

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-N05-2014-0073-CX(390)

CASEFILE/PROJECT NUMBER: COC-61469 (lease), COC-69926X (CA)

PROJECT NAME: Encana Oil and Gas pipeline to ELU 8908A-6 H06 396

LEGAL DESCRIPTION: T2S, R96W, S32
T3S, R96W, S5

APPLICANT: Encana Oil and Gas (USA) Inc.

BACKGROUND: The wellpad associated with this proposed pipeline is located within the Expanded Liberty Unit which was acquired from XTO Energy Inc. on July 1, 2013. There is one existing shut-in well on the ELU H06 396 wellpad. This well was approved (ExxonMobil Corporation) in DOI-BLM-CO-110-2009-0157-EA on January 15, 2010. Encana plans to complete this well in the timeframe of August – September 2014.

DESCRIPTION OF PROPOSED ACTION: Encana Oil and Gas (USA) Inc. (Encana) would like to install two pipelines (one gas line and one water line) to service the ELU H06 496 pad.

Pipeline Length:

Pipeline length is proposed to be 3,668 feet, with 3,277 feet on Bureau of Land Management (BLM) surface and 391 feet on private surface.

Pipeline Disturbance:

Encana has requested two different disturbance widths:

- The northernmost portion is proposed to be 1,474 feet long by 53 feet wide (1.80 acres)
- The southernmost portion is proposed to be 2,194 feet long by 63 feet wide (3.20 acres)

Total disturbance is estimated at 5.00 acres.

Pipeline Size and Buried Depth:

Pipelines will be six inch nominal carbon steel, buried at a minimum of three feet deep.

Above-ground Equipment

A launcher and a valve at the well pad will be required. There will be a receiver and tap valves into each pipeline located on Fee surface.

Encana's Reclamation Design Features & Proposed Success Criteria:

- When the pipeline installation phase of the project is completed, the right-of-way will be restored as close as possible to pre-excavated grades and compaction.
- Topsoil will be redistributed as close to original salvage depths as possible.
- In areas with pre-existing rocky surface material, the stored rock will be spread over the right-of-way to maintain a surface appearance to that of adjacent undisturbed terrain.
- Every effort will be made to install permanent erosion control measures after re-contouring is complete.
- Any brush that was shredded will be spread evenly across the right-of-way.
- Seeding will take place with an approved seed mix and application rate provided by others.
- After seeding is complete the temporary Best Management Practices (BMPs) will be replaced with permanent BMPs and monitored for any malfunctions. All BMPs will continue to be inspected and maintained and any areas that do not have re-growth will be reseeded as necessary until final stabilization is achieved.
- Revegetation contractor is responsible for sediment and pollution discharge control for pre-construction, construction and reclamation activities include but are not limited to sediment removal from bar ditches, sediment traps, culvert inlets and culvert outlets.
- Finish grading, drainage, and stormwater control and soil preparation per Stormwater Site Plans, including but not limited to, topsoil conservation/topsoil segregation, windrow, surface roughening, land forming/land grading and water bars.
- Seed bed preparation: topsoil will be ripped to remove compaction up to a depth of 12 inches.
- Hydraulic amendment, seed, erosion control blanket and erosion control mulch applications.
- Broadcast amendments, drill seeding, and certified weed free straw crimping on slopes 2.5:1 or less.
- Hydraulic amendment, seed and erosion control mulch applications on remaining areas and any areas found to be deficient.
- Specified access road seeding and stormwater repair and modification per pre-reclamation meeting.
- Seeding contractor is now responsible for acquiring straw that is harvested in a manner to reduce volunteer winter wheat. Wood mulch will also be considered.
- In cases of winter wheat germination above 30 percent canopy, it is the seeding contractor's responsibility to ensure the winter wheat does not go to head or compete with the desired species.
- If there is more winter wheat than desirable species, reseeding will be required.
- Following successful revegetation, surviving waterbars will be flattened to blend with the slope and then revegetated. Any surviving berms will be flattened to blend with the surrounding landform and revegetated.

