

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-110-2013-0120-CX

CASEFILE/PROJECT NUMBER: COC-63731

PROJECT NAME: Remote Frac of Canary 6601 Temporary Surface Pipelines

LEGAL DESCRIPTION: T1S R99W Sec 10 and 11

APPLICANT: Mesa Energy Partners, LLC

DESCRIPTION OF PROPOSED ACTION:

Mesa Energy Partners (Mesa) recently acquired the Canary 6601 well from Encana during the modification of the Buckhorn Draw Unit (BDU) and the creation of the Cathedral Bluffs Unit. Mesa is planning to recompleat the Canary 6601 well by way of remote frac. The BDU F11X-199 pad will be utilized to store recycled produced water for this operation. Piping will occur via a temporary surface line to the Canary 6601 well (Figure 1). This temporary line will be placed along the access road within the corridor of the road (in the barrow ditch). The temporary water line is a 12 inch poly pipe that will be approximately 2,600 feet long. The F11X pad will have a small expansion to place the tanks; however it will be within the original foot print of the pad. By utilizing the F11X pad it will minimize the disturbance to within the original footprints of the pads, and will reduce the amount of truck traffic. There will approximately 20 frac tanks placed on the Canary 6601 pad, and 80 on the F11X pad. The remote frac is scheduled for September 13, 2013 through September 16<sup>th</sup>, 2013. However, the pipeline will need to be installed five to seven days ahead of that period. The duration of the frac is estimated for four days, but the pipeline would also be used for flowback. This will extend the need of the temporary pipeline and frac tanks for a total of approximately 30 days not to exceed 60 days.

Decision to be Made: The BLM will decide whether or not to approve the temporary pipeline and the placement of frac tanks for the remote frac, and if so, under what conditions.

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: Pages 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?*

The surface disturbance is limited to existing corridors and disturbance; there will be no new surface disturbance.

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

There are two leases associated with this project. The first lease is COC-63731 with approximately 20 acres of total surface disturbance, and COC-62816 with approximately 30 acres of total surface disturbance. Both are less than the 150 acres of surface disturbance described above for the criteria to use this CX.

*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.)*

There are two site specific Environmental Assessments (EA), one for the Canary 6601 location and one for the BDU F11X pad. The Canary 6601 EA (DOI-BLM-CO-110-2004-0007-EA) was signed on December 2, 2003. The EA for the BDU F11X pad (DOI-BLM-CO-110-2009-0145-EA) was signed on July 27, 2009.

INTERDISCIPLINARY REVIEW:

The Proposed Action was presented to, and reviewed by, the White River Field Office interdisciplinary team on September 3, 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.

<b>Name</b>	<b>Title</b>	<b>Resource</b>	<b>Date</b>
Michael Selle	Archaeologist	Cultural Resources, Native American Religious Concerns	9/4/2013
Lisa Belmonte	Wildlife Biologist	Special Status Wildlife Species	9/3/2013
Heather Woodruff	Range Management Specialist	Special Status Plant Species	9/4/2013

REMARKS:

*Cultural Resources:* The proposed well pad locations have been inventoried at the Class III (100 percent pedestrian) level (Conner et al. 2009 compliance dated 6/14/2009, Pool 2003 compliance dated 10/17/2003) with no important cultural or historic properties in the areas inventoried. Use of the well pads will not cause any new impacts to known cultural resources. However, the road and proposed surface pipeline are not located in the area inventoried for cultural resources, based on the most current BLM GIS data. Surface use within the existing road disturbance berm and footprint as of September 3, 2013 is permissible however, any new disturbance beyond that must have a new cultural resources inventory.

*Native American Religious Concerns:* No Native American religious concerns are known in the area, and none have been noted by Northern Ute Tribal authorities. Should recommended inventories or future consultations with Tribal authorities reveal the existence of such sensitive properties, appropriate mitigation and/or protection measures may be undertaken.

*Special Status Wildlife Species:* There are no threatened or endangered wildlife species that are known to inhabit or derive important use from the project area. The project area is located within mule deer severe winter range – a specialized component of winter range that supports nearly all of a herd during the most severe winters (heavy snow, temperature etc.). These ranges typically receive the heaviest use from January into April. Installation of the proposed pipeline is scheduled to take place in September 2013 and will be in place for no longer than three months. Under this schedule there will be no influence on big game during the critical winter months.

*Special Status Plant Species:* The proposed well pad locations and road area were surveyed in 2009 by WestWater Engineering and by the BLM botanist at the time. Surveys were completed during the blooming season and no plants were found within the survey area. There were soils that are to the south of the project area that appeared to be suitable for *Physaria* spp., but no plants were observed in the area at the time of surveys. The location for the proposed temporary pipeline is going to be located within an existing road disturbance berm and no new disturbance will be occurring. If new disturbance occurs and the pipeline is moved outside of the berm at any

time then new plant surveys must be completed and all operations must cease and desist until plant surveys are completed.

**MITIGATION:**

1. Mesa Energy Partners, LLC 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. Mesa Energy Partners, LLC 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. Mesa Energy Partners, LLC, 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), Mesa Energy Partners, LLC 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), Mesa Energy Partners, LLC must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the AO.
4. Mesa Energy Partners, LLC will insure that the temporary pipeline will be well secured to help eliminate any potential of the pipeline moving outside the roadside berm and into adjacent vegetation. If pipeline movement occurs then special status plant and cultural surveys will need to be conducted and all operations will cease and desist until the results of the surveys are attained and approved by the BLM.
5. During pipeline construction dust suppression on the access roads and pipeline will be applied. Dust suppression will be accomplished only with fresh water free of any chemicals, oils or solvents.
6. Mesa Energy Partners, LLC will insure that the temporary pipeline will not leak. If a leak is observed along the pipeline then special status plant surveys will need to be conducted and all operations will cease and desist until survey results are attained and approved by the BLM.

