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

DETERMINATION OF NEPA ADEQUACY (DNA)

Pitcher's Mound Water Recycling Pit
DOI-BLM-CO-N05-2014-0119-DNA

Identifying Information

Project Title: Pitcher's Mound Water Recycling Pit

Legal Description: Sixth Principal Meridian, Colorado
T. 1 S., R. 98 W.,
sec. 25, lots 11, 13, and 14;
sec. 35, lots 5, 6, 7, 8, 10, 11, and 12;
sec. 36, lots 4 and 5.

Applicant: WPX Energy Rocky Mountain, LLC and White River Electric Association, Inc.

Casefile/Project Number: COC76765 (Water Recycling Pit)
COC76766 (Water Pipelines)
COC76767 (Access Road)
COC76679 (Power Line)
COC76768 (Gas Pipeline)

Conformance with the Land Use Plan

The Proposed Action is subject to and is in conformance (43 CFR 1610.5) with the following land use plan:

Land Use Plan: White River Record of Decision and Approved Resource Management Plan (ROD/RMP)

Date Approved: July 1997

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." (page 2-49)

Proposed Action

Project Components and General Schedule

WPX Energy Rocky Mountain, LLC (hereafter WPX) proposes construction of a lined pit for the purposes of storing water to support completions operations and promote water recycling. The water recycling pit would be submitted to the Colorado Oil & Gas Conservation Commission (COGCC) for approval and would be lined and operated in accordance with COGCC 900 series regulations (Rule 902, 903 & 904). To minimize visibility and maximize function, this water recycling pit would be constructed adjacent to the Ryan Gulch Unit (RGU) 23-35-198 well pad; however, it would function independently of the well pad and would not hinder interim reclamation plans on the well pad. Total disturbance required to construct the water recycling pit would be expected to be approximately 6.50 acres.

WPX would access the water recycling pit from two new accesses. Drive-through access would be necessary for safe operations and would not come directly off of a county road. One access would come off of the WPX lease road leading to the RGU 22-27-198, and the other would come from the RGU 23-35-198 well pad. These new accesses would be constructed to Gold Book standards, with a total width of 50 ft and a length of 400 ft. WPX would use the existing well pad access roads from County Road 83 to the water recycling pit's new drive-through access roads. The Pitcher's Mound water recycling pit facility access road right-of-way (ROW) from County Road 83 to the water recycling pit (including the drive-through access roads) would be 2,175 ft long, 50 ft wide, and contain approximately 2.5 acres.

The water recycling pit would tie into existing buried water lines to allow for water movement via pumping operations whenever possible, with trucking being a secondary option for water movement (not preferred). Water would be piped whenever possible to decrease impacts and costs. Five (5) lines up to 8 inch diameter are requested as part of this application.

- 540 ft of two (2) - up to 8 inch flexsteel production water lines would tie into existing water lines on the north side of the RGU 23-35-198 pad. These water lines would be on-unit; therefore, a ROW would not be required.
- 8,750 ft of two (2) - up to 8 inch flexsteel frac supply water lines would follow existing production lines and tie into existing frac supply lines north of the RGU 24-25-198 pad (and would tie into Corridor 2 in ROW COC75171).
- 370 ft of one (1) up to 8 inch steel gas line would follow the access road and tie into separators on RGU 23-35-198 pad.

Temporary, portable pump(s) would be brought on location, as needed, to support piping operations. By recycling excess water in completions operations, rather than disposing of it via injection or third party disposal, this project would reduce trucking impacts and minimize the need to use fresh water during completions operations.

There would be a total of eight tanks on location to support operations of this water recycling pit. The tank area would include a 100 ft by 80 ft area on the east end. Tanks would be used to clean and separate water before it enters the pit. Water would first be sent through gunbarrel tanks to separate out oil. From the gunbarrel tanks, water would flow into water tanks, which act as surge tanks to regulate the flow of water into the pit and could be used to further clean the

water, if needed. Oil separated out in the gunbarrel tanks would be stored in the three oil tanks on location and would be sold from this point.

To help ensure water entering the pit is clean and suitable for recycling, filter pods or a filter press could be brought on location, as needed. Solid waste recovered from the tanks or filtering operations would be sent to approved third party disposal sites for solids (ECDC Environmental or Wray Gulch Landfill).

Construction of the subject water recycling pit and associated access road, pipelines, and tanks would begin upon receipt of BLM and state authorizations. Anticipated construction would begin in spring/summer 2015. Construction and lining activities would be anticipated to take 60-90 days. Since the water recycling pit is needed to support completions operations in the Ryan Gulch Year Round Drilling Area, the life of the subject pit would be anticipated to be 12 years, after which the pit and associated disturbance would be fully reclaimed, unless still required for operations.

Water Recycling Pit Specifications - The water recycling pit and tank area would be six and a half (6.50) acres. No expansion of the adjacent RGU 23-35-198 well pad would be required for this project to occur.

The proposed water recycling pit would have an estimated freeboard capacity of 102,000 barrels (bbls). The 160 ft wide by 350 ft long pit would be constructed to a depth of 17 ft, with a one percent grade toward the tank area.

The liner system would be an engineered triple liner system, incorporating a leak detection system. This system is approved by the COGCC and is an accepted industry standard. The primary or top liner would be composed of a 60 mil spark-testable high density polyethylene (HPDE) geomembrane liner for primary containment. The second liner, or layer, would be composed of a 40 mil HDPE liner for secondary containment. The third liner, or layer, would be a geosynthetic bentonite clay liner, which has low permeability and a hydraulic conductivity value of 5 x 10-9 cm/sec, which is equivalent to several feet of compacted clay. The liner system would be installed by liner industry experts.