- Final abandonment of pipelines and flowlines will involve flushing and properly disposing of any fluids in the lines. Any lines that may have been exposed will be removed. Deeply buried lines will remain in place unless otherwise directed by the authorized officer.

Reclamation Success Criteria:

- Success Criteria for evaluation of the reclamation will be established using the WRFO prescribed seed mix.
- The goal of successful reclamation will be to reach 80 percent of pre-existing vegetative cover, using the Daubenmire method for monitoring. Pre-existing vegetative cover will be estimated by assessing the land adjacent to this location.
- Successful reclamation will also be representative of an early seral growth of the native plant community as described by the approved seed mix. Encana requests the opportunity to propose the use of an alternate seed mix if the White River Field Office (WRFO) prescribed mix does not perform or does not appear to be reaching the success criteria within three growing seasons.
- A vegetation monitoring report for this site will be provided to the WRFO, on a three-year rotation, in accordance with the annual reclamation status report. Global Positioning System (GPS) coordinates of monitoring transects will also be provided for replication of monitoring.

Decision to be Made: The BLM will decide whether or not to approve the pipelines to the ELU 8908A-6 H06 396, 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: 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, the Proposed Action has an estimated surface disturbance of 5.00 acres.

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

Yes, within the lease of the area of the proposal (COC-061469) using 2011 aerial photography, on May 6, 2014 it was estimated there is 55.87 acres disturbance on the entire 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.)

The Proposed Action is within the boundaries of an area included in site-specific NEPA document DOI-BLM-CO-110-2009-0157-EA which was approved on January 15, 2010. The EA analyzed and approved the LBU 396-6A which was approved as a gas well for the ExxonMobil Corporation. Since then, the Expanded Liberty Unit has been acquired by Encana and the well is now called the ELU 8908A-6 H06 396 well.

INTERDISCIPLINARY REVIEW:

The Proposed Action was presented to, and reviewed by, the White River Field Office interdisciplinary team on 05/06/2014. 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 Selle	Archaeologist	Cultural Resources, Native American Religious Concerns	8/26/2014
Ed Hollowed	Wildlife Biologist	Special Status Wildlife Species	7/15/2014
Heather Woodruff	Ecologist	Special Status Plant Species	5/6/2014

REMARKS:

Cultural Resources: Inventories for the project area (Conner *et al* 2013 compliance dated 12/6/2013, Niswanger 2009 compliance dated 6/18/2009) have identified two sites in the Area of Potential Effect. The two sites have been determined to need further data for an informed determination of eligibility for nomination to the National Register of Historic Places (NRHP). Since the subsurface extent of the resources is unknown there is a need for additional mitigation measures (e.g., fencing and monitoring) in order to implement the project. No resources were

identified in the drainage bottom along the proposed pipeline route. However, monitoring of trenching operations in various alluvial environments in the Piceance Creek drainage system has identified the potential for buried resources (c. Berry *et al* 2012 compliance dated 10/12/2012). Trenching for the pipeline has an unknown potential to impact subsurface remains.

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 pipeline 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 indicating that it is known to produce scientifically noteworthy fossils (c. Armstrong and Wolny 1989). However portions of the project are located in Quaternary Alluvium with is categorized as a PFYC 2 formation, not expected to produce fossils. In the southern segments of the pipeline that are located in the Uinta Formation there is a potential to impact fossils, particularly any smaller and more fragile fossils that might be present in the work area, during pipeline trenching for the well-tie pipelines. Any loss of fossil resources as a result of pipeline trenching activities would constitute a long term, permanent, Irreversible and irretrievable cumulative loss of data from the regional paleontological database.

