

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

## Section 390

# Categorical Exclusion for Oil and Gas Development

**NUMBER:** DOI-BLM-CO-110-2013-0089-CX

**CASEFILE/PROJECT NUMBER:** COC63934

**PROJECT NAME:** Expansion of EnCana's A11 2100 Well Pad

**LEGAL DESCRIPTION:** T. 2 S., R. 100 W., Sec. 11., 6<sup>th</sup> Principle Meridian

**APPLICANT:** EnCana Oil and Gas (USA) Inc.

**DESCRIPTION OF PROPOSED ACTION:** The applicant proposes to expand the existing A11 2100 well pad to allow for adequate working area for drilling and completion activities (Figure 1). Pad expansion will require approximately 4 acres of disturbance to enlarge the existing location. The disturbance footprint for the existing location is approximately 4 acres, and the applicant proposes to increase the disturbance footprint to approximately 8 acres.

**The following justification for the expansion was provided:** "What was originally submitted was accurate. Please keep in mind this permit was submitted in August 2011, so some of our operational needs have changed since then. The most significant difference is the rig we originally planned to use at the time of submittal has changed. The rig we will use to drill these wells has a larger footprint. From a safety standpoint this expansion will allow there to be more space for the rig footprint and allow more room for traffic onto and off of the pad. In addition there will be completions activity during this time as well, making the current pad size inadequate. "

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

**Name of Plan:** White River Record of Decision and Approved Resource Management Plan (ROD/RMP).

**Date Approved:** July 1, 1997

Decision Number/Page: Page 2-5

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

CATEGORICAL EXCLUSION REVIEW: The Energy Policy Act of 2005 (P.L. 109-58) prescribed five categorical exclusions (CX) for activities whose purpose is for the exploration of oil or gas.

The Proposed Action qualifies as a categorical exclusion under the Section 390 of the Energy Policy Act, #1: *“Individual surface disturbances of less than five acres so long as the total surface disturbance on the lease is not greater than 150 acres and site-specific analysis in a document prepared pursuant to the NEPA has been previously completed.”*

Documentation

The BLM NEPA Handbook (H-1790-1) provides specific instructions for using this CX.

**1) Is surface disturbance associated with the Proposed Action less than five acres?**

Yes. Expanding the existing location would result in approximately 4 acres of surface disturbance.

**2) Is there less than 150 acres of surface disturbance, including the Proposed Action, on the entire leasehold?**

Estimates of surface disturbance within the lease (COC 056840 at the surface location) that are most likely attributed to oil and gas activities equal approximately 100 acres. This area represents 6 percent of the total area of the lease, which is approximately 1,600 acres in size. There are approximately 94 acres of road and pipeline corridors, and existing well pad locations occupy approximately 6 acres within the lease.

**3) Is the Proposed Action within the boundaries of an area included in a site-specific NEPA document? (The NEPA document must have analyzed the exploration and/or development of oil and gas (not just leasing) and the action/activity being considered must be within the boundaries of the area analyzed in the environmental assessment (EA) or environmental impact statement (EIS). The NEPA document need not have addressed the specific permit or application being considered.)**

Yes. DOI-BLM-CO-110-2012-022-EA was signed on 2/28/2013 and analyzed the construction of the existing well pad, and the access and pipeline corridors. In addition, this document included the review of perceived impacts related to drilling natural gas wells and the installation of pipelines.

INTERDISCIPLINARY REVIEW: The Proposed Action was presented to, and reviewed by, the White River Field Office interdisciplinary team on 6/4/2013. A list of resource specialists who participated in this review is available upon request from the White River Field Office. The table below lists resource specialists who provided additional remarks concerning cultural resources and special status species.

Name	Title	Resource	Date
Michael Wolfe	Archaeologist	Cultural Resources, Native American Religious Concerns	7/2/2013
Lisa Belmonte	Wildlife Biologist	Special Status Wildlife Species	7/2/2013
Heather Woodruff	Rangeland Management Specialist	Special Status Plant Species	7/2/2013

**REMARKS:**

*Cultural Resources:* The area of expansion of EnCana’s A11 2100 well pad has been inventoried at the Class III level (intensive) (Conner and Darnell 2011). No historic properties are present within the proposed area of potential effect.

*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.

*Threatened and Endangered Wildlife Species:* The proposed pad expansion would result in the long-term loss of approximately four additional acres of mixed mountain shrub habitat adjacent to an existing well pad. Construction is scheduled to take place in early July and would involve the tail end of the migratory bird nesting season. However, the possibility of this area supporting nesting birds is extremely unlikely due mainly to its proximity to the existing pad and the activity that is currently ongoing. The Proposed Action is not expected to have any additional impacts to wildlife than those addressed in the original document. Impacts to terrestrial and aquatic wildlife, including special status species were adequately addressed in DOI-BLM-CO-110-2012-022-EA.

*Threatened and Endangered Plant Species:* The pad expansion for EnCana’s A11 2100 well pad falls within the Section 7 range for *Physaria obcordata*, Dudley Bluffs Twinpod a federally threatened plant species protected under ESA. However, there are no known occupied locations within 600 meters of the proposed pad expansion. There are occupied populations of *Lesquerella parviflora* (Piceance bladderpod), a BLM sensitive plant species, within 1.7 miles and 2.7 miles of the pad. Special status plant surveys identified 15 acres of suitable habitat for Piceance bladderpod 1.9 miles northwest from the pad (WestWater Engineering, 2012). Though there are Piceance bladderpod populations located near the Proposed Action there should be no conceivable direct impacts to those populations because of the actual distance to those locations. In the future any additional activities requiring disturbance may require a special status plant species survey.

**REFERENCES CITED:**

Conner, Carl E. and Nicole Darnell  
 2011 Class III Cultural Resource Inventory Report for the Proposed BHDU A11 2100, and Linear Route In Rio Blanco County, Colorado for Encana Oil and

Gas (USA) (BLM # 11-11-34) RB.LM.R1275. Ms. On file at BLM-White River Field Office, Meeker, Colorado.