Between the primary and secondary liners would be a 200 mil geonet drain mat, designed to convey leakage, if any, through the primary liner to a collection sump and leak detection system. The leak detection system would be comprised of a sump consisting of ¾-1½ inch rounded drain rock and a 6 inch PVC monitoring pipe for access and measurement of the collection sump. The PVC monitoring pipe would be layered between the primary and secondary liners and would extend from the bottom of the pit to the surface or rim of the pit.

The perimeter of the pit would be fenced with a six ft high chain link fence and covered with a synthetic bird net.

Operationally, loading and unloading fluid transfers would occur through permanently mounted and rigid pipe drops anchored at the rim of the pit. This would prevent any potential damage to the liner system by transfer operations. A hydrostatic test would be performed on the pit prior to operational use as per COGCC conditions of approval.A Professional Engineer (PE) would

be present on location during construction to confirm the construction specifications have been met. Once excavation of the earthen pit is complete, the PE would issue a Notice of Substantial Completion verifying the pit was constructed per recommendations. The liner described above would be installed by a professional liner company.

Power Line Specifications – White River Electric Association would construct a buried 25-kV three-phase power line to the water recycling facility. Power would come from the existing power line to the north of the proposed pit and would be buried 300 ft underground. The 25-kV buried power line would be located on WPX's Pitcher's Mound water recycling pit pad, so no brush clearing would be required. Equipment to be used would be a backhoe, a 4-wheel drive 2-ton digger truck, and standard utility line trucks. Construction of the power line would take one day to complete. WREA's power line ROW would be 300 ft long, 25 ft wide, and contain 0.17 acres.

Typical Construction Equipment - WPX Energy anticipates the following equipment to construct the Proposed Action: 2-4 bulldozers, 1 trackhoe, 2 scrapers,1 grader,1 rock crusher. Manpower would be estimated to requirebetween 10-15 people and construction would be expected to take 60-90 days.

Maintenance of Water Recycling Pit consists of the following items and frequencies:

1. Prior to use, the subject water recycling pit would be hydrotested for a period of 72 hours to ensure liner integrity. The Liner Plans and Specifications are available in the case file for additional detail on hydrotest procedures.
2. Liner and containment berms would be inspected continually prior to use.
3. Leak detection system and telemetry would be employed on a continuous basis to monitor fluid levels.
4. Wildlife netting would be inspected on a quarterly basis and replaced/repaired, as needed.
5. Stormwater inspections would be conducted at the site when construction begins until final reclamation is achieved. From start of construction until all disturbed slopes are seeded, inspections would be conducted every 14 days by a qualified stormwater inspector.
6. Spill Prevention Control and Counter measure (SPCC) inspections would be conducted at least annually at the site. The WPX SPCC inspection program is designed to comply with 40 CFR 112. Through SPCC inspections, any issues with oil and produced water management on location are identified and addressed through the SPCC program maintenance and repair processes.
7. Water Recycling Pit would be continuously manned during pumping or water movement activities.
8. Road surface would be graded and ditches would be cleaned as needed to maintain functionality.

Termination and Abandonment - After the useful life of the water recycling pit is achieved, WPX would remove the liner, recontour the pad, and fully reclaim the site. The slopes of the pad would be recontoured to fit the natural topography. Three ft of clean soil would cap the pit surface, in accordance with COGCC regulations to assist with final reclamation. All compacted portions of the pad, road and pipeline route would be ripped to a depth of 18 inches unless in solid rock. Prior to seeding, windrowed topsoil (stripped surface material) would be spread to a uniform depth that would allow establishment of desirable vegetation. Reclamation/reseeding

would comply with Federal (BLM) and state (COGCC) regulations. WPX would comply with seeding requirements as established by the BLM White River Field Office (WRFO). The long term reclamation objective is to establish a self-perpetuating plant community that is compatible with and capable of supporting the pre-disturbance land use.

BLM Required Conditions of Approval to Mitigate Impacts to Cultural and Paleontological Resources

1. The applicant 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 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.

3. Pursuant to 43 CFR 10.4(g), the applicant 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 operator must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the AO.

4. The applicant 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 or other scientifically-important fossils, collecting large amounts of petrified wood (over 25lbs./day, up to 250lbs./year), or collecting fossils for commercial purposes on public lands.
5. If any paleontological resources are discovered as a result of operations under this authorization, the applicant 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.

Review of Existing NEPA Documents

Name of Document: White River Resource Area Proposed Resource Management Plan and Final Environmental Impact Statement (PRMP/FEIS).

Date Approved: June 1996

Name of Document: DOI-BLM-CO-110-2013-0098-EA

Date Approved: 9/19/2013

NEPA Adequacy Criteria

1. Is the new Proposed Action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document? If there are differences, can you explain why they are not substantial?

   *The Proposed Action is similar in location and nature to what has been previously analyzed. The Proposed Action is to construct a water recycling pit and associated water pipelines, access road, power line, and natural gas pipeline. The existing NEPA document (*DOI-BLM-CO-110-2013-0098-EA*) analyzed the NE Ryan Gulch water recycling pit and associated water pipelines and access road.*

2. Is the range of alternatives analyzed in the existing NEPA document appropriate with respect to the new Proposed Action, given current environmental concerns, interests, and resource values?

   Two alternatives (Proposed Action and No Action Alternative), covering a reasonable range of alternatives, were analyzed in DOI-BLM-CO-110-2013-0098-EA. No reasons were identified to analyze additional alternatives, and these alternatives are considered to be adequate and valid for the Proposed Action.