Threatened and Endangered Wildlife Species: Wildlife-related issues have remained unchanged since they were addressed in DOI-BLM-CO-110-2009-0157-EA. However, more recent raptor surveys (May and July 2014) revealed raptor nesting activity of interest. An active golden eagle nest is located in the bottom of an adjacent draw in a douglas-fir about ¼ mile lateral to and 170 feet in elevation below the nearest project work. The bird selected this site in the presence of the unreclaimed pad (260 meters) and agricultural activity (200 meters) in the Piceance Creek valley. Project work would take place off the backside of the main ridgeline at over 400 meters and would not be visible from the nest site. The nearest project work after emerging from the draw would be over 500 meters from the mouth of the nest draw.

An inactive woodland nest in a draw opposite project work is likely associated with a nearby Cooper's hawk nest complex that was known to be occupied in 2011. These nests are located in a densely-canopied woodland draw a minimum 200 meters from proposed project work. Project work within 100 meters of the ridgeline pad may be visible from these nests at a minimum distance of 400 meters, but they would be shielded from work thereafter by an intervening ridge. Nestling development is likely well advanced by this date, such that in either case, relatively distant and transient activity beyond line-of-sight would not be expected to pose any effective risk in disrupting or adversely influencing nest occupancy or outcome. Vegetation modification would have no bearing on the character or subsequent utility of woodland stands for subsequent nesting use by either species.

Special Status Plant Species: There are no special status plant species issues or concerns associated with the Proposed Action.

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.

Berry, Michael, Carl Conner, James C. Miller, Courtney Groff and Holly Shelton

2005 Cultural Resource Monitoring Report for the Construction of the Meeker, To greasewood and PCP Loop Pipelines I Garfield and Rio Blanco Counties, Colorado for enterprise products, incorporated (USA). Grand River Institute, Grand Junction, Colorado. (12-11-24: OAHP RB.LM.R656)

Conner, Carl E., Curtis Martin, Barbara Davenport, and Marie Ryabkova

2013 Class III Cultural Resources Inventory Report for the proposed ELU D16-396, ELU G07 396, and ELU 406-396 Well Pad Locations in Rio Blanco County, Colorado for EnCana Oil and Gas (USA) Inc. Grand River Institute, Grand Junction, Colorado. (13-11-30: OAHP # RB.LM.R1361)

Niswanger, Jake

2009 ExxonMobil Corporation: A Class III Cultural Resources Inventory of the proposed Expanded Liberty Unit 396-6a Well Pad and Access Road in Rio Blanco County, Colorado. Metcalf Archaeological Consultants, Inc., Eagle, Colorado. (09-54-32: OAHP # RB.LM.NR2122)

Tweto, Ogden

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

MITIGATION:

1. The BLM WRFO requires notification to the AO's field representative concerning well development. Notification will be 24 hours prior to start for the following activities:

Activity	Method	AO's Field Representative
Construction(1)	Sundry Notice and either Email or Phone	NRS
Reclamation(2)		NRS

NOTES: NRS = Natural Resource Specialist

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

(2) 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.