**WestWater Engineering**

2012 Special Status Species of Plants and Noxious Weed Report, Encana Oil and Gas USA, Inc. A11-2100 Well Pad and Pipeline Piceance Basin, Rio Blanco County, CO. Grand Junction, CO, June 2012

**MITIGATION:** The following mitigation was identified in DOI-BLM-CO-110-2012-0022-EA and applies to this application:

1. In order to monitor construction activity and reclamation, the BLM WRFO requires notification of the following activities to the designated Natural Resource Specialist:

<b>Activity</b>	<b>Timeframe</b>	<b>Method</b>
Construction <sup>1</sup>	24 hrs prior	Sundry Notice <u>and</u> either Email or Phone
Reclamation <sup>2</sup>		Email or Phone

<sup>1</sup> Construction-related activities may include, but are not limited to, pad and road construction, pad expansion, clearing pipeline corridors, trenching, recontouring, etc. The Sundry Notice will include the well pad name, location, and date of construction.

<sup>2</sup> Reclamation activities may include, but are not limited to, seed bed preparation that requires disturbance of surface soils, seeding, or constructing exclosures (e.g., fences) to exclude livestock from reclaimed areas.

**Migratory Birds**

2. No pipeline development activity would be permitted from May 15 to July 15 on cross country portions of the pipeline route defined by the following legal subdivisions: T2S R99W: Sections 5, 8, and 17.

**Terrestrial Wildlife**

3. Pipeline right-of-way clearing and installation activity would be prohibited on big game severe winter range from one December through 30 April as defined by the following legal subdivisions: T2S R99W sections 5, 6, 8, and 17.
4. Pipeline right-of-way clearing and installation would be prohibited during the sage-grouse reproductive period of 15 March through seven July on the following lands:  
T2S R99W  
Section 8: SESW;  
Section 17: E1/2.
5. To promote the redevelopment of sagebrush-dominated shrublands best suited for sage-grouse, pipeline clearing operations should, where consistent with other resource values, remain at full width and adjacent to, but discrete from parallel pipeline disturbance in the following legal subdivisions:  
T2S R99W  
Section 5: SWSW;  
Section 8: W2NW, NWSW;  
Section 17: S2NWNE, S2NE, E2SE.

It is suggested that this strategy be applied to the pipeline corridor on private lands west of and including the NESW of section 6, T2S R99W.

6. The applicant will be responsible for deterring any subsequent vehicle use of the pipeline corridor that deviates from existing roads on the following lands:

T2S R99W

Section 5: SWSW;

Section 8: W2NW, NWSW;

Section 17: S2NWNE, S2NE, NESE.

The method(s) selected by the applicant must be approved by the WRFO Manager.

#### Wild Horses

7. It is necessary for the company to make pre-construction contact with the WRFO in order to determine if any of the following mitigation is warranted: In order to protect wild horses within this area, development activities may be delayed for a period in excess of 60 days during the spring foaling period between March 1 and June 15. The lessee may also be required to perform special conservation measures within this area including: 1) habitat improvement projects in adjacent areas if development displaces wild horses from critical habitat, 2) disturbed watering areas would be replaced with an equal source of water having equal utility, and 3) activity/ improvements would provide for unrestricted movement of wild horses between summer and winter ranges.

#### Cultural Resources

8. The operator 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.
9. 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 Authorizing Official (AO). The applicant 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 applicant, 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.
10. Pursuant to 43 CFR 10.4(g), the operator 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 permittee 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

On the BLM administered surface the following mitigation is required. On the private land in T2S, R100W, Sections one, 11, and 12, the BLM can request but not require the following mitigation:

11. Any excavations into the underlying native sedimentary stone must be monitored by a permitted paleontologist. The monitoring paleontologist must be present before the start of excavations that may impact bedrock.
12. The operator is responsible for informing all persons who are associated with the project operations that they will be subject to prosecution for disturbing or collecting vertebrate fossils, collecting large amounts of petrified wood (over 25lbs./day, up to 250lbs./year), or collecting fossils for commercial purposes on public lands.
13. If any paleontological resources are discovered as a result of operations under this authorization, the operator or any of his agents must stop work immediately at that site, immediately contact the BLM Paleontology Coordinator, and make every effort to protect the site from further impacts, including looting, erosion, or other human or natural damage. Work may not resume at that location until approved by the AO. The BLM or designated paleontologist will evaluate the discovery and take action to protect or remove the resource within 10 working days. Within 10 days, the operator will be allowed to continue construction through the site, or will be given the choice of either (a) following the Paleontology Coordinator's instructions for stabilizing the fossil resource in place and avoiding further disturbance to the fossil resource, or (b) following the Paleontology Coordinator's instructions for mitigating impacts to the fossil resource prior to continuing construction through the project area.
14. Compliance with these mitigation measures would be at the discretion of the land owners. Any fossil recovered would remain the property of the land owners unless they chose to donate them to a museum or other education institution.

### Rangeland Management

15. Any gates or fences encountered on public land that are affected by construction of the pipeline would require bracing to maintain proper wire tensions and placement of temporary fencing during construction to keep cattle from straying between the two affected allotments. Upon completion of reclamation actions at area of the Box Elder Gulch pipeline/fence crossing Encana will reconstruct the allotment boundary fence to BLM standards, BLM Manual 1-1572, BLM 1989. The effectiveness (control of cattle) of this fence at the Box Elder Gulch crossing point and any other fence crossings encountered must be maintained at all times during construction and operation of the pipeline.
16. The operator must coordinate with the livestock grazing permittee (Burke Brothers Ranch) authorized to graze livestock within the project area a minimum of 72 hours prior to construction activities associated with this permit. Livestock grazing permittee contact information may be found at [www.blm.gov/ras/](http://www.blm.gov/ras/) or by contacting the WRFO Range staff (970-878-3800). The operator will provide the grazing permittee the location, nature, and extent of the anticipated activity being completed.

