 256 BLM animal unit months (AUMs). An AUM is the amount of forage required by one mature cow and one calf for one month or in this case, one horse for one month.

Table 6. West Shutta Allotment Grazing Schedule For the 2013 Grazing Season

Pasture	Livestock Kind	Date		% PL	BLM AUMs*
		On	Off		
South	Horse	25-Apr	15-May	100%	13
	Horse	25-Apr	15-May	100%	7
South	Horse	15-Jun	10-Jul	100%	26
South	Horse	21-Dec	1/31	100%	69
	Horse	21-Dec	1/31	100%	14
Middle	Horse	5-Nov	20-Dec	100%	29
	Horse	5-Nov	20-Dec	100%	15
	Horse	2-Oct	20-Dec	100%	83
TOTAL					256

The southern end of the Wray Gulch pasture in the Little Toms Draw allotment would be affected by the pipeline construction. Little Toms Draw is used entirely for lambing purposes in the spring. Table 7 provides dates when sheep use the Wray Gulch pasture of the allotment. A total of 247 AUMs would be temporarily affected by the construction of the produced water pipelines.

Table 7. Little Toms Draw Allotment Grazing Schedule For the 2013 Grazing Season

Pasture	Livestock Kind	Date		% PL	BLM AUMs*
		On	Off		
Wray Gulch	Sheep	15-Apr	31-May	80%	247

TOTAL					247
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Environmental Consequences of the Proposed Action:

Direct and Indirect Effects: Until produced water pipeline construction disturbance is successfully reclaimed there would be a short term minor forage loss. The short-term forage loss within the allotments are likely to be less than the annual fluctuation in forage production and are not expected to result in any need for changes in livestock numbers or grazing time periods. Reclamation of disturbed areas would likely offset the short-term forage loss on the allotments within two to three years through increased herbaceous production above current production levels.

The Proposed Action could interfere with proper functioning of the fence range improvements in the area. The fences in this area are necessary for control of horses and sheep to achieve grazing objectives on the grazing allotments and to keep horses and sheep from straying into the wrong grazing use area. Damage to fences or gates left open interfere with control of livestock and ultimately with proper utilization of the rangeland resource. These impacts would be greatest during the construction phases, especially if construction coincides with livestock use of the area.

Cumulative Effects: Road development and oil and gas development, which have the potential to impact rangeland management, would continue to occur. The Proposed Action would remove forage temporarily in the above mentioned grazing allotments. After project construction has been completed and grass/forb communities have returned, the Proposed Action would contribute to broader grass/forb corridors that would provide additional forage for livestock in the area.

Environmental Consequences of the No Action Alternative:

Direct and Indirect Effects: There would be no direct and/or indirect effects to rangeland management under the No Action Alternative.

Cumulative Effects: The No Action Alternative results in no produced water pipelines being constructed; this would result in no new disturbance to vegetation. With no vegetation disturbance occurring forage levels would not be reduced as a result of pipeline construction.

Mitigation: 1. Any fence crossings encountered on public land that are utilized in construction of the pipelines would require placement of a temporary cattle guard constructed to BLM specifications to keep livestock from straying into other areas.

2. Construction of the pipelines would involve at least one fence crossing on public land. Proper fence bracing and construction (to BLM standards, BLM Manual H-1741-1) must be in place when going through a fence so as to maintain proper wire tensions. The effectiveness (control of livestock) of these fences, including at these crossing points, must be maintained at all times during construction of the pipeline.

See the *Vegetation* section of this document for additional mitigation.

FLOODPLAINS, HYDROLOGY, AND WATER RIGHTS

Affected Environment: Portions of the pipelines would cross deeply incised drainages in Wray and Oil Well Gulches. These gulches are ephemeral systems and generally only flow with storm events.

Environmental Consequences of the Proposed Action:

Direct and Indirect Effects: After the pipeline is installed and reclamation is complete, there is the potential for flood events to expose the pipeline through channel scour at Wray and Oil Well Gulches. Based on Fogg and Hadley (2007), it is important that the pipeline is installed below any potential channel scour. In the absence of location specific modeling or analysis, installing the pipeline at least four feet below the active channel is likely to be adequate. If the pipeline is not installed deep enough, it could be exposed at some point and may require additional disturbance to re-install the pipeline at the correct elevation.

Cumulative Effects: Well pads in the general area (Wray Gulch, Oil Well Gulch, and Blacks Gulch, which are tributaries to the White River) have been and are likely to continue to be production in nature and occur on average at 12 well pads per square mile. Production of wells include surface disturbance for well pads, pipelines, roads, and support facilities. Livestock grazing is permitted in the area and dispersed recreation occurs on public and private lands in the area. These activities may reduce canopy cover and lead to localized erosion in floodplains. No other impacts other than oil and gas development, livestock, and recreation are expected in this area to affect hydrology, water rights, or floodplains.