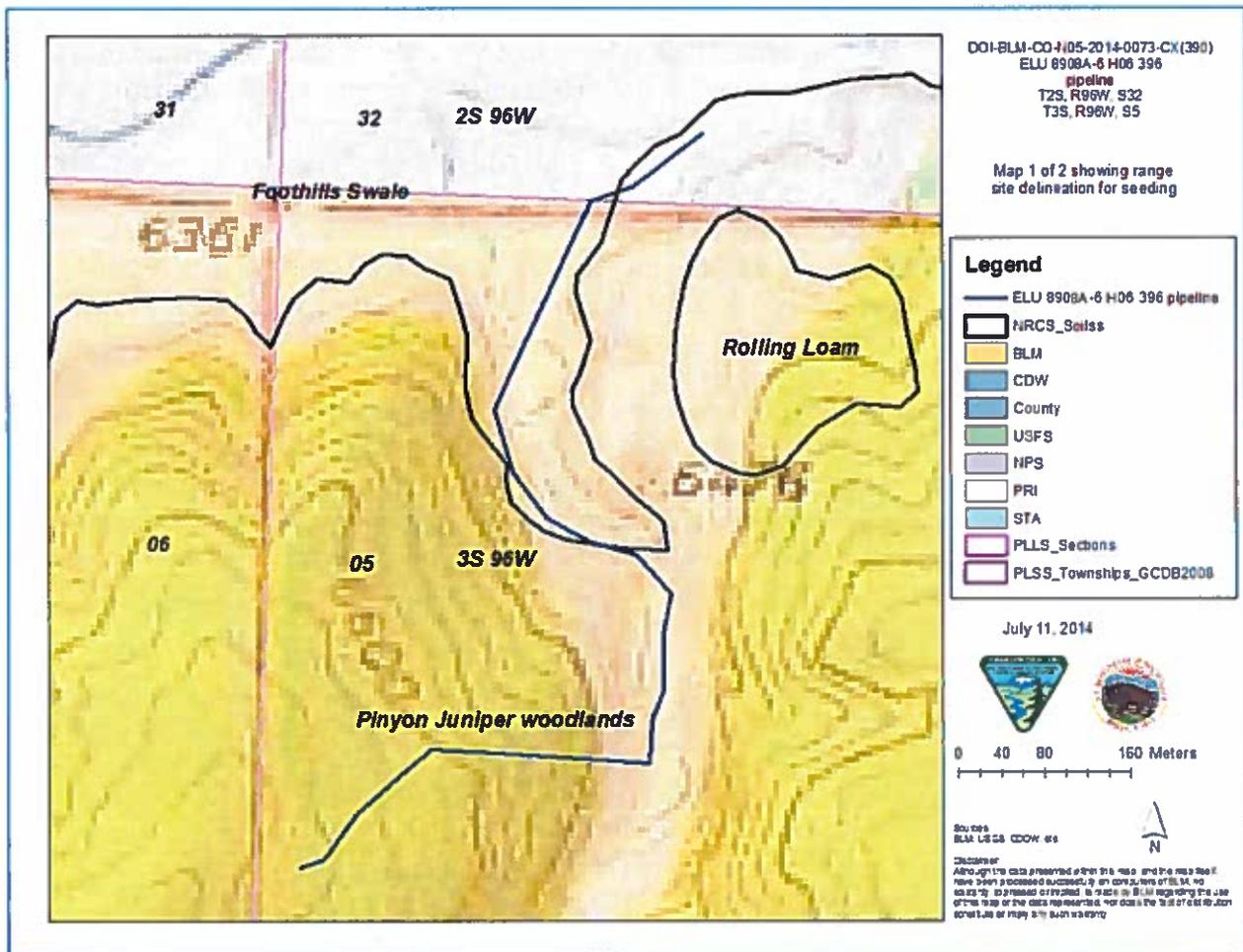
2. Use seed that is certified and free of noxious weeds. All seed tags will be submitted via Sundry Notice (SN) to the designated Natural Resource Specialist within 14 calendar days from the time the seeding activities have ended. The notification will include the purpose of the seeding activity (i.e., seeding well pad cut and fill slopes, seeding pipeline corridor). In addition, the notification will include the well or well pad number or right of way case file 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, the total acres seeded, an attached map that clearly identifies all disturbed areas that were seeded, and the date the seed was applied.
3. Seed Mix No. 3 (pinyon/juniper dominated sites) and No. 5 (sagebrush dominated sites) outlined in the tables below are recommended for the pipeline reclamation. It is recommended that the sites be seeded between September 1 and March 15. If an alternate date of seeding is requested, contact the designated Natural Resource Specialist prior to seeding for approval. Drill seeding is the preferred method of application and drill seeding depth must be no greater than ½ inch. If drill seeding cannot be accomplished, seed should be broadcast at double the rate used for drill seeding, and harrowed into the soil.