17. Any range improvement projects such as fences, water developments, cattleguards, gates, or other livestock handling/distribution facilities that are damaged or destroyed either directly or indirectly as a result of implementation of the Proposed Action shall be promptly (at least prior to the livestock grazing permittee's need to utilize the range improvement) be repaired or replaced by the operator to restore it to at least its pre-disturbance functionality. If the operator damages any range improvement project(s) the operator will notify the Authorized Officer through sundry notice (Form 3160-5) and identify the actions taken to repair the feature(s).

#### Floodplains, Hydrology and Water Rights

18. EnCana or their contractor will install the pipeline at least four feet below the active channel bottom on all crossings of Corral and Box Elder Gulch 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 typical channel bedload size and composition and distribution on channel bottoms.

#### Realty Authorizations

19. 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.

#### Air Quality

20. EnCana will limit unnecessary emissions from point or nonpoint pollution sources and prevent air quality deterioration from necessary pollution sources in accordance with all applicable state, Federal and local air quality law and regulation.
21. EnCana will treat all access roads with water and/or a chemical dust suppressant during construction and drilling activities so that there is not a visible dust trail behind vehicles. Any technique other than the use of freshwater as a dust suppressant on BLM lands will require prior written approval from BLM.

#### Soil Resources

22. In order to protect public land health standards for soils, erosion features such as rilling, gullyng, piping and mass wasting on the surface disturbance or adjacent to the surface disturbance 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.

23. All construction activity shall cease when soils or road surfaces become saturated to a depth of three inches unless approved by the Authorized Officer.

#### Surface and Ground Water Quality

24. Protect surface waters below the project area, keep road inlet and outlet ditches, sediment retention basins, and culverts free of obstructions, particularly before and during spring runoff and summer convective storms. Provide adequate drainage spacing to avoid accumulation of water in ditches or road surfaces. Install culverts with adequate armoring of inlet and outlet. Patrol areas susceptible to road or watershed damage during periods of high runoff.

#### Vegetation

25. In addition to the design features submitted by the applicant in the SUP, the applicant shall use seed that is certified and free of noxious weeds. All seed tags will be submitted to the designated Natural Resource Specialist within 14 calendar days from the time the seeding activities have ended via Sundry Notice (SN). The SN will include the purpose of the seeding activity (i.e., seeding well pad cut and fill slopes, seeding pipeline corridor, etc.). In addition, the SN will include the well or well pad number 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), whether the seeding activity represents interim or final reclamation, an as-built shape-file of the area seeded, an attached map that clearly identifies all disturbed areas that were seeded, and the date the seed was applied.
26. Reclamation success criteria must be consistent with current WRFO reclamation success criteria as outlined below.
  - a. Adequate desirable vegetative groundcover is established on disturbed surfaces to stabilize soils through the operational life of the project.
    - i. Reclamation would be considered successful once attaining 50 percent total vegetative cover. On woodland or shrub sites, this would equate to the capability of those sites in an herbaceous state.
    - ii. The resulting plant community (in a healthy early seral state) must contain at least five desirable plant species, at least one of which must be a forb or shrub, each comprising at least five percent relative cover. No one species may exceed 70 percent relative cover in the resulting plant community to ensure that site species diversity is achieved. Desirable species include those defined by the range site, seeded in the BLM approved mix, or other desired species found in the surrounding areas (approved by the BLM).
    - iii. Cover, composition, and diversity data should be gathered using quantitative methods to measure the six Core Terrestrial Indicators and Methods in BLM Technical Note 440. Approved methods are found in Monitoring Manual for Grassland, Shrubland, and Savanna Ecosystems, Volume I and II: Quick Start. Other data collection methods such as those described in BLM Technical Reference 1730-1 or 1734-4 may be pre-approved by the BLM.

- b. The vegetation community established on the reclaimed site is capable of persisting on the site without continued intervention (excluding routine weed management) and will allow plant community successional processes to progress toward advanced community states.
  - c. Bare ground does not exceed the range/ecological site description or if not described, bare ground will not exceed that of a representative undisturbed DPC meeting the Colorado Standards for Public Land Health.
  - d. Reclamation success in areas affected by cheatgrass, and/or other invasive species will be qualified based on the condition of the project site (i.e., the relative vegetative cover) prior to disturbance.
27. A Reclamation Status Report will be submitted electronically to the WRFO annually (due January 1st) for the life of the project. The Reclamation Status Report will include:
- a. Reclamation status (e.g., interim or final)
  - b. Area reclaimed/seeded
  - c. Date seeded
  - d. Seeding method (e.g., broadcast, drilled, etc.)
  - e. Photos of the reclaimed site
  - f. Maps showing each point or polyline (i.e., access route) feature that will be included in the report and a shapefile (ArcMap) of invasive species and treatment locations
  - g. Contact information for the person(s) responsible for developing the report
28. A Reclamation Vegetation Monitoring Report should accompany the (above) status report every other year until successful reclamation is determined. This report should include (at a minimum) the following components to sufficiently and accurately characterize progress of the vegetative community establishment:
- a. Vegetative attributes for seeded surfaces. Refer to BLM Core Terrestrial Indicators and Methods (Technical Note 440), preferably, or Technical Reference 1730-1 for guidance regarding quantitatively assessing vegetative species composition and cover. The size of each reclaimed area must be specified as well as the number of transects and points hit along the intercept. Indicators to measure and quantify:
    - i. Bare ground including rock fragment, woody debris, biotic soils (if applicable), and litter estimates
    - ii. Plant cover
    - iii. Vegetation composition
      - 1. Relative cover of all plant species found in the line-point intercept monitoring
      - 2. Plant species of management concern
      - 3. Species richness over entire reclaimed area
    - iv. Nonnative invasive plant species
    - v. Vegetation height
    - vi. Proportion of soil surface in large inter canopy gaps
30. Construction equipment shall be cleaned prior to entering public land at a location and in a manner that does not result in further weed spread.