3. Is the existing analysis valid in light of any new information or circumstances (such as, rangeland health standard assessment, recent endangered species listings, updated lists of BLM-sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new Proposed Action?

   Review by BLM WRFO specialists in this document (DOI-BLM-CO-N05-2014-0119-DNA) did not indicate recent endangered species listings or updated lists of BLM-sensitive species that would be affected by the Proposed Action.

4. Are the direct, indirect, and cumulative effects that would result from implementation of the new Proposed Action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?

Review by BLM WRFO specialists in this document (DOI-BLM-CO-N05-2014-0119-DNA) did not indicate there would be any direct, indirect, and cumulative effects from the Proposed Action that were not adequately addressed in DOI-BLM-CO-110-2013-0098-EA.

5. Is the public involvement and interagency review associated with existing NEPA documents adequate for the current Proposed Action?

   Internal scoping was initiated when the project was presented to the White River Field Office (WRFO) interdisciplinary team on 8/26/2014. External scoping was conducted by posting this project on the WRFO's on-line NEPA register on 8/26/2014. As of 6/10/2015, no comments or inquiries have been received.

Interdisciplinary Review

The Proposed Action was presented to, and reviewed by, the White River Field Office interdisciplinary team on 8/26/2014. A complete list of resource specialists who participated in this review is available upon request from the White River Field Office. The table below lists resource specialists who provided additional review or remarks concerning cultural resources and special status species.

Name	Title	Resource	Date
Michael Selle	Archaeologist	Cultural Resources, Native American Religious Concerns	4/14/2015
Ed Hollowed	Wildlife Biologist	Special Status Wildlife Species	12/4/2014
Heather Woodruff	Ecologist	Special Status Plant Species	10/16/2014
Stacey Burke	Realty Specialist	Project Lead	6/10/2015
Joe David	Planning and Environmental Coordinator	NEPA Compliance	07/06/2015

Cultural Resources: The area of the proposed water recycling pit has been inventoried at the Class III (100 percent pedestrian) level (Conner and Davenport 2014, compliance dated 10/24/2014). The inventory identified three cultural manifestations in the area of potential effect. Two of the resources are not considered important or eligible for nomination to or listing on the National Register of Historic Places. The third resource is recorded as an open camp but may represent the remains of a wickiup village. The proposed water pit appears to be located at least 328 feet (100 meters) from the site, and there should not be any construction related impacts to the site. However, due to the proximity to the site there is a potential for indirect impacts due to the increased human activity in the area associated with the water recycling facility. Unlawful collection of surface artifacts from the surface cannot be considered an unlikely. WPX shall be responsible for insuring the safety of the site for the duration of the project to reduce secondary impacts to the site.

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

Paleontological Resources: The proposed project is located in an area generally mapped as the Uinta Formation (Tweto 1979), which the BLM has categorized as a Potential Fossil Yield Classification (PFYC) 5 formation meaning it is known to produce scientifically noteworthy fossils (c. Armstrong and Wolny 1989). Excavation into the underlying rock formation has the potential to impact scientifically noteworthy fossils. Should any fossils be encountered this could represent a serious loss of scientific data from the regional paleontological database. The acreage disturbed by pad leveling and pit construction would be additive to the acreage in the Piceance Creek drainage already disturbed by oil and gas development.

Threatened and Endangered Wildlife Species: Wildlife issues and effects analysis conducted for the NE Ryan Gulch Water Recycling Pit are virtually identical to those presented in DOI-BLM-CO-110-2013-0098-EA. Brewer's sparrow (BLM-sensitive species) habitat associated with the project is confined to a single 4.3 acre sagebrush stand (pit site) that is entirely within 100-meters of high volume well field access. Because only about 3 acres of suitable sagebrush habitat lies beyond 50 meters of these roads, the likelihood that this habitat fragment consistently supports nesting by this species is low.

Based on raptor nest surveys conducted in 2014, there is no current evidence of raptor nest activity in areas potentially influenced by project-related construction. Surface disturbance would involve less than 0.5 acre of woodland habitat capable of supporting nesting functions and this parcel lies on the margin of a stand within 100 meters of well field access.

As discussed in the DOI-BLM-CO-110-2013-0098-EA document, one of the primary purposes of the project is to make more efficient use and allow for the reuse of water for hundreds of drilling and completion operations. Its installation would therefore be instrumental in measurably reducing the annual consumptive rate of fresh water required for fluid mineral development as a factor in flow depletion from endangered fish habitat in the Upper Colorado River Basin. Over the 10 year operational life of the project, there would be no effective net depletion of water from the upper Colorado River Basin associated with the Proposed Action.

The project area is encompassed by, or closely associated with big game severe winter range, which is normally subject to timing limitations that bar disruptive development activities from December 1 to April 30. To better balance the competing demands of natural gas production and wildlife, the applicant has entered into a multi-year Wildlife Mitigation Plan (associated with Colorado Oil & Gas Conservation Commission 1298 Rules) cooperatively developed by the operator, Colorado Parks and Wildlife (CPW), and WRFO that uses alternative mitigation practices (i.e., clustered development) that limits the expanse and duration of development effects imposed on big game and allows for the exercise of year-round natural gas development (i.e., exception of big game timing limitations). The project under consideration is within this area of agreement and would be excepted from big game timing limitations.

Threatened and Endangered Plant Species: The nearest known occurrence of special status plant species (SSPS) is approximately 2.75 miles to the east of the project area. Biological surveys conducted by WestWater Engineering in 2014 indicated no plants or suitable habitat for any SSPS was present in the project area. There are no SSPS issues or concerns associated with the Proposed Action.