Environmental Consequences of the No Action Alternative:

Direct and Indirect Effects: No impacts to floodplains, hydrology, or water rights would occur.

Cumulative Effects: Impacts would be similar to those described for the No Action Alternative.

Mitigation: The holder will install the pipeline at least four feet below the active channel bottom on the Wray Gulch and Oil Well Gulch crossings to protect the pipeline from potential channel scour. Substrate in these sections will be segregated from other spoils and be replaced in a first out, last in method to maintain channel composition, bedload size, and distribution on channel bottoms.

REALTY AUTHORIZATIONS

Affected Environment: The produced water pipelines would transport off-unit produced water; therefore, a right-of-way is required. The following table describes the existing ROWs in the area of the proposed produced water pipelines.

Table 8. Existing ROWS In the Project Area

Case File	Holder	Authorized Use
COC13159	Public Service Company of Colorado	Natural gas pipeline
COC21999		
COC50052		
COC39343	White River Electric Association	Power line
COC50066	Koch Exploration Company	Access road
COC57750		Access road
COC62191		Natural gas pipeline
COC63391		Natural gas pipeline
COC74695		Natural gas pipeline
COC75108		WRD #29-33 water disposal well
COC65002	South-Tex Treaters	Compressor station
COC68753	NC Telecom	Aerial fiber optic
COC70840	PCH, LLC	Access road

Environmental Consequences of the Proposed Action:

Direct and Indirect Effects: The right-of-way (ROW) for the produced water pipeline (COC75533) from the WRD #19-31 to the WRD #19-21 to the existing pipeline would be 2,861 ft long, 30 ft wide, and contain 1.97 acres. The ROW for the produced water pipeline (COC75537) from the Ant Hill #6-11D (on private) well to the WRD #29-33 disposal well would be 9,424 ft long, 30 ft wide, and contain 6.49 acres. No additional work areas would be necessary. Damage to the facilities or rights of existing ROW holders could occur if construction activities are not properly planned and other ROW facilities are not properly identified prior to construction. If accurate “as built” mapping is not provided to BLM, conflicts may develop in the future with other ROW holders.

Cumulative Effects: As the number of ROW holders in the project area increases so would competition for suitable locations for facilities. Increased ROW densities would also lead to a higher probability of conflict between ROW users.

Environmental Consequences of the No Action Alternative:

Direct and Indirect Effects: Failure to authorize the proposed project would not result in any increased impacts to realty authorizations in the area.

Cumulative Effects: There would not be any cumulative effects from not authorizing the proposed project.

Mitigation: 1. All activities would be required to 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, implementing all applicable mitigation measures required by each permit, and effectively coordinating with existing facility ROW holders.

2. 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 ROW and all constructed infrastructure, 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 Universal Transverse Mercator (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.

3. Construction activity should take place entirely within the areas authorized in the ROW grants.

4. At least 90 days prior to termination of the ROW, the holder shall contact the AO to arrange a joint inspection of the ROW. The inspection will result in the development of an acceptable termination and rehabilitation plan submitted by the holder. This plan shall include, but is not limited to, removal of facilities, drainage structures, and surface material (e.g., gravel or concrete), as well as final recontouring, spreading of topsoil, and seeding. The Authorized Officer must approve the plan in writing prior to the holder's commencement of any termination activities.

RECREATION

Affected Environment: The Proposed Action occurs within the White River Extensive Recreation Management Area (ERMA). BLM custodially manages the ERMA to provide for unstructured recreation activities such as hunting, dispersed camping, hiking, horseback riding, wildlife viewing, and off-highway vehicle (OHV) use. On BLM-administered lands, the Recreation Opportunity Spectrum (ROS) is a classification system and a prescriptive tool for recreation planning and management. ROS settings within the WRFO ERMA are not specified for the proposed produced water line routes. However, the project area most closely resembles the Recreation Opportunity Spectrum (ROS) class of Roaded Natural (RN). RN settings are characterized by a natural environment with evidence of rural residences and agricultural land uses. Resource manipulations are noticeable and are harmonious with the natural environment, but substantial modifications may be encountered. The areas provide about equal opportunities for interaction with other visitors and to experience isolation from the sights and sounds of humans.

Recreation use in the project area is overall low. The upland areas within the project area have public vehicle access via BLM and Rio Blanco County roads. Public access in some portions of the Proposed Action is limited by private lands and fluid mineral developments. What recreation activity there is occurs primarily during big game hunting season, with a very low amount of recreational OHV use in the summer months.