31. Promptly revegetate all disturbed areas associated with the proposed pipeline and areas of the access road and well pad not needed for production. For the portion of the pipeline which crosses Corral Gulch, Boxelder Gulch, and the tributary of Boxelder Gulch BLM recommends using native seed mix number five from the WRFO surface reclamation protocol (listed below). Within the corral gulch crossing, BLM recommends using seed mix number five 70 meters each side of the channel crossing. For the Boxelder gulch and tributary crossing, BLM recommends using seed mix number five 40 meters each side of the channel crossings. For all other areas of disturbance including the remaining area of the pipeline, BLM recommends using native seed mix number three from the WRFO surface reclamation protocol (listed below). Seeding rates in the reclamation protocol are shown as pounds of Pure Live Seed (PLS) per acre and apply to drill seeding, for broadcast application double the seeding rate and then harrow to insure seed coverage. To increase the possibility of success, BLM recommends seeding between September 1<sup>st</sup> and March 31<sup>st</sup>. Applied seed must be certified and free of noxious weeds, and seed certification tags must be submitted to the Authorized Officer. Woody debris will not be scattered on the pipeline until after seeding operations are completed.

**Table 6. Native Seed Mix Number Three**

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

**Table 7. Native Seed Mix Number Five**

Seed Mix	Cultivar	Common Name	Scientific Name	Application Rate (lbs PLS/acre)	
5	Magnar	Basin Wildrye	<i>Leymus cinereus</i>	3.5	
	Rosana	Western Wheatgrass	<i>Pascopyrum smithii</i>	3.5	
	San Luis	Slender Wheatgrass	<i>Elymus trachycaulus</i> ssp. <i>trachycaulus</i>	3	
	Critana	Thickspike Wheatgrass	<i>Elymus lanceolatus</i> ssp. <i>lanceolatus</i>	3	
	Timp	Northern Sweetvetch	<i>Hedysarum boreale</i>	4.5	
	Maple Grove	Lewis Flax	<i>Linum lewisii</i>	1	
	Alternates:*				
	Sodar	Streambank Wheatgrass	<i>Elymus lanceolatus</i> ssp. <i>psammophilus</i>	3	
	Scarlet Globemallow	<i>Sphaeralcea coccinea</i>	0.5		

### Invasive, Non-Native Species

32. Noxious weed infestations on the public land shall be treated in a manner consistent with BLM protocol as outlined in the White River ROD/RMP. For invasive, non-native species populations on BLM administered lands, those species will be treated by a certified pesticide applicator either by the BLM or energy developer in those areas associated with the Proposed Action.

### Special Status Plant Species

33. To preserve the suitable habitat identified by WestWater in the June 2012 surveys, the following mitigation will be required:
- a. The operator will mark suitable areas identified by WestWater so construction workers are able to identify suitable areas.
  - b. The topsoil in the suitable habitat along the pipeline must be removed to a minimum depth of six inches and stockpiled separate from the topsoil removed in non-suitable areas and spoils by silt fencing, or other barrier until the soil has been re-distributed.
  - c. Spoils and deeper soils will also be stored separately in suitable areas.
  - d. When the site is reclaimed, the soils will be replaced in the same pre-disturbance order.

### Wild Horses

34. In wild horse use areas, open trenches for placement of the pipeline should be inspected daily to reduce the potential for wild horses to become trapped should they fall into a trench. Operator will notify the BLM in either case; if a wild horse becomes trapped in the trench and is alive needing to be removed or has died due to being trapped.
35. To minimize the incidents of young foals becoming dislocated from their mares, drilling and receiving crews would be required to slow or stop when wild horses are encountered, allowing bands to move away at a pace slow enough so that the foals can keep pace and are not separated.

### Visual Resources

36. 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

37. Comply with all Federal, State and/or local laws, rules and regulations, including but not limited to onshore orders and notices to lessees, 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. All spills or leakages of oil, gas, produced water, toxic liquids or waste materials, blowouts, fires, shall be reported by the operator in accordance with the regulations and as prescribed in applicable orders or notices.
38. 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, provide a current copy of said plan to the BLM WRFO.

39. When drilling to set the surface casing, drilling fluid will be composed only of fresh water, bentonite, and/or a benign lost circulation material that does not pose a risk of harm to human health or the environment (e.g., cedar bark, shredded cane stalks, mineral fiber and hair, mica flakes, ground and sized limestone or marble, wood, nut hulls, corncobs, or cotton hulls).
40. 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, shall be stored in appropriate containers and in secondary containment systems at 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.
41. 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.
42. As a reasonable and prudent lessee/operator in the oil and gas industry, acting in good faith, all lessees/operators and right-of-way holders 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.
43. As a reasonable and prudent lessees/operator and/or right-of-way holder in the oil and gas industry, acting in good faith, all lessees/operators and right-of-way holders 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 lessee/operator or right-of-way 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 lessee/operator's expense. Such action will not relieve the lessee/operator of any liability or responsibility.

#### Fire Management

44. When working on lands administered by the BLM WRFO, notify Craig Interagency Dispatch (970-826-5037) in the event of any fire.
  - a) The reporting party will inform the dispatch center of fire location, size, status, smoke color, aspect, fuel type, and provide their contact information.
  - b) The reporting party, or a representative of, should remain nearby, in a safe location, in order to make contact with incoming fire resources to expedite actions taken towards an appropriate management response.
  - c) The applicant and contractors will not engage in any fire suppression activities outside the approved project area. Accidental ignitions caused by welding, cutting, grinding, etc. will be suppressed by the applicant only if employee safety is not

endangered and if the fire can be safely contained using hand tools and portable hand pumps. If chemical fire extinguishers are used the applicant must notify incoming fire resources on extinguisher type and the location of use.

- d) Natural ignitions caused by lightning will be managed by Federal fire personnel. The use of heavy equipment for fire suppression is prohibited, unless authorized by the Field Office Manager.