Mitigation

The following applicable mitigation from DOI-BLM-CO-110-2013-0098-EA has been carried forward:

1. The holder 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.
2. The holder will treat all access roads with water and/or a chemical dust suppressant during construction and operation 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.
3. In order to protect rangeland health standards for soils, erosion features such as rilling, gullying, 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.
4. All construction activity shall cease when soils or road surfaces become saturated to a depth of three inches unless approved by the Authorized Officer.
5. The access road should be constructed as an all-weather surface due to the likely traffic that would occur to this site. This all-weather surface should be maintained through the life of the water recycling pit.
6. The soil excess pile will be seeded and an erosion control fabric or mulch will be applied after seeding to stabilize the surface and enhance the establishment of vegetation after construction of the pit.
7. To protect surface waters below the project area, the holder shall keep road inlet and outlet ditches, sediment retention basins, and culverts free of obstructions, particularly before and during spring run-off and summer convective storms. The holder shall provide adequate drainage spacing to avoid accumulation of water in ditches or on road surfaces.
8. The holder shall install culverts and low-water crossings with adequate armoring of inlet and outlet. The holder shall patrol areas susceptible to road or watershed damage during periods of high runoff.
9. The holder shall locate drainage dips and drainage ditches in such a manner as to avoid discharge onto unstable terrain such as headwalls or slumps. The holder shall provide adequate spacing to avoid accumulation of water in ditches or dips.
10. To reduce erosion and minimize noxious weed establishment, all areas of the disturbance, where it is not necessary to keep the area free of vegetation, shall be seeded with the recommended seed mix below.
11. All seed used must be certified and free of noxious weeds. All seed tags will be submitted to the designated Realty Specialist within 14 calendar days from the time the seeding activities have ended. Documentation shall be provided with the seed tags to address the purpose of the seeding activity (i.e., seeding of re-contoured areas) and, if applicable, the name and contact information of the contractor who performed the work, the seeding method (e.g., broadcast, hydro-seeded, drilled), 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.
12. 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.

13. BLM recommends Seed Mix 3 for all reclamation activities. Seeding rates are shown for drill seeding rates (Table 5) and should be doubled for broadcast application. Seed should be applied anytime between mid-September and mid-March. If an alternate date of seeding is requested, contact the designated Realty Specialist prior to seeding for approval. Seed mixture rates are Pure Live Seed (PLS) pounds per acre. Topsoil stockpiles must be seeded immediately as part of Phase I interim reclamation.

Table 5. Seed Mix 3

Variety	Common Name	Scientific Name	Rate (Lbs. PLS/acre)
Rosana	Western Wheatgrass	*Pascopyrum smithii*	4
Whitmar	Bluebunch Wheatgrass	*Pseudoroegneria spicata* ssp. *inermis*	3.5
Rimrock	Indian Ricegrass	*Achnatherum hymenoides*	3
	Needle and Thread Grass	*Hesperostipa comata* ssp. *comata*	2.5
Maple Grove	Lewis Flax	*Linum lewisii*	1
	Scarlet Globemallow	*Sphaeralcea coccinea*	0.5

14. If, after three growing seasons, the following success criteria are not achieved, then the steps will be reassessed in consultation with the BLM WRFO and additional seeding at an appropriate seeding window will occur. Success criteria to achieve:

a. Vegetation monitoring (method approved by the BLM) reveals vegetation with eighty percent similarity of desired foliar cover, bare ground, and shrub and or forb density in relation to the identified DPC. In the absence of specified DPC data, an agreed upon reference site or AIM data would serve as the DPC. Vegetative cover values for woodland or shrubland sites are based on the capability of those sites in an herbaceous state.
b. The resulting plant community must have composition of at least five desirable plant species, and no one species may exceed 70 percent relative cover to ensure that site species diversity is achieved. Desirable species include native species from the surrounding site, species listed in the range/ecological site description, or species from the BLM approved seed mix.

15. A Reclamation Status Report will be submitted electronically to the WRFO annually (due January 1st) until it is determined that reclamation of the site has met all required objectives of that particular reclamation phase. Every third year, a vegetation monitoring report should accompany the status report. The reclamation status report will be submitted electronically via the most current data management system. Contact your WRFO project lead (NRS/Realty Specialist) with any questions. Any changes to the project status or related information can also be provided through the most current data management system.

a. The Reclamation Status Report will include the ROW number, legal description, UTM coordinates, project description, date seeded, photos of the reclaimed site taken from permanent photo points, estimate of acres seeded, seeding method (e.g., broadcast, drilled, hydro-seeded, etc.), a diagram showing where reclamation has occurred with photo points identified and noted, additional notes as needed, and contact information for the person responsible for developing the report.

16. Final reclamation for abandonment of the site will use the seed mix and reclamation practices recommended by BLM at that time.

17. The holder will implement an integrated weed management plan according to BLM manual 9015-Integrated Weed Management (BLM 1992) and maintain this treatment through approval of final reclamation of the project. Prior to the season of construction, the holder shall submit Pesticide Use Proposals for the use of herbicides appropriate for control/eradication of the known noxious and invasive nonnative species.
18. 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.
19. The holder shall paint all permanent above ground structures (on-site for six months or longer) Juniper Green according to the BLM Standard Environmental Chart CC-001: June 2008.
20. The holder shall 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.
21. All right-of-way holders shall 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.
22. 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 shall provide a current copy of said plan to the BLM WRFO.
23. Through all phases of oil and gas exploration, development, and production, all holders of rights-of-way shall employ, maintain, and periodically update to the best available technology(s) aimed at reducing: 1) emissions, 2) fresh water use, and 3) utilization, production, and release of hazardous material.
24. 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% 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.
25. 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.
26. As a reasonable and prudent right-of-way holder in the oil and gas industry, acting in good faith, all 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.
27. As a reasonable and prudent right-of-way holder in the oil and gas industry, acting in good faith, all 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 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 holder's expense. Such action will not relieve the holder of any liability or responsibility.