Environmental Consequences of the Proposed Action:

Direct and Indirect Effects: During construction of the produced water pipelines, the public may temporarily lose some dispersed recreation potential. Traffic, noise, human activity,

and dust would temporarily increase and could affect the quality of some users' recreational experiences within the project area. Increased contact between recreationists and construction crews, the sights and sounds associated with construction activities, and a less naturally appearing environment near the project area would be temporary due to the constant movement of construction crews, dispersed nature of construction activities, and implementation of a restoration program after construction has been completed. During construction, the public would most likely not recreate near the project and would disperse elsewhere.

Cumulative Effects: Combined with other ongoing oil and gas development activities, the Proposed Action may incrementally contribute to reduced opportunities for dispersed recreation and increased wildlife displacement.

Environmental Consequences of the No Action Alternative:

Direct and Indirect Effects: Since the Proposed Action would not occur, no effects to recreation are expected.

Cumulative Effects: None have been identified.

Mitigation: None have been identified.

ACCESS AND TRANSPORTATION

Affected Environment: Access to the proposed project area requires utilizing private, BLM, and county roads. Primary access to the project area is from State Highway 64 approximately 20 miles west of Meeker, Colorado. Then access would be on a combination of private roads, County Road 142, and BLM Roads 1753, 1753A, and 1754. These roads are mostly used for oil and gas production with less use by local ranching operations and dispersed recreation visitors.

Environmental Consequences of the Proposed Action:

Direct and Indirect Effects: Some portions of existing roads and ROWs would be used to perform construction activities and where this occurs it is likely there may be minor disruptions and delays to the normal flow of traffic along the above named roads. This effect would be temporary and overall short in duration occurring only during construction and reclamation activities. There should be no reduction in access to public lands by implementing the proposed action.

Cumulative Effects: None have been identified.

Environmental Consequences of the No Action Alternative:

Direct and Indirect Effects: Since the Proposed Action would not be implemented, no effects to access and transportation are anticipated.

Cumulative Effects: None have been identified.

Mitigation: The project proponent will ensure that through traffic along all BLM roads remains open at all times and will also ensure that traffic delays due to project construction along BLM roads last no longer than ten minutes at any one time. The project proponent will post signs at the beginning of the BLM roads in the project area alerting the public of possible delays due to construction activities. The project proponent will also remove these signs upon completion of the project.

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TRIBES, INDIVIDUALS, ORGANIZATIONS, OR AGENCIES CONSULTED:

State Historic Preservation Office and Rio Blanco County

INTERDISCIPLINARY REVIEW:

Name	Title	Area of Responsibility	Date Signed
Bob Lange	Hydrologist	Air Quality; Surface and Ground Water Quality; Floodplains, Hydrology, and Water Rights; Soils	1/17/2013
Amber Shanklin	Biological Technician – Plants	Areas of Critical Environmental Concern; Special Status Plant Species;	8/1/2012