MONITORING AND COMPLIANCE: On-going compliance inspections and monitoring of drilling, production, and post-production activities will be conducted by White River Field Office staff during construction of well pads, access roads, and pipelines. Specific mitigation developed in the associated Categorical Exclusion and the lease terms and conditions will be followed. The Operator will be notified of compliance related issues in writing.

NAME OF PREPARER: Brett Smithers

NAME OF ENVIRONMENTAL COORDINATOR: Heather Sauls

COMPLIANCE WITH NEPA

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with Section 390 of the Energy Policy.

SIGNATURE OF AUTHORIZED OFFICIAL:



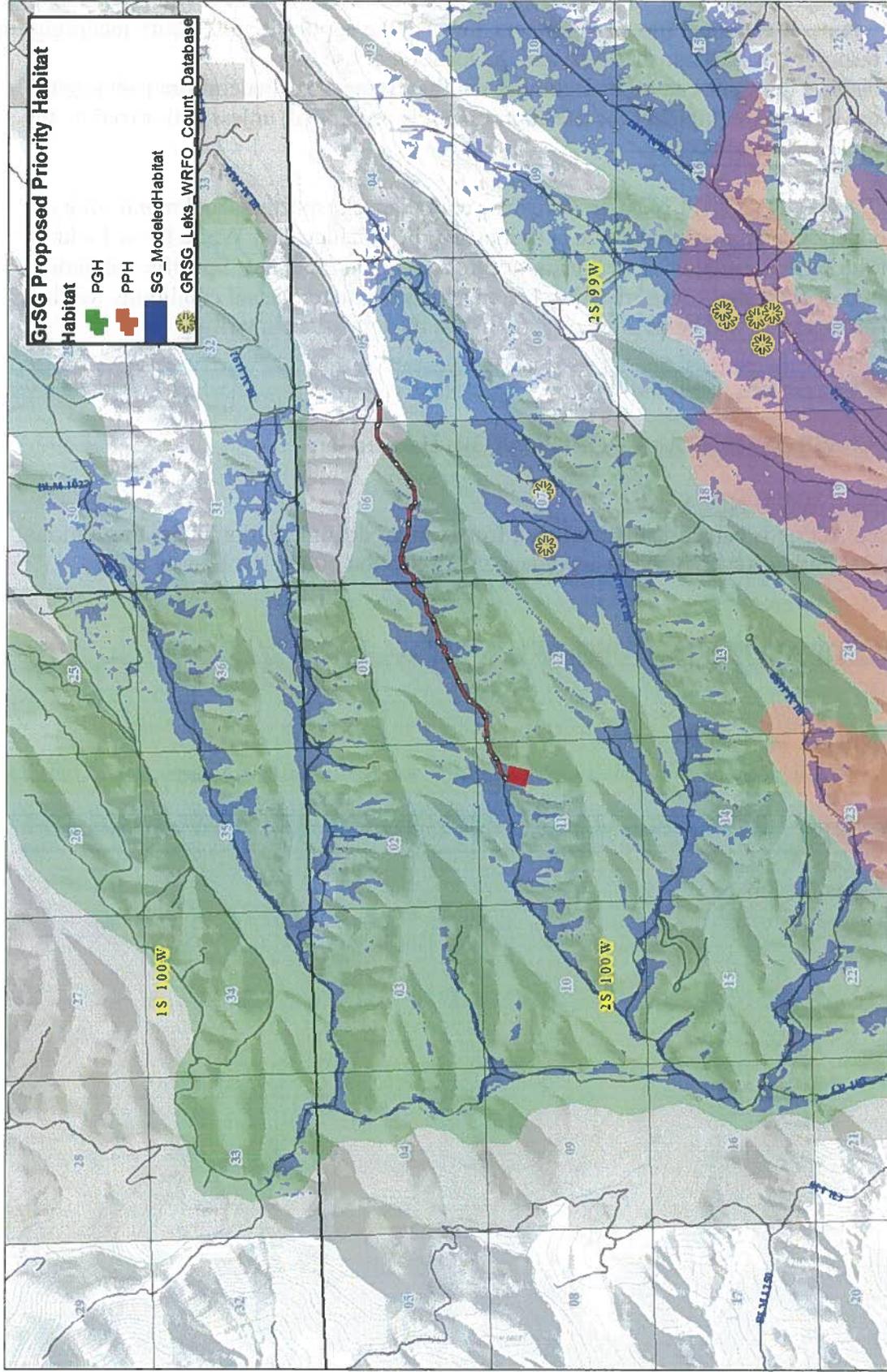
Field Manager

DATE SIGNED:

07/03/13

ATTACHMENTS:

Figure 1. Project area map.



**Figure 1.** The figure above illustrates the geographic location of the existing A11 2100 location that will be enlarged. The existing pad location that will be enlarged is symbolized as a red rectangle in T. 2 S., R. 100 W. Sec. 11. The surface pipeline (symbolized as a red line) was analyzed in DOI-BLM-CO-110-2013-0083-CX.

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

**DECISION**

**PROJECT NAME:** Expansion of EnCana’s A11 2100 Well Pad

**CATEGORICAL EXCLUSION NUMBER:** DOI-BLM-CO-110-2013-0089-CX

**DECISION:** It is my decision to implement the Proposed Action, as mitigated in DOI-BLM-CO-110-2013-0089-CX, authorizing construction to expand the existing A11 2100 well pad to allow for adequate working area for drilling and completion operations.

**MITIGATION:** The following mitigation was identified in DOI-BLM-CO-110-2012-0022-EA and applies to this application:

1. In order to monitor construction activity and reclamation, the BLM WRFO requires notification of the following activities to the designated Natural Resource Specialist:

Activity	Timeframe	Method
Construction <sup>1</sup>	24 hrs prior	Sundry Notice <u>and</u> either Email or Phone
Reclamation <sup>2</sup>		Email or Phone

<sup>1</sup> Construction-related activities may include, but are not limited to, pad and road construction, pad expansion, clearing pipeline corridors, trenching, recontouring, etc. The Sundry Notice will include the well pad name, location, and date of construction.