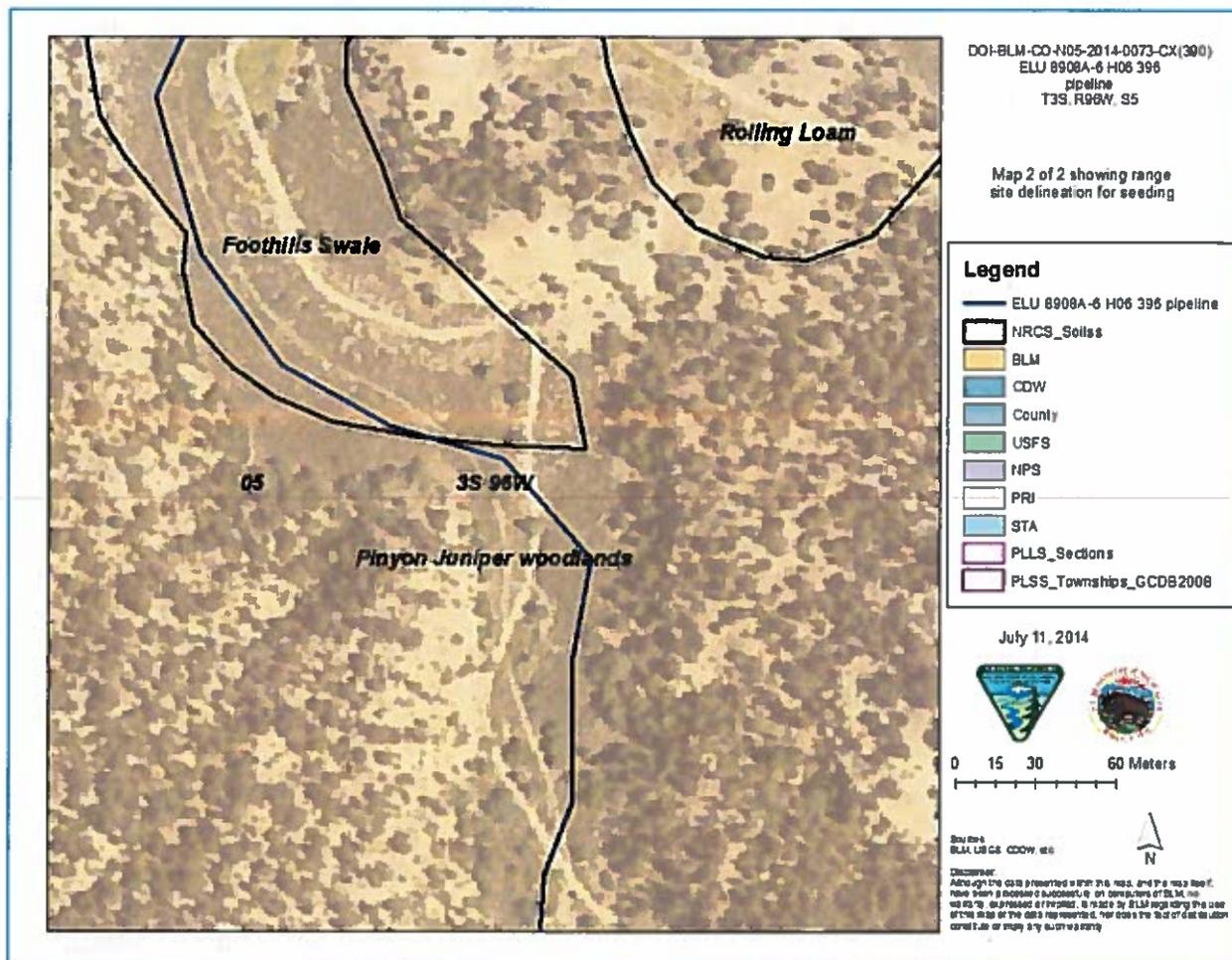
Seed Mix No. 3 for Final Reclamation of the Pinyon/Juniper portion of proposed pipeline

Cultivar	Common Name	Scientific Name	Application 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
Maple Grove	Needle and Thread grass	Hesperostipa comata spp. comata	2.5
	Scarlet Globemallow	Sphaeralcea coccinea	0.5

Seed Mix No. 5 for Final Reclamation of the Foothill Swale portion of proposed pipeline