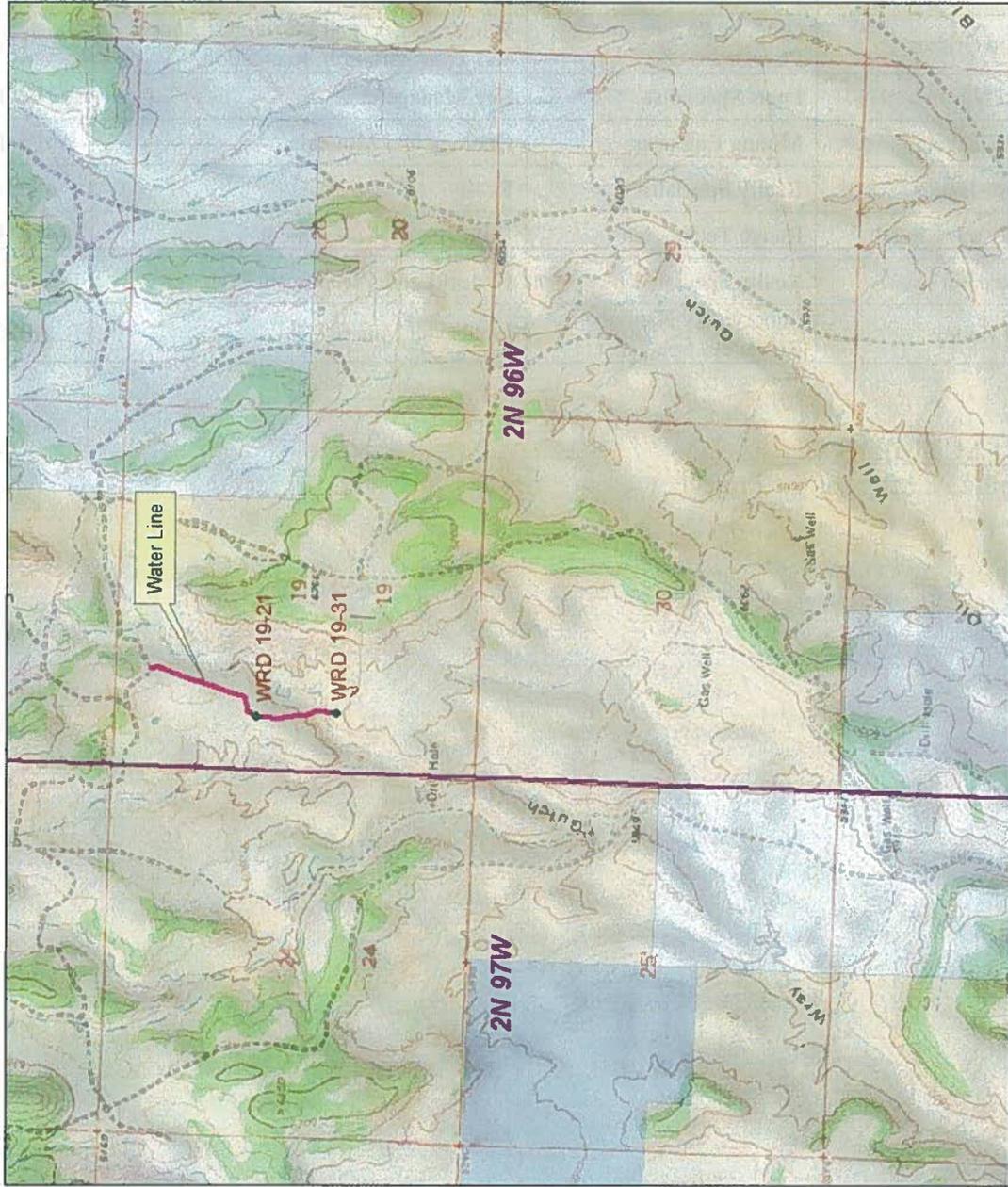
Name	Title	Area of Responsibility	Date Signed
		Forest Management	
Michael Selle	Archaeologist	Cultural Resources; Native American Religious Concerns; Paleontological Resources	2/4/2013
Heather Woodruff	Rangeland Management Specialist	Invasive, Non-Native Species; Vegetation; Rangeland Management	12/18/2012
Laura Dixon	Wildlife Biologist	Migratory Birds; Special Status Animal Species; Terrestrial and Aquatic Wildlife; Wetlands and Riparian Zones	12/18/2012
Stacey Burke	Realty Specialist	Hazardous or Solid Wastes	1/14/2013
Aaron Grimes	Outdoor Recreation Planner	Wilderness; Visual Resources; Access and Transportation; Recreation,	12/17/12
Scott Nilson	Fuels Specialist	Fire Management	12/13/2012
Paul Daggett	Mining Engineer	Geology and Minerals	12/13/2012
Stacey Burke	Realty Specialist	Realty	1/14/2013
Melissa J. Kindall	Range Technician	Wild Horse Management	12/14/2012
Stacey Burke	Realty Specialist	Project Lead – Document Preparer	2/12/2013
Paul Kelley	Supervisory Natural Resources Specialist	Lands and Minerals	3/6/2013

ATTACHMENTS:

Exhibit A: Maps of the Project

Koch Exploration Water Line from WRD 19-31 to WRD 19-21 to Tie In T2N, R96W, sec. 19