<sup>2</sup> Reclamation activities may include, but are not limited to, seed bed preparation that requires disturbance of surface soils, seeding, or constructing exclosures (e.g., fences) to exclude livestock from reclaimed areas.

**Migratory Birds**

2. No pipeline development activity would be permitted from May 15 to July 15 on cross country portions of the pipeline route defined by the following legal subdivisions: T2S R99W: Sections 5, 8, and 17.

**Terrestrial Wildlife**

3. Pipeline right-of-way clearing and installation activity would be prohibited on big game severe winter range from one December through 30 April as defined by the following legal subdivisions: T2S R99W sections 5, 6, 8, and 17.
4. Pipeline right-of-way clearing and installation would be prohibited during the sage-grouse reproductive period of 15 March through seven July on the following lands:  
T2S R99W  
Section 8: SESW;

Section 17: E1/2.

5. To promote the redevelopment of sagebrush-dominated shrublands best suited for sage-grouse, pipeline clearing operations should, where consistent with other resource values, remain at full width and adjacent to, but discrete from parallel pipeline disturbance in the following legal subdivisions:

T2S R99W

Section 5: SWSW;

Section 8: W2NW, NWSW;

Section 17: S2NWNE, S2NE, E2SE.

It is suggested that this strategy be applied to the pipeline corridor on private lands west of and including the NESW of section 6, T2S R99W.

6. The applicant will be responsible for deterring any subsequent vehicle use of the pipeline corridor that deviates from existing roads on the following lands:

T2S R99W

Section 5: SWSW;

Section 8: W2NW, NWSW;

Section 17: S2NWNE, S2NE, NESE.

The method(s) selected by the applicant must be approved by the WRFO Manager.

#### Wild Horses

7. It is necessary for the company to make pre-construction contact with the WRFO in order to determine if any of the following mitigation is warranted: In order to protect wild horses within this area, development activities may be delayed for a period in excess of 60 days during the spring foaling period between March 1 and June 15. The lessee may also be required to perform special conservation measures within this area including: 1) habitat improvement projects in adjacent areas if development displaces wild horses from critical habitat, 2) disturbed watering areas would be replaced with an equal source of water having equal utility, and 3) activity/ improvements would provide for unrestricted movement of wild horses between summer and winter ranges.

#### Cultural Resources

8. The operator 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.
9. 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 Authorizing Official (AO). The applicant 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 applicant, 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.

10. Pursuant to 43 CFR 10.4(g), the operator 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 permittee 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

On the BLM administered surface the following mitigation is required. On the private land in T2S, R100W, Sections one, 11, and 12, the BLM can request but not require the following mitigation:

11. Any excavations into the underlying native sedimentary stone must be monitored by a permitted paleontologist. The monitoring paleontologist must be present before the start of excavations that may impact bedrock.
12. The operator is responsible for informing all persons who are associated with the project operations that they will be subject to prosecution for disturbing or collecting vertebrate fossils, collecting large amounts of petrified wood (over 25lbs./day, up to 250lbs./year), or collecting fossils for commercial purposes on public lands.
13. If any paleontological resources are discovered as a result of operations under this authorization, the operator or any of his agents must stop work immediately at that site, immediately contact the BLM Paleontology Coordinator, and make every effort to protect the site from further impacts, including looting, erosion, or other human or natural damage. Work may not resume at that location until approved by the AO. The BLM or designated paleontologist will evaluate the discovery and take action to protect or remove the resource within 10 working days. Within 10 days, the operator will be allowed to continue construction through the site, or will be given the choice of either (a) following the Paleontology Coordinator's instructions for stabilizing the fossil resource in place and avoiding further disturbance to the fossil resource, or (b) following the Paleontology Coordinator's instructions for mitigating impacts to the fossil resource prior to continuing construction through the project area.
14. Compliance with these mitigation measures would be at the discretion of the land owners. Any fossil recovered would remain the property of the land owners unless they chose to donate them to a museum or other education institution.

#### Rangeland Management

15. Any gates or fences encountered on public land that are affected by construction of the pipeline would require bracing to maintain proper wire tensions and placement of temporary fencing during construction to keep cattle from straying between the two affected allotments. Upon completion of reclamation actions at area of the Box Elder Gulch pipeline/fence crossing Encana will reconstruct the allotment boundary fence to BLM standards, BLM

Manual 1-1572, BLM 1989. The effectiveness (control of cattle) of this fence at the Box Elder Gulch crossing point and any other fence crossings encountered must be maintained at all times during construction and operation of the pipeline.

16. The operator must coordinate with the livestock grazing permittee (Burke Brothers Ranch) authorized to graze livestock within the project area a minimum of 72 hours prior to construction activities associated with this permit. Livestock grazing permittee contact information may be found at [www.blm.gov/ras/](http://www.blm.gov/ras/) or by contacting the WRFO Range staff (970-878-3800). The operator will provide the grazing permittee the location, nature, and extent of the anticipated activity being completed.
17. Any range improvement projects such as fences, water developments, cattleguards, gates, or other livestock handling/distribution facilities that are damaged or destroyed either directly or indirectly as a result of implementation of the Proposed Action shall be promptly (at least prior to the livestock grazing permittee's need to utilize the range improvement) be repaired or replaced by the operator to restore it to at least its pre-disturbance functionality. If the operator damages any range improvement project(s) the operator will notify the Authorized Officer through sundry notice (Form 3160-5) and identify the actions taken to repair the feature(s).

#### Floodplains, Hydrology and Water Rights

18. EnCana or their contractor will install the pipeline at least four feet below the active channel bottom on all crossings of Corral and Box Elder Gulch 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 typical channel bedload size and composition and distribution on channel bottoms.

#### Realty Authorizations

19. 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.