28. 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, and during the life of the pipeline, the right-of-way holder, and through the right-of-way holder, 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.

29. 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 holder 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 holder 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 holder 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.
e. Piled vegetation retained for reclamation as part of forest management mitigations shall be located at least twenty five feet from other receptive fuels.

30. In accordance with the 1997 White River RMP/ROD, all trees removed in the process of construction shall be purchased from the BLM. Trees should first be used in reclamation efforts and then any excess material made available for firewood or other uses.

a. First, woody material will be chipped and stockpiled for later use in reclamation. Woods chips can be incorporated into the topsoil layer to add an organic component to the soil to aid in reclamation success.
b. Woody materials, not used for woods chips, required for reclamation shall be removed in whole with limbs intact and shall be stockpiled along the margins of the authorized use area separate from the topsoil piles. Once the disturbance has been recontoured and reseeded, stockpiled woody material shall be scattered across the reclaimed area where the material originated. Redistribution of woody debris will not exceed 20-30 percent ground cover. Limbed material shall be scattered across reclaimed areas in a manner that avoids the development of a mulch layer that suppresses growth or reproduction of desirable vegetation. Woody material will be distributed in such a way to avoid large concentrations of heavy fuels and to effectively deter vehicle use.

c. Woody materials that are to be stockpiled along margins and not used in the topsoil should not exceed pile dimensions of 8 ft x 8 ft x 8 ft. Materials used in the stockpiles should be a variety of diameters, but should be no smaller than six inches in diameter. Additionally the piles should be no less than 30 feet apart.
d. Trees that must be removed for construction and are not required for reclamation shall be cut down to a stump height of six inches or less prior to other heavy equipment operation. These trees shall be cut in four foot lengths (down to four inches diameter) and placed in manageable stacks immediately adjacent to a public road to facilitate removal for company use or removal by the public.
e. During pad, road, and pipeline layout, consideration will be given to maintaining old-growth stands in their entirety. Old-growth stands will be those with trees containing individuals of age greater than 300 years and having old-growth stature and development.

31. Prior to any construction, a representative will coordinate with the appropriate WRFO Rangeland Management Specialist (Mary Taylor 970-878-3807) to conduct a field inspection of the rangeland improvement project (water line) and address how to relocate/repair the waterline and ensure that it remains functional in the area affected by this project. The holder will repair any future damage caused to this water line caused by operational activities of the waterline and other associated facilities. Any damage caused to the pasture division fence caused by construction of or use of this waterline must be repaired to BLM specifications in a timely manner (to prevent livestock movement between the affected pastures).
32. 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.
33. 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.
34. Construction activity should take place entirely within the areas authorized in the ROW grants.
35. 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.
36.

Additional cultural mitigation:
37. The holder assumes responsibility for the integrity of site 5RB.1109 for the duration of the life or operation of water recycling pit. This includes, but is not be limited to, having an approved archaeological consultant conduct yearly monitoring of site 5RB.1106 as well as any stabilization or data recovery necessitated by site degradation, whether resulting from construction and operation of the water recycling pit, vandalism, erosion, or any other cause.
38. All construction activity related to the construction and reclamation of the water pit at the end of its useful life must avoid site 5RB.1109 by a minimum of 328 feet (100 meters).

References Cited:

Armstrong, Harley J., and David G. Wolny
1989 Paleontological Resources of Northwest Colorado: A Regional Analysis. Museum of Western Colorado, Grand Junction, Colorado.

Conner, Carl E., and Barbara Davenport
2014 Class III Cultural Resource Inventory Report for the Proposed Pitcher's Mound Water Recycling Pit and Pipeline in Rio Blanco County, Colorado for WPX Energy Rocky Mountain, LLC. Grand River Institute, Grand Junction, Colorado. (14-11-15: OAHP #RB.LM.R1394)

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

WestWater Engineering (WestWater).
2014 Biological Survey Report WPX Energy Pitcher's Mound Water Recycling Facility. Report Prepared for WPX Energy and White River BLM Field Office. 2014. Grand Junction, Colorado.

Tribes, Individuals, Organizations, or Agencies Consulted

Colorado SHPO, 1/15/2015 and 3/9/2015.
Shoshone tribe, Ute Mountain Ute Tribe, Southern Ute Indian Tribe, Uintah and Ouray Tribal Business council, Northern Ute Tribe 1/14/2015