Exhibit A



- ◆ Koch wells
- COC75S33
- PLSS_Townships_GCDB200

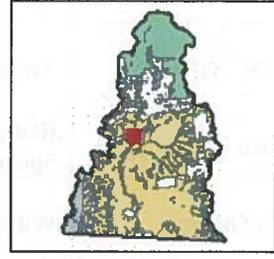


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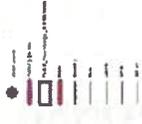
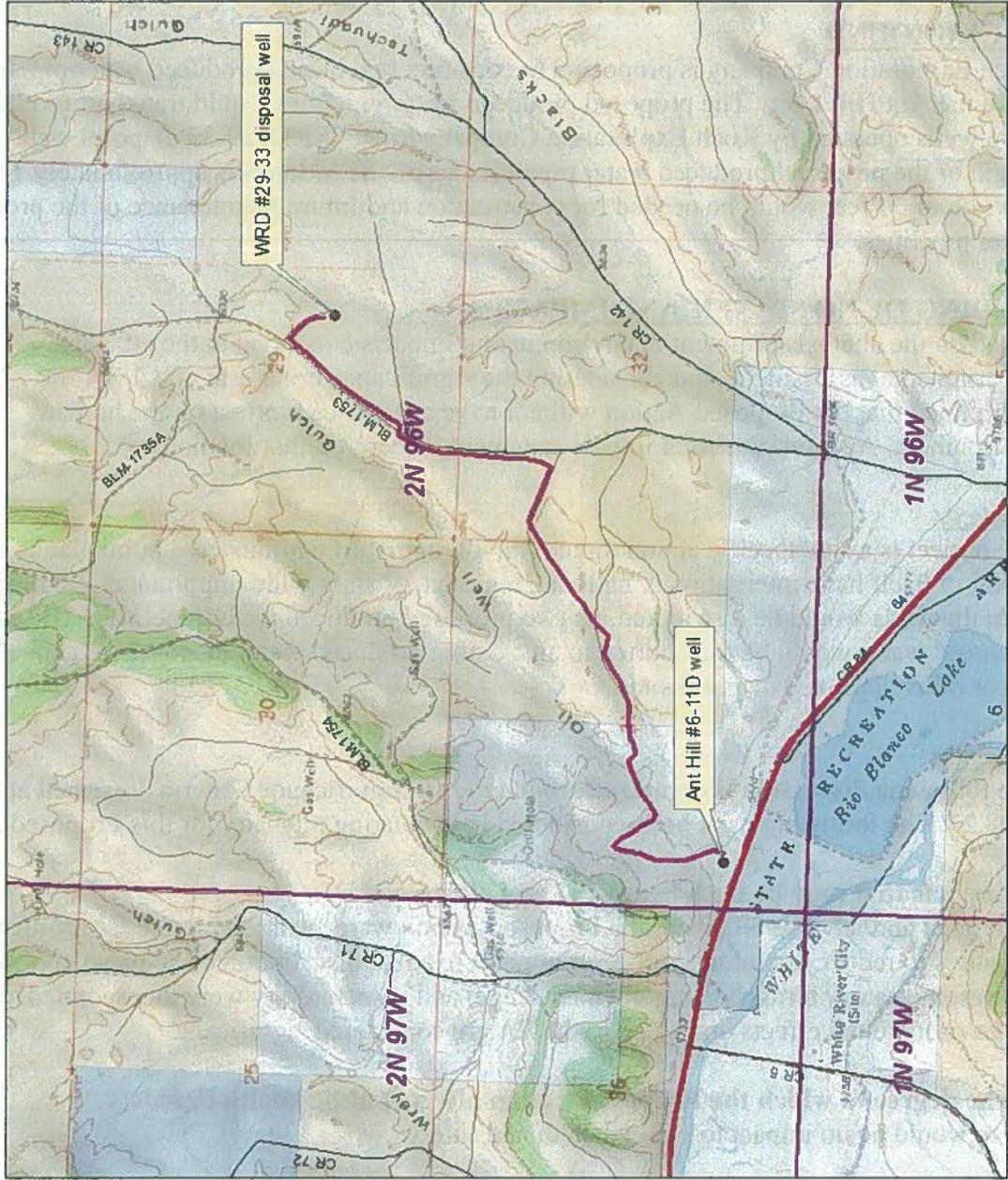


June 2012



COC75537 Water Line from Ant Hill #6-11D Well to WRD #29-33 Disposal Well

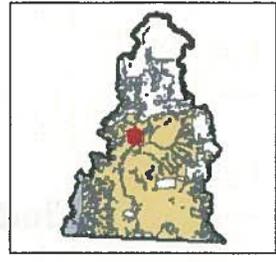
Exhibit A



Source:
BLM, USGS, CIP, etc.
Disclaimer:
Although the data provided herein was prepared by the map maker, the user assumes all responsibility for the use of the information in this data package. We do not warrant the accuracy, completeness or propriety of such warranty.



December 2012



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

**Finding of No Significant Impact (FONSI)
DOI-BLM-CO-110-2012-0112-EA**

BACKGROUND

Koch Exploration Company is proposing to construct two buried produced water pipelines to serve the Ant Hill Unit. The proposed produced water pipelines would transport produced water from wells operated by Koch Exploration Company to the WRD#29-33 disposal well. The total length of the proposed produced water pipelines across BLM lands is approximately 12,285 feet. A width of 30 feet would be needed for construction and future maintenance of the produced water pipelines.

FINDING OF NO SIGNIFICANT IMPACT

Based on the analysis of potential environmental impacts contained in the attached environmental assessment, and considering the significance criteria in 40 CFR 1508.27, I have determined that the Proposed Action will not have a significant effect on the human environment. An environmental impact statement is therefore not required.