#### Air Quality

20. EnCana will limit unnecessary emissions from point or nonpoint pollution sources and prevent air quality deterioration from necessary pollution sources in accordance with all applicable state, Federal and local air quality law and regulation.

21. EnCana will treat all access roads with water and/or a chemical dust suppressant during construction and drilling activities so that there is not a visible dust trail behind vehicles. Any technique other than the use of freshwater as a dust suppressant on BLM lands will require prior written approval from BLM.

#### Soil Resources

22. In order to protect public land health standards for soils, erosion features such as rilling, gully, piping and mass wasting on the surface disturbance or adjacent to the surface disturbance 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.
23. All construction activity shall cease when soils or road surfaces become saturated to a depth of three inches unless approved by the Authorized Officer.

#### Surface and Ground Water Quality

24. Protect surface waters below the project area, keep road inlet and outlet ditches, sediment retention basins, and culverts free of obstructions, particularly before and during spring runoff and summer convective storms. Provide adequate drainage spacing to avoid accumulation of water in ditches or road surfaces. Install culverts with adequate armoring of inlet and outlet. Patrol areas susceptible to road or watershed damage during periods of high runoff.

#### Vegetation

25. In addition to the design features submitted by the applicant in the SUP, the applicant shall use seed that is certified and free of noxious weeds. All seed tags will be submitted to the designated Natural Resource Specialist within 14 calendar days from the time the seeding activities have ended via Sundry Notice (SN). The SN will include the purpose of the seeding activity (i.e., seeding well pad cut and fill slopes, seeding pipeline corridor, etc.). In addition, the SN will include the well or well pad number 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), whether the seeding activity represents interim or final reclamation, an as-built shape-file of the area seeded, an attached map that clearly identifies all disturbed areas that were seeded, and the date the seed was applied.
26. Reclamation success criteria must be consistent with current WRFO reclamation success criteria as outlined below.
- e. Adequate desirable vegetative groundcover is established on disturbed surfaces to stabilize soils through the operational life of the project.
    - j. Reclamation would be considered successful once attaining 50 percent total vegetative cover. On woodland or shrub sites, this would equate to the capability of those sites in an herbaceous state.
    - iii. The resulting plant community (in a healthy early seral state) must contain at least five desirable plant species, at least one of which must be a forb or shrub, each comprising at least five percent relative cover. No one species may exceed 70 percent relative cover in the resulting plant community to ensure that site species diversity is

- achieved. Desirable species include those defined by the range site, seeded in the BLM approved mix, or other desired species found in the surrounding areas (approved by the BLM).
- iv. Cover, composition, and diversity data should be gathered using quantitative methods to measure the six Core Terrestrial Indicators and Methods in BLM Technical Note 440. Approved methods are found in Monitoring Manual for Grassland, Shrubland, and Savanna Ecosystems, Volume I and II: Quick Start. Other data collection methods such as those described in BLM Technical Reference 1730-1 or 1734-4 may be pre-approved by the BLM.
  - f. The vegetation community established on the reclaimed site is capable of persisting on the site without continued intervention (excluding routine weed management) and will allow plant community successional processes to progress toward advanced community states.
  - g. Bare ground does not exceed the range/ecological site description or if not described, bare ground will not exceed that of a representative undisturbed DPC meeting the Colorado Standards for Public Land Health.
  - h. Reclamation success in areas affected by cheatgrass, and/or other invasive species will be qualified based on the condition of the project site (i.e., the relative vegetative cover) prior to disturbance.
27. A Reclamation Status Report will be submitted electronically to the WRFO annually (due January 1st) for the life of the project. The Reclamation Status Report will include:
- h. Reclamation status (e.g., interim or final)
  - i. Area reclaimed/seeded
  - j. Date seeded
  - k. Seeding method (e.g., broadcast, drilled, etc.)
  - l. Photos of the reclaimed site
  - m. Maps showing each point or polyline (i.e., access route) feature that will be included in the report and a shapefile (ArcMap) of invasive species and treatment locations
  - n. Contact information for the person(s) responsible for developing the report
28. A Reclamation Vegetation Monitoring Report should accompany the (above) status report every other year until successful reclamation is determined. This report should include (at a minimum) the following components to sufficiently and accurately characterize progress of the vegetative community establishment:
- b. Vegetative attributes for seeded surfaces. Refer to BLM Core Terrestrial Indicators and Methods (Technical Note 440), preferably, or Technical Reference 1730-1 for guidance regarding quantitatively assessing vegetative species composition and cover. The size of each reclaimed area must be specified as well as the number of transects and points hit along the intercept. Indicators to measure and quantify:
    - ii. Bare ground including rock fragment, woody debris, biotic soils (if applicable), and litter estimates
    - iv. Plant cover
    - v. Vegetation composition
      - 4. Relative cover of all plant species found in the line-point intercept monitoring
      - 5. Plant species of management concern

- 6. Species richness over entire reclaimed area
- vii. Nonnative invasive plant species
- viii. Vegetation height
- ix. Proportion of soil surface in large inter canopy gaps

34. Construction equipment shall be cleaned prior to entering public land at a location and in a manner that does not result in further weed spread.

35. Promptly revegetate all disturbed areas associated with the proposed pipeline and areas of the access road and well pad not needed for production. For the portion of the pipeline which crosses Corral Gulch, Boxelder Gulch, and the tributary of Boxelder Gulch BLM recommends using native seed mix number five from the WRFO surface reclamation protocol (listed below). Within the corral gulch crossing, BLM recommends using seed mix number five 70 meters each side of the channel crossing. For the Boxelder gulch and tributary crossing, BLM recommends using seed mix number five 40 meters each side of the channel crossings. For all other areas of disturbance including the remaining area of the pipeline, BLM recommends using native seed mix number three from the WRFO surface reclamation protocol (listed below). Seeding rates in the reclamation protocol are shown as pounds of Pure Live Seed (PLS) per acre and apply to drill seeding, for broadcast application double the seeding rate and then harrow to insure seed coverage. To increase the possibility of success, BLM recommends seeding between September 1<sup>st</sup> and March 31<sup>st</sup>. Applied seed must be certified and free of noxious weeds, and seed certification tags must be submitted to the Authorized Officer. Woody debris will not be scattered on the pipeline until after seeding operations are completed.