Conclusion

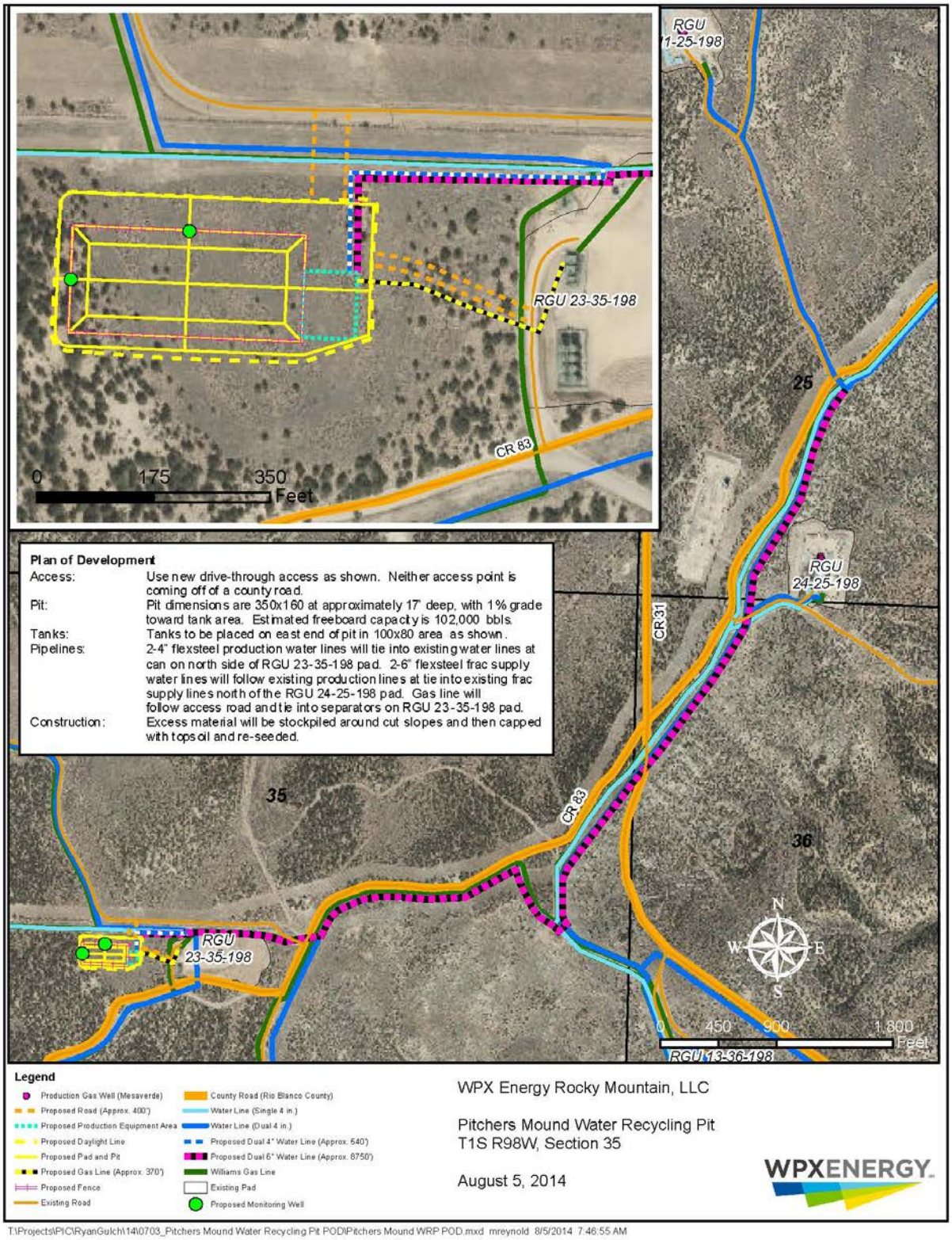
Based on the review documented above, I conclude that this proposal conforms to applicable land use plan and that the NEPA documentation fully covers the Proposed Action and constitutes BLM's compliance with the requirements of the NEPA.

Kent E. Walter

Field Manager

07/08/2015
Date

Appendix A. Figures



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)

Pitcher's Mound Water Recycling Pit
DOI-BLM-CO-N05-2014-0119-DNA

Background

WPX Energy Rocky Mountain LLC (WPX) proposes to construct a 102,000 barrel (bbl) lined water recycling pit, associated access road, natural gas pipeline, and water pipelines. The pit would contain water gathered from and to be recycled during Ryan Gulch completion and production operations. Water would originate from and be recycled throughout the Ryan Gulch Asset (Ryan Gulch, Ryan Gulch Unit, Barcus Creek Unit, and Sandridge leases). There would be eight tanks to support operations of the water recycling pit. The drive-through access road would utilize existing well pad access roads with 400 ft of new access road constructed to the water recycling pit. Two on-unit production water pipelines and two frac supply water pipelines would be constructed to connect the water recycling pit to existing buried pipeline systems. A natural gas pipeline would tie into separators on the RGU 23-35-198 well pad and the natural gas would be used for tank heaters at the water recycling pit facility. White River Electric Association would construct a buried power line to the facility.

Finding of No Significant Impact

Based upon a review of the EA and the supporting documents, I have determined that the Proposed Action will not have a significant effect on the quality of the human environment, individually or cumulatively with other actions in the general area. No environmental effects meet the definition of significance in context or intensity, as defined at 40 CFR 1508.27 and do not exceed those effects as described in the White River Resource Area Proposed Resource Management Plan and Final Environmental Impact Statement (1996). Therefore, an environmental impact statement is not required. This finding is based on the context and intensity of the project as described below.

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. The water recycling pit, associated access road, and water pipelines would be in use for approximately 12 years to support completions operations in the Ryan Gulch area. The site would be reclaimed to BLM specifications.

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, special status species, cultural resources, and paleontology were incorporated. The water recycling pit would reduce truck traffic and fugitive dust associated with water trucking operations. 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 if the safety measures described in the applicant's plan of development are properly implemented, and the developed mitigation is adhered to.

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 wetlands, prime farmlands, parklands, or scenic rivers occur in the project area. A Class III Cultural Resource inventory identified three cultural resources near the proposed areas of disturbance. If the additional cultural mitigation is adhered to, there would be no impact to cultural resources.