Context

The project is a site-specific action directly involving BLM administered public lands that do not in and of itself have international, national, regional, or state-wide importance. Produced water from the wells would be distributed via two proposed produced water pipelines. Ultimately, the produced water would be transported to an existing produced water disposal well site (WRD 29-33) or other approved disposal sites.

Intensity

The following discussion is organized around the 10 Significance Criteria described at 40 CFR 1508.27. The following have been considered in evaluating intensity for this Proposed Action:

1. Impacts that may be both beneficial and adverse.

Beneficial and adverse effects of the Proposed Action were described in the EA. Mitigating measures to reduce potential short-term impacts to soils, distribution of invasive non-native species, migratory birds, big game winter range, and paleontology were incorporated. None of the environmental effects discussed in the EA are considered significant.

2. The degree to which the Proposed Action affects public health or safety.

There would be no impact to public health and safety.

3. Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.

No prime farmlands, parklands, ecologically critical areas or scenic rivers occur in the project area. A Class III Cultural Resource inventory identified cultural resources in the proposed areas of disturbance. None of these elements would be significantly impacted because mitigation measures would reduce any potential effects.

4. Degree to which the possible effects on the quality of the human environment are likely to be highly controversial.

The decision for issuing rights-of-way is not unique. Right-of-way decisions have been made in this area by this field office for many years. No comments or concerns have been received regarding possible effects on the quality of the human environment during the public comment period.

5. Degree to which the possible effects on the quality of the human environment are highly uncertain or involve unique or unknown risk.

The project is not unique or unusual in this area. The BLM has been making decisions on similar actions for many years. No highly uncertain or unknown risks to the human environment were identified during analysis of the Proposed Action.

6. Degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.

The Proposed Action was considered in the context of past, present, and reasonably foreseeable actions. The Proposed Action neither establishes a precedent for future BLM actions with significant effects nor represents a decision in principle about a future consideration. Similar proposals to construct produced water pipelines have been evaluated and approved, so authorization to issue the right-of-way for produced water pipelines would not set a precedent for future actions.

7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.

The Proposed Action was considered in the context of past, present, and reasonably foreseeable actions. No cumulative impacts related to other actions that would have a significant adverse impact were identified or are anticipated.

8. The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed on the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.

Inventories have been completed for historic and cultural resources in the area and potential impacts to districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or potential loss or destruction of significant scientific, cultural, or historic resources have been identified. Mitigation developed through consultation with SHPO has been provided to protect any cultural resources and potential adverse effects have been mitigated. If any previously unknown cultural resources are located during construction of the pipelines, construction would stop and the BLM would be notified.

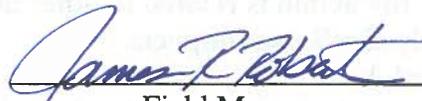
9. The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act (ESA) of 1973.

All known threatened, endangered, candidate, or sensitive species were considered in the EA. No special status plant species concerns have been identified. 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 wells 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-ft 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.

10. Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.

Neither the Proposed Action nor impacts associated with it violate any laws or requirements imposed for the protection of the environment.

SIGNATURE OF AUTHORIZED OFFICIAL:


Field Manager

DATE SIGNED:

3/6/2013

**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: Koch Exploration Water Pipelines

ENVIRONMENTAL ASSESSMENT NUMBER: DOI-BLM-CO-2012-0112-EA

DECISION

It is my decision to implement the Proposed Action (Alternative A), as mitigated in DOI-BLM-CO-2012-0112-EA, authorizing the construction, operation, and maintenance of two buried produced water pipelines to serve the WRD Federal #19-31 well, the WRD Federal #19-21 well, the Ant Hill #6-11D well (on private), and the WRD #29-33 water disposal well.

Mitigation Measures

Design Features (Applicant Proposed Mitigation):

1. Construction Phase:

- Topsoil from trenching would be stockpiled and contained within the ROW during construction.
 - a. When the pipeline has been installed in the trench, stockpiled topsoil would be returned to the trench to bury the pipeline and to match the original contour of the land.
- Trash and debris would be collected from the area surrounding the ROW upon completion of construction and will be hauled to an approved landfill.
- The ROW would be seeded with the approved BLM seed mix during the fall season following completion of construction of the pipeline. The seed mixture is shown in Table 1.