**Table 6. Native Seed Mix Number Three**

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

**Table 7. Native Seed Mix Number Five**

Seed Mix	Cultivar	Common Name	Scientific Name	Application Rate (lbs PLS/acre)
5	Magnar	Basin Wildrye	<i>Leymus cinereus</i>	3.5
	Rosana	Western Wheatgrass	<i>Pascopyrum smithii</i>	3.5
	San Luis	Slender Wheatgrass	<i>Elymus trachycaulus</i> ssp. <i>trachycaulus</i>	3

Critana	Thickspike Wheatgrass	Elymus lanceolatus ssp. lanceolatus	3
Timp	Northern Sweetvetch	Hedysarum boreale	4.5
Maple Grove	Lewis Flax	Linum lewisii	1
Alternates:*			
Sodar	Streambank Wheatgrass	Elymus lanceolatus ssp. psammophilus	3
	Scarlet Globemallow	Sphaeralcea coccinea	0.5

### Invasive, Non-Native Species

36. Noxious weed infestations on the public land shall be treated in a manner consistent with BLM protocol as outlined in the White River ROD/RMP. For invasive, non-native species populations on BLM administered lands, those species will be treated by a certified pesticide applicator either by the BLM or energy developer in those areas associated with the Proposed Action.

### Special Status Plant Species

37. To preserve the suitable habitat identified by WestWater in the June 2012 surveys, the following mitigation will be required:

- a. The operator will mark suitable areas identified by WestWater so construction workers are able to identify suitable areas.
- b. The topsoil in the suitable habitat along the pipeline must be removed to a minimum depth of six inches and stockpiled separate from the topsoil removed in non-suitable areas and spoils by silt fencing, or other barrier until the soil has been re-distributed.
- c. Spoils and deeper soils will also be stored separately in suitable areas.
- d. When the site is reclaimed, the soils will be replaced in the same pre-disturbance order.

### Wild Horses

45. In wild horse use areas, open trenches for placement of the pipeline should be inspected daily to reduce the potential for wild horses to become trapped should they fall into a trench. Operator will notify the BLM in either case; if a wild horse becomes trapped in the trench and is alive needing to be removed or has died due to being trapped.

46. To minimize the incidents of young foals becoming dislocated from their mares, drilling and receiving crews would be required to slow or stop when wild horses are encountered, allowing bands to move away at a pace slow enough so that the foals can keep pace and are not separated.

### Visual Resources

47. 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

48. Comply with all Federal, State and/or local laws, rules and regulations, including but not limited to onshore orders and notices to lessees, 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. All spills or leakages of oil, gas, produced water, toxic liquids or waste materials, blowouts, fires, shall be reported by the operator in accordance with the regulations and as prescribed in applicable orders or notices.
49. 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, provide a current copy of said plan to the BLM WRFO.
  50. When drilling to set the surface casing, drilling fluid will be composed only of fresh water, bentonite, and/or a benign lost circulation material that does not pose a risk of harm to human health or the environment (e.g., cedar bark, shredded cane stalks, mineral fiber and hair, mica flakes, ground and sized limestone or marble, wood, nut hulls, corncobs, or cotton hulls).
  51. 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, shall be stored in appropriate containers and in secondary containment systems at 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.
  52. 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.
  53. As a reasonable and prudent lessee/operator in the oil and gas industry, acting in good faith, all lessees/operators and right-of-way holders 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.
  54. As a reasonable and prudent lessees/operator and/or right-of-way holder in the oil and gas industry, acting in good faith, all lessees/operators and right-of-way holders 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 lessee/operator or right-of-way 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 lessee/operator's expense. Such action will not relieve the lessee/operator of any liability or responsibility.

#### Fire Management

55. When working on lands administered by the BLM WRFO, notify Craig Interagency Dispatch (970-826-5037) in the event of any fire.

- e) The reporting party will inform the dispatch center of fire location, size, status, smoke color, aspect, fuel type, and provide their contact information.
- f) The reporting party, or a representative of, should remain nearby, in a safe location, in order to make contact with incoming fire resources to expedite actions taken towards an appropriate management response.
- g) The applicant and contractors will not engage in any fire suppression activities outside the approved project area. Accidental ignitions caused by welding, cutting, grinding, etc. will be suppressed by the applicant only if employee safety is not endangered and if the fire can be safely contained using hand tools and portable hand pumps. If chemical fire extinguishers are used the applicant must notify incoming fire resources on extinguisher type and the location of use.
- h) Natural ignitions caused by lightning will be managed by Federal fire personnel. The use of heavy equipment for fire suppression is prohibited, unless authorized by the Field Office Manager.

### **COMPLIANCE WITH LAWS & CONFORMANCE WITH THE LAND USE PLAN**

This decision is in compliance with the Endangered Species Act and the National Historic Preservation Act. It is also in conformance with the 1997 White River Record of Decision/Approved Resource Management Plan.

### **PUBLIC INVOLVEMENT**

Internal scoping was initiated when the project was presented to the White River Field Office (WRFO) interdisciplinary team on 5/21/2013. External scoping was conducted by posting this project on the WRFO's on-line National Environmental Policy Act (NEPA) register on 6/21/2013.

### **RATIONALE**

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with Section 390 of the Energy Policy Act. Disposal of water into injection wells is BLM's preferred method of disposing of produced water, and is known to substantially reduce truck traffic throughout and beyond the oil and gas lease area.

### **ADMINISTRATIVE REMEDIES**

#### **State Director Review**

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

Appeal

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

**SIGNATURE OF AUTHORIZED OFFICIAL:**



Field Manager

**DATE SIGNED:**

07/03/13