**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, and depending on the nature of the issue(s), will be provided 30 days to resolve such issues.

NAME OF PREPARER: Ryan Snyder

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: *Kent E. Walke*  
Field Manager

DATE SIGNED: *09/05/13*

ATTACHMENTS:

Figure 1: Map depicting location of the Proposed Action.

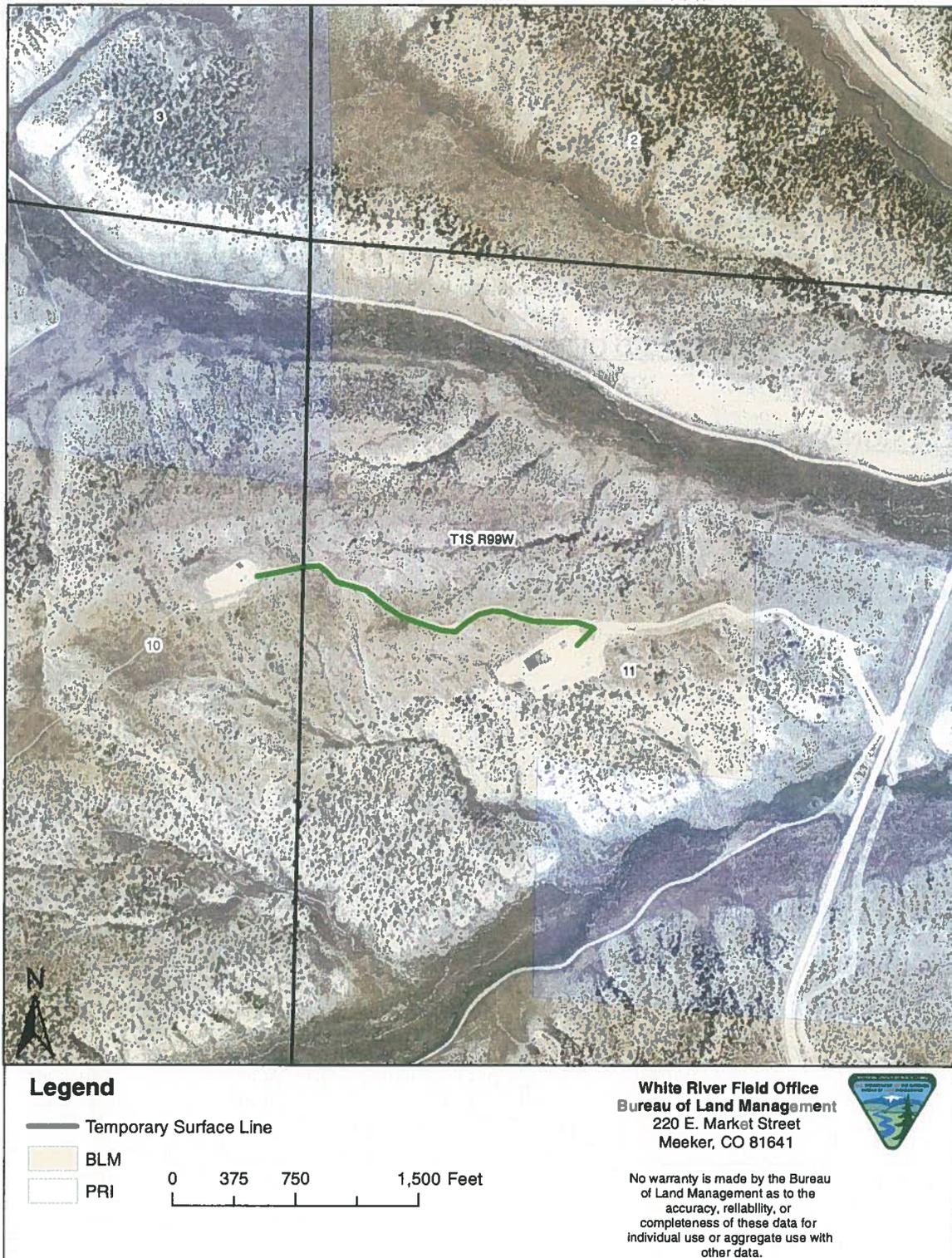


Figure 1: Map depicting the location of the Proposed Action.

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**DECISION**

**PROJECT NAME:** Remote Frac of Canary 6601 Temporary Surface Pipelines

**CATEGORICAL EXCLUSION NUMBER:** DOI-BLM-CO-110-2013-0120-CX

**DECISION**

It is my decision to implement the Proposed Action, as mitigated in DOI-BLM-CO-110-2013-0120-CX, authorizing the construction, operation, and maintenance of the temporary surface line for the Canary 6601 remote frac.

**Mitigation Measures**

1. Mesa Energy Partners, LLC 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. Mesa Energy Partners, LLC 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. Mesa Energy Partners, LLC, 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.
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### **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 September 3, 2013. External scoping was conducted by posting this project on the WRFO's on-line National Environmental Policy Act (NEPA) register on September 3, 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. The Proposed Action will be taking place all within existing disturbed areas, and will reduce the amount of needed truck traffic. There is no new surface disturbance, and the surface disturbance on the leases is less than 150 acres total.

### **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 CFR Part 4.

SIGNATURE OF AUTHORIZED OFFICIAL:



Field Manager

DATE SIGNED:

09/05/13