Table 1: Seed Mix

Variety	Common Name	Scientific Name	Rate (PLS)/ac.
Rosana	Western Wheatgrass	<i>Pascopyrum smithii</i>	4.5
Critana	Thickspike Wheatgrass	<i>Elymus lanceolatus</i>	3.5
Rimrock	Indian Ricegrass	<i>Achnatherum hymenoides</i>	2
Toe Jam Creek	Bottlebrush Squirreltail	<i>Elymus Elymoides</i>	3
	Scarlet Globemallow	<i>Sphaeralcea coccinea</i>	0.5
	Sulphur Flower Buckwheat	<i>Eriogonum umbellatum</i>	1.5

	Winterfat	<i>Krascheninnikovia lanata</i>	1
	Annual Sunflower	<i>Helianthus annuus</i>	1.5

2. Abandonment Phase:

- Upon final abandonment of the pipeline project, the pipe would be left in place and displaced with hot water unless determined otherwise by the Authorized Officer.
- The ROW would be inspected and evaluated to determine if the interim reclamation work that had been done subsequent to pipeline construction is sufficient for final reclamation. Reclamation would be considered successful when vegetation within the reclaimed ROW supports non-noxious plants that are similar in density and cover to those growing on adjacent undisturbed lands.

BLM Required Mitigation:

1. In order to protect public health standards for soils, erosion features such as rilling, gullyng, piping and mass wasting on the surface disturbance or adjacent to the pipeline ROW as a result of this action will be addressed immediately after observation by contacting the AO and by submitting a plan to assure successful soil stabilization with BMPs to address erosion problems.

2. Due to severe rutting hazards for soils in this area, all construction activity shall cease when soils or road surfaces become saturated to a depth of three inches unless approved by the Authorized Officer.

3. Due to potential difficulties in establishing vegetation during reclamation for some of the soils in the project area, topsoil will not be removed under areas used for the storage of soils and, if possible, topsoil will not be removed from working surfaces. Under no circumstances will topsoil be used as padding in the trench, to fill sacks for trench breakers, or for any other use as construction material.

4. If, after initial construction activities are completed and if soil productivity is diminished from its pre-disturbance condition, then reseeding, hydro-mulching or other efforts will be initiated to re-establish soil productivity during reclamation activities.

5. After pipeline construction activities are completed, Koch Energy will 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.

6. Seeding will commence immediately after completion of construction at the first appropriate seeding window (September 1 to March 15) using the applicant proposed Native Seed Mix #1.

7. Seed mixture rates are Pure Live Seed (PLS) pounds per acre. Drill seeding is the preferred method of application. If drill seeding cannot be accomplished, seed should be broadcast at double the rate used for drill seeding.

8. The holder will use seed that is certified and free of noxious weeds. All seed tags will be submitted within 14 calendar days from the time the seeding activities have ended. The notification will include the purpose of the seeding activity (i.e., seeding reclaimed pipeline disturbance, etc.). In addition, the notification will include the case file number for the ROW associated with the seeding activity, if applicable, the name of the contractor that performed the work, his or her phone number, the method used to apply the seed (e.g., broadcast, hydro-seeded, drilled), an estimate of the total acres seeded, an attached map that clearly identifies all disturbed areas that were seeded, and the date the seed was applied.
9. The holder may refer to the White River Field Office Surface Reclamation Plan document for more specific recommendations for soil handling and reclamation of the pipelines.
10. All equipment used for construction of the project will be washed prior to being brought onto the project area to prevent seeds from being transported on site from other areas.
11. The holder will implement an integrated weed management plan according to BLM Manual 9015-Integrated Weed Management (BLM 1992). Prior to pipeline construction, the holder shall submit Pesticide Use Proposals (PUPs), for the use of herbicides appropriate for control/eradication of the known noxious and invasive nonnative species in and around the project area, to the AO.
12. Construction activities associated with ROW COC75537 will take place outside the greater sage-grouse lekking and brood rearing period of March 15 to July 7.
13. No construction activities associated with the Proposed Action will be authorized to occur during the migratory bird nesting season from May 15 to July 15.
14. No construction activities associated with the Proposed Action will be permitted to take place from December 1 to April 30 to avoid impacts to mule deer in severe winter range.
15. The holder will deter vehicular use of the ROW in the previously undisturbed habitat from the WRD Federal #19-31 well to the WRD Federal #19-21 during reclamation and the life of the project using a BLM approved method.
16. 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.
17. 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.

18. 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.

19. 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.

20. 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.

21. Any excavations into the underlying native sedimentary rock must be monitored by a permitted paleontologist. The monitoring paleontologist must be present before the start of excavations that may impact bedrock.

22. The holder shall restore the appearance of naturally rocky slopes and areas that have a natural gravel, cobble, or boulder veneer on the surface by layering or scattering rock across the ROW.

23. As a reasonable and prudent ROW holder acting in good faith, the holder will report all emissions or releases that may pose a risk of harm to human health or the environment, regardless of a substance's status as exempt or nonexempt and regardless of fault, to the BLM WRFO (970) 878-3800.