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 for centralized facilities for water storage, handling, transport, and disposal have been evaluated and approved, so the authorization of the lined water recycling pit and associated facilities would not set a precedent for future actions. Onshore Oil and Gas Order No. 7 specifies the design, construction, and maintenance requirements for pits. WPX has provided maps and drawings of the site, materials and methods for lining the pit, and quantity of water to be

recycled. WPX proposes to fence the pit and clean the water before it enters the pit. COGCC approval would also be obtained prior to construction of the pit.

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 Proposed Action, 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.
No endangered or threatened species or its habitat will be adversely affected as a result of this Proposed Action.

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

Kent E. Walter

Field Manager

07/08/2015

Date

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

DECISION RECORD

Pitcher's Mound Water Recycling Pit
DOI-BLM-CO-N05-2014-0119-DNA

Decision

It is my decision to implement the Proposed Action as described in DOI-BLM-CO-N05-2014-0119-DNA, authorizing the construction, operation, maintenance, and termination of the Pitcher's Mound water recycling pit and associated pipelines, access road, and power line.

BLM Required Conditions of Approval to Mitigate Impacts to Cultural and Paleontological Resources

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.

4. 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 or other scientifically-important fossils, collecting large amounts of petrified wood (over

25lbs./day, up to 250lbs./year), or collecting fossils for commercial purposes on public lands.

5. 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.

Mitigation Measures

6. The holder 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.
7. The holder will treat all access roads with water and/or a chemical dust suppressant during construction and operation 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.
8. In order to protect rangeland health standards for soils, erosion features such as rilling, gullying, 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.
9. All construction activity shall cease when soils or road surfaces become saturated to a depth of three inches unless approved by the Authorized Officer.
10. The access road should be constructed as an all-weather surface due to the likely traffic that would occur to this site. This all-weather surface should be maintained through the life of the water recycling pit.
11. The soil excess pile will be seeded and an erosion control fabric or mulch will be applied after seeding to stabilize the surface and enhance the establishment of vegetation after construction of the pit.
12. To protect surface waters below the project area, the holder shall keep road inlet and outlet ditches, sediment retention basins, and culverts free of obstructions, particularly before and during spring run-off and summer convective storms. The holder shall provide adequate drainage spacing to avoid accumulation of water in ditches or on road surfaces.
13. The holder shall install culverts and low-water crossings with adequate armoring of inlet and outlet. The holder shall patrol areas susceptible to road or watershed damage during periods of high runoff.
14. The holder shall locate drainage dips and drainage ditches in such a manner as to avoid discharge onto unstable terrain such as headwalls or slumps. The holder shall provide adequate spacing to avoid accumulation of water in ditches or dips.

15. To reduce erosion and minimize noxious weed establishment, all areas of the disturbance, where it is not necessary to keep the area free of vegetation, shall be seeded with the recommended seed mix below.
16. All seed used must be certified and free of noxious weeds. All seed tags will be submitted to the designated Realty Specialist within 14 calendar days from the time the seeding activities have ended. Documentation shall be provided with the seed tags to address the purpose of the seeding activity (i.e., seeding of re-contoured areas) and, if applicable, the name and contact information of the contractor who performed the work, the seeding method (e.g., broadcast, hydro-seeded, drilled), 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.
17. 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.
18. BLM recommends Seed Mix 3 for all reclamation activities. Seeding rates are shown for drill seeding rates (Table 5) and should be doubled for broadcast application. Seed should be applied anytime between mid-September and mid-March. If an alternate date of seeding is requested, contact the designated Realty Specialist prior to seeding for approval. Seed mixture rates are Pure Live Seed (PLS) pounds per acre. Topsoil stockpiles must be seeded immediately as part of Phase I interim reclamation.

Table 5. Seed Mix 3

Variety	Common Name	Scientific Name	Rate (Lbs. PLS/acre)
Rosana	Western Wheatgrass	*Pascopyrum smithii*	4
Whitmar	Bluebunch Wheatgrass	*Pseudoroegneria spicata* ssp. *inermis*	3.5
Rimrock	Indian Ricegrass	*Achnatherum hymenoides*	3
	Needle and Thread Grass	*Hesperostipa comata* ssp. *comata*	2.5
Maple Grove	Lewis Flax	*Linum lewisii*	1
	Scarlet Globemallow	*Sphaeralcea coccinea*	0.5

19. If, after three growing seasons, the following success criteria are not achieved, then the steps will be reassessed in consultation with the BLM WRFO and additional seeding at an appropriate seeding window will occur. Success criteria to achieve:

a. Vegetation monitoring (method approved by the BLM) reveals vegetation with eighty percent similarity of desired foliar cover, bare ground, and shrub and or forb density in relation to the identified DPC. In the absence of specified DPC data, an agreed upon reference site or AIM data would serve as the DPC. Vegetative cover values for woodland or shrubland sites are based on the capability of those sites in an herbaceous state.
b. The resulting plant community must have composition of at least five desirable plant species, and no one species may exceed 70 percent relative cover to ensure that site species diversity is achieved. Desirable species include native species from the surrounding site, species listed in the range/ecological site description, or species from the BLM approved seed mix.

20. A Reclamation Status Report will be submitted electronically to the WRFO annually (due January 1st) until it is determined that reclamation of the site has met all required objectives of that particular reclamation phase. Every third year, a vegetation monitoring report should

accompany the status report. The reclamation status report will be submitted electronically via the most current data management system. Contact your WRFO project lead (NRS/Realty Specialist) with any questions. Any changes to the project status or related information can also be provided through the most current data management system.

a. The Reclamation Status Report will include the ROW number, legal description, UTM coordinates, project description, date seeded, photos of the reclaimed site taken from permanent photo points, estimate of acres seeded, seeding method (e.g., broadcast, drilled, hydro-seeded, etc.), a diagram showing where reclamation has occurred with photo points identified and noted, additional notes as needed, and contact information for the person responsible for developing the report.