24. As a reasonable and prudent ROW holder, acting in good faith, the holder will provide for the immediate clean-up and testing of air, water (surface and/or ground), and soils contaminated by the emission or release of any substance that may pose a risk of harm to human health or the environment, regardless of that substance's status as exempt or non-exempt. Where the holder fails, refuses, or neglects to provide for the immediate clean-up and testing of air, water (surface and/or ground), and soils contaminated by the emission or release of any quantity of a substance

that poses a risk of harm to human health or the environment, the BLM WRFO may take measures to clean-up and test air, water (surface and/or ground), and soils at the holder's expense. Such action will not relieve the holder of any liability or responsibility.

25. Where required by law or regulation to develop a plan for the prevention of releases or the recovery of a release of any substance that poses a risk of harm to human health or the environment, the holder will provide a current copy of said plan to the BLM WRFO.

26. With the acceptance of this authorization, the commencement of operations under this authorization, or within thirty calendar days from the issuance of this authorization, whichever occurs first, the holder, and through its agents, employees, subcontractors, successors and assigns, stipulate and agree to indemnify, defend and hold harmless the United States Government, its agencies, and employees from all liability associated with the emission or release of substances that pose a risk of harm to human health or the environment.

27. All substances that pose a risk of harm to human health or the environment shall be stored in appropriate containers. Fluids that pose a risk of harm to human health or the environment, including but not limited to produced water, oil, or methanol, shall be stored in appropriate containers and in secondary containment systems sized at least 110 percent of the largest vessel's capacity. Secondary fluid containment systems, including but not limited to tank batteries, shall be lined with a minimum 24 mil impermeable liner.

28. 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.

29. The holder shall comply with all federal, state and/or local laws, rules, and regulations addressing the emission of and/or the handling, use, and release of any substance that poses a risk of harm to human health or the environment.

30. Any fence crossings encountered on public land that are utilized in construction of the pipelines would require placement of a temporary cattle guard constructed to BLM specifications to keep livestock from straying into other areas.

31. Construction of the pipelines would involve at least one fence crossing on public land. Proper fence bracing and construction (to BLM standards, BLM Manual H-1741-1) must be in place when going through a fence so as to maintain proper wire tensions. The effectiveness (control of livestock) of these fences, including at these crossing points, must be maintained at all times during construction of the pipeline.

32. The holder will install the pipeline at least four feet below the active channel bottom on the Wray Gulch and Oil Well Gulch crossings to protect the pipeline from potential channel scour. Substrate in these sections will be segregated from other spoils and be replaced in a first out, last in method to maintain channel composition, bedload size, and distribution on channel bottoms.

33. All activities would be required to 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, implementing all applicable mitigation measures required by each permit, and effectively coordinating with existing facility ROW holders.

34. 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 ROW 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 Universal Transverse Mercator (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.

35. Construction activity should take place entirely within the areas authorized in the ROW grants.

36. At least 90 days prior to termination of the ROW, the holder shall contact the AO to arrange a joint inspection of the ROW. The inspection will result in the development of an acceptable termination and rehabilitation plan submitted by the holder. This plan shall include, but is not limited to, removal of facilities, drainage structures, and surface material (e.g., gravel or concrete), as well as final recontouring, spreading of topsoil, and seeding. The Authorized Officer must approve the plan in writing prior to the holder's commencement of any termination activities.

37. The holder will ensure that through traffic along all BLM roads remains open at all times and will also ensure that traffic delays due to project construction along BLM roads last no longer than ten minutes at any one time. The holder will post signs at the beginning of the BLM roads in the project area alerting the public of possible delays due to construction activities. The holder will also remove these signs upon completion of the project.

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.

ENVIRONMENTAL ANALYSIS AND FINDING OF NO SIGNIFICANT IMPACT

The Proposed Action was analyzed in DOI-BLM-CO-2012-0112-EA and it was found to have no significant impacts, thus an EIS is not required.

PUBLIC INVOLVEMENT

Scoping was the primary mechanism used by the BLM to initially identify external and internal issues related to the Proposed Action. Internal scoping was initiated when the project was

presented to the White River Field Office (WRFO) interdisciplinary team on July 24, 2012. External scoping was conducted by posting this project on the White River Field Office's (WRFO's) on-line National Environmental Policy Act (NEPA) register on July 24, 2012. As of February 28, 2013, no comments have been received.

RATIONALE

Analysis of the Proposed Action has concluded that there are no significant negative impacts and that it meets Colorado Standards for Public Land Health. Additionally, authorization to construct the produced water pipelines would allow the transportation of produced water to the existing WRD #29-33 water disposal well.

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: 3/6/2013