21. Final reclamation for abandonment of the site will use the seed mix and reclamation practices recommended by BLM at that time.

22. The holder will implement an integrated weed management plan according to BLM manual 9015-Integrated Weed Management (BLM 1992) and maintain this treatment through approval of final reclamation of the project. Prior to the season of construction, the holder shall submit Pesticide Use Proposals for the use of herbicides appropriate for control/eradication of the known noxious and invasive nonnative species.

23. 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.

24. The holder shall paint all permanent above ground structures (on-site for six months or longer) Juniper Green according to the BLM Standard Environmental Chart CC-001: June 2008.

25. The holder shall 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.

26. All right-of-way holders shall 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.

27. 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 shall provide a current copy of said plan to the BLM WRFO.

28. Through all phases of oil and gas exploration, development, and production, all holders of rights-of-way shall employ, maintain, and periodically update to the best available technology(s) aimed at reducing: 1) emissions, 2) fresh water use, and 3) utilization, production, and release of hazardous material.

29. 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% 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.

30. 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.
31. As a reasonable and prudent right-of-way holder in the oil and gas industry, acting in good faith, all 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.
32. As a reasonable and prudent right-of-way holder in the oil and gas industry, acting in good faith, all 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 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 holder's expense. Such action will not relieve the holder of any liability or responsibility.
33. 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, and during the life of the pipeline, the right-of-way holder, and through the right-of-way holder, 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.
34. 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 holder 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 holder 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 holder 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.
e. Piled vegetation retained for reclamation as part of forest management mitigations shall be located at least twenty five feet from other receptive fuels.

35. In accordance with the 1997 White River RMP/ROD, all trees removed in the process of construction shall be purchased from the BLM. Trees should first be used in reclamation efforts and then any excess material made available for firewood or other uses.

a. First, woody material will be chipped and stockpiled for later use in reclamation. Woods chips can be incorporated into the topsoil layer to add an organic component to the soil to aid in reclamation success.
b. Woody materials, not used for woods chips, required for reclamation shall be removed in whole with limbs intact and shall be stockpiled along the margins of the authorized use area separate from the topsoil piles. Once the disturbance has been recontoured and reseeded, stockpiled woody material shall be scattered across the reclaimed area where the material originated. Redistribution of woody debris will not exceed 20-30 percent ground cover. Limbed material shall be scattered across reclaimed areas in a manner that avoids the development of a mulch layer that suppresses growth or reproduction of desirable vegetation. Woody material will be distributed in such a way to avoid large concentrations of heavy fuels and to effectively deter vehicle use.
c. Woody materials that are to be stockpiled along margins and not used in the topsoil should not exceed pile dimensions of 8 ft x 8 ft x 8 ft. Materials used in the stockpiles should be a variety of diameters, but should be no smaller than six inches in diameter. Additionally the piles should be no less than 30 feet apart.
d. Trees that must be removed for construction and are not required for reclamation shall be cut down to a stump height of six inches or less prior to other heavy equipment operation. These trees shall be cut in four foot lengths (down to four inches diameter) and placed in manageable stacks immediately adjacent to a public road to facilitate removal for company use or removal by the public.
e. During pad, road, and pipeline layout, consideration will be given to maintaining old-growth stands in their entirety. Old-growth stands will be those with trees containing individuals of age greater than 300 years and having old-growth stature and development.

36. Prior to any construction, a representative will coordinate with the appropriate WRFO Rangeland Management Specialist (Mary Taylor 970-878-3807) to conduct a field inspection of the rangeland improvement project (water line) and address how to relocate/repair the waterline and ensure that it remains functional in the area affected by this project. The holder will repair any future damage caused to this water line caused by operational activities of the waterline and other associated facilities. Any damage caused to the pasture division fence caused by construction of or use of this waterline must be repaired to BLM specifications in a timely manner (to prevent livestock movement between the affected pastures).
37. 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.
38. 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.
39. Construction activity should take place entirely within the areas authorized in the ROW grants.
40. 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.

Additional cultural mitigation:
41. The holder assumes responsibility for the integrity of site 5RB.1109 for the duration of the life or operation of water recycling pit. This includes, but is not be limited to, having an approved archaeological consultant conduct yearly monitoring of site 5RB.1106 as well as any stabilization or data recovery necessitated by site degradation, whether resulting from construction and operation of the water recycling pit, vandalism, erosion, or any other cause.
42. All construction activity related to the construction and reclamation of the water pit at the end of its useful life must avoid site 5RB.1109 by a minimum of 328 feet (100 meters).

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-N05-2013-0098-EA and it was found to have no significant impacts, thus an EIS is not required.

Public Involvement

This project was posted on the WRFO's on-line National Environmental Policy Act (NEPA) register on 8/26/2014. No comments or inquiries have been received.

Rationale

The proposal for the construction, operation, and maintenance of the Pitcher's Mound water recycling pit, and associated access road, pipelines, and power line, in concert with the applied mitigation, conforms to the land use plan. The NEPA documentation previously prepared fully covers the Proposed Action and constitutes BLM's compliance with the requirements of NEPA.

Monitoring and Compliance

On-going compliance inspections and monitoring will be conducted by White River Field Office staff. Specific mitigation developed in the associated Documentation of NEPA Adequacy (DNA) will be followed. The holder 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.

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

Kent E. Walter

Field Manager

07/08/2015

Date