Cultivar	Common Name	Scientific Name	Application Rate (lbs. PLS/acre)
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





4. If it becomes apparent that livestock use on the reclaimed pipeline corridor is hindering reclamation efforts, the BLM recommends fencing those affected areas. Fencing should remain in place through successful reclamation to promote re-vegetation and reduce weeds. All fences (built to BLM specification per BLM manual H-1741-1) will be installed, maintained, and removed by the operator upon approval by the AO. Fence sections must have adequate pass-through areas (approximately every 1,000 feet) to allow unimpeded livestock movement through the general area (across the pipeline corridor).
5. The following reclamation success criteria apply:
 - a) Self-sustaining desirable vegetative groundcover consistent with the site Desired Plant Community (DPC) (as defined by the range site, WRFO Assessment, Inventory, and Monitoring (AIM) protocol site data (BLM TN 440), ecological site description or an associated approved reference site) is adequately established as described below on disturbed surfaces to stabilize soils through the life of the project.
 - b) Vegetation with eighty percent similarity of desired foliar cover, bare ground, and shrub and/or forb density in relation to the identified DPC. Vegetative cover values for woodland or shrubland sites are based on the capability of those sites in an herbaceous state.
 - c) 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 may include native species from the surrounding site, species listed in the range/ecological site description, AIM data, reference site, or species from the BLM approved seed mix. If non-prescribed or unauthorized plant species (e.g., yellow sweetclover, *Melilotus officinalis*) appear in the reclamation site the BLM may require their removal.

- d) Bare ground does not exceed the AIM data, range site description or if not described, bare ground will not exceed that of a representative undisturbed DPC meeting the Colorado Public Land Health Standards.
6. The Reclamation Status Report will include the well number, API number, legal description, UTM coordinates, project description (e.g., well pad, pipeline, etc.), reclamation status (e.g., interim or final), whether the well pad and/or pipeline has been re-vegetated and/or re-contoured, date seeded, photos of the reclaimed site, estimate of acres seeded, seeding method (e.g., broadcast, drilled, hydro-seeded, etc.), and contact information for the person responsible for developing the report. The report will include maps showing each point (i.e., well pad), polygon, and/or polyline (i.e., pipeline) feature that was included in the report. The data must be submitted in UTM Zone 13N, NAD 83, in units of meters. In addition, scanned copies of seed tags that accompanied the seed bags will be included with the report. Internal and external review of the WRFO Reclamation Status Report and the process used to acquire the necessary information will be conducted annually, and new information or changes in the reporting process will be incorporated into the report. The Reclamation Status Report will be submitted to the BLM Reclamation Coordinator.
 7. The operator must coordinate with the livestock grazing permittee (Oldland 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/ 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.
 8. 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) 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).
 9. In order to track reclamation of actions related to the development of Federal mineral resources, the operator shall provide the designated [*Natural Resource Specialist (NRS) or Realty Specialist*] with geospatial data in a format compatible with the WRFO's geographic information system (GIS) (i.e., point or polygon features). These data will be used to accurately locate and identify all geographic as-built (i.e., constructed and design implemented) features, recontouring, and seeding associated with this project and must be included in the Application for Permit to Drill (APD) or Sundry Notice (SN) as appropriate.
 - a) These data shall be submitted within 60 days of construction completion. If the operator is unable to submit the required information within the specified time period, the operator shall notify the designated [*NRS or Realty Specialist*] via email or phone, and provide justification supporting an extension of the required data submission time period.
 - b) GIS polygon features may include, but are not limited to:

- i. Full well pad footprints (including all stormwater and design features);
 - ii. Constructed access routes/widths, existing roads that were upgraded/widths; temporary use areas; and
 - iii. Pipeline corridors
 - c) Acceptable data formats are: (1) corrected global positioning system (GPS) files with sub-meter accuracy or better; (2) ESRI shapefiles or geodatabases; or (3) AutoCAD .dwg or .dxf files. If possible, both (2) and (3) should be submitted for each as-built feature. Geospatial data must be submitted in 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 shall be directed to the WRFO BLM GIS staff at (970) 878-3800. If the operator is unable to send the data electronically, the operator shall submit the data on compact disk(s) to the designated [NRS or Realty Specialist].
 - d) Internal and external review of the reporting process and the adequacy of the associated information to meet established goals will be conducted on an on-going basis. New information or changes in the reporting process will be incorporated into the request, as appropriate. Subsequent permit application processing may be dependent upon successful execution of this request, as stated above.
10. 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 thereof, 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 activities such as welding, cutting, grinding, 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. If a natural ignition occurs within the approved project area, the fire may be initially contained by the applicant only if employee safety is not endangered. The use of heavy equipment for fire suppression is prohibited, unless authorized by the Field Manager.
11. Unless authorized, there will be no vehicle access, including OHVs, on linear rights-of-way (e.g., pipelines and power lines). Physical barriers (e.g., fences, rocks, etc.) may be necessary to prevent travel on reclaimed surfaces. Woody materials would be distributed in such a way to avoid large concentrations of heavy fuels.
12. 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.
13. 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 operator 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 operator, 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.

14. 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 operator must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the AO.
15. Any excavations into the alluvial fill of the drainage to bury the pipelines must be monitored by an approved archaeologist.
16. Sites 5RB.8341 and 5RB.8391 shall be fenced with orange construction fencing to ensure avoidance and all ground disturbance within 30 meters of the sites shall be monitored by an approved archaeological consultant. Should subsurface remains be identified then stipulation 13 above shall be strictly enforced.
 - a) The approved archaeological consultant will advise placement of the fence
 - b) The fence will remain in place until the completion of interim reclamation
 - c) Removal of the fence will be monitored by the archaeological monitor
17. 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 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.
18. 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.
19. 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.
20. It is recommended that all earthwork associated with the proposed action take place outside of the migratory bird breeding season (May 15 – July 15).

21. The operator will be required to monitor the project area for the life of the project and eradicate all noxious and invasive species which occur on site using materials and methods approved in advance by the Authorized Officer.

MONITORING AND COMPLIANCE: On-going compliance inspections and monitoring of construction, production, and post-production activities will be conducted by White River Field Office staff during construction of the 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: Jay Johnson

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 Act.

SIGNATURE OF AUTHORIZED OFFICIAL:

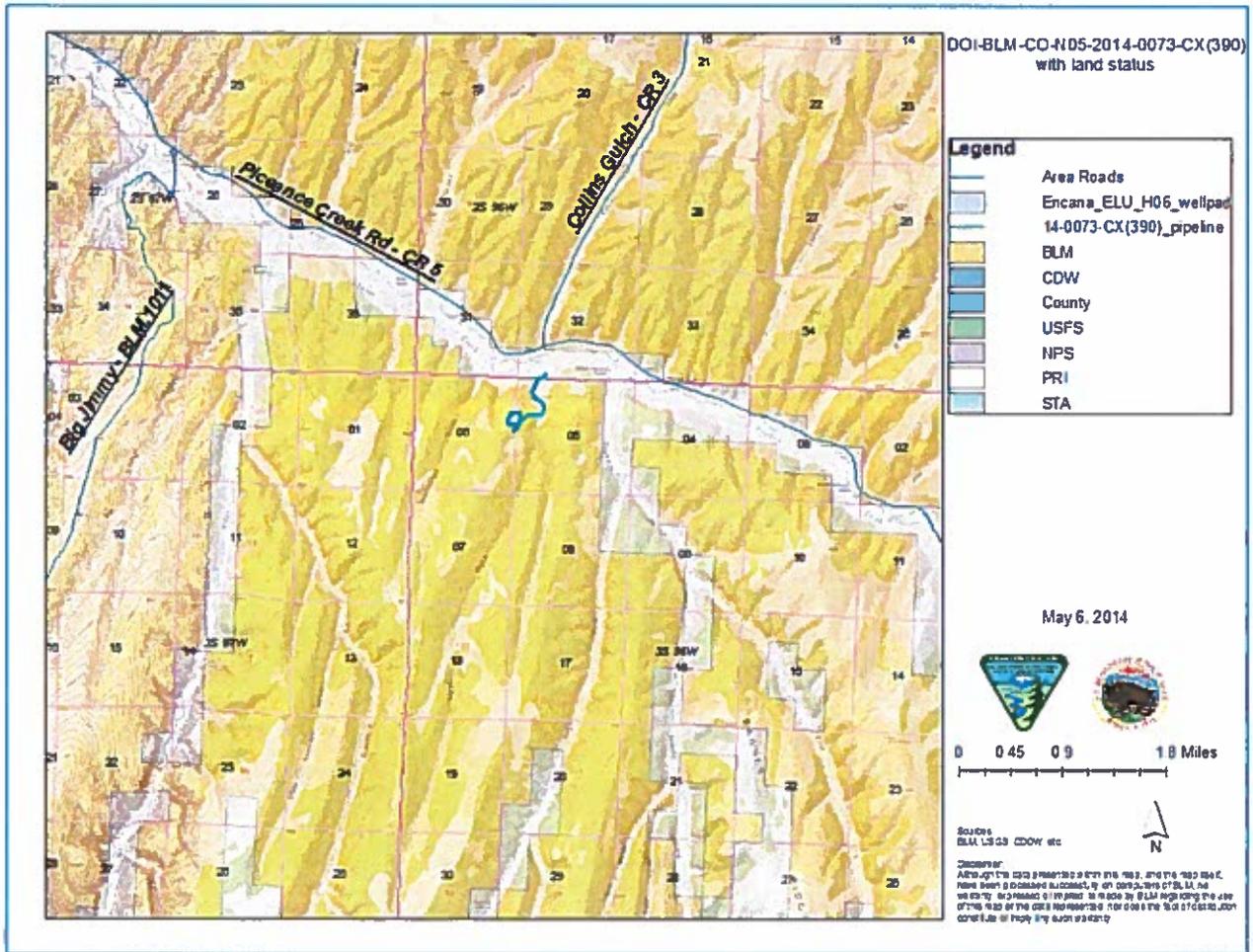


Field Manager

DATE SIGNED:

09/02/2014

ATTACHMENTS: Project Map of DOI-BLM-CO-N05-2014-0073-CX(390) with Land Status



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

DECISION

PROJECT NAME: Encana Oil and Gas pipeline to ELU 8908A-6 H06 396

CATEGORICAL EXCLUSION NUMBER: DOI-BLM-CO-N05-2014-0073-CX(390)

DECISION

It is my decision to implement the Proposed Action, as mitigated in DOI-BLM-CO-N05-2014-0073-CX(390), authorizing the construction, operation, and maintenance of gas and water pipelines to ELU 8908A-6 H06 396 wellpad.

Mitigation Measures

1. The BLM WRFO requires notification to the AO's field representative concerning well development. Notification will be 24 hours prior to start for the following activities:

Activity	Method	AO's Field Representative
Construction(1)	Sundry Notice and either Email or Phone	NRS
Reclamation(2)		NRS

NOTES: NRS = Natural Resource Specialist

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2. Use seed that is certified and free of noxious weeds. All seed tags will be submitted via Sundry Notice (SN) to the designated Natural Resource Specialist within 14 calendar days from the time the seeding activities have ended. The notification will include the purpose of the seeding activity (i.e., seeding well pad cut and fill slopes, seeding pipeline corridor). In addition, the notification will include the well or well pad number or right of way case file 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, the total acres seeded, an attached map that clearly identifies all disturbed areas that were seeded, and the date the seed was applied.
3. Seed Mix No. 3 (pinyon/juniper dominated sites) and No. 5 (sagebrush dominated sites) outlined in the tables below are recommended for the pipeline reclamation. It is recommended that the sites be seeded between September 1 and March 15. If an alternate date of seeding is requested, contact the designated Natural Resource Specialist prior to seeding for approval.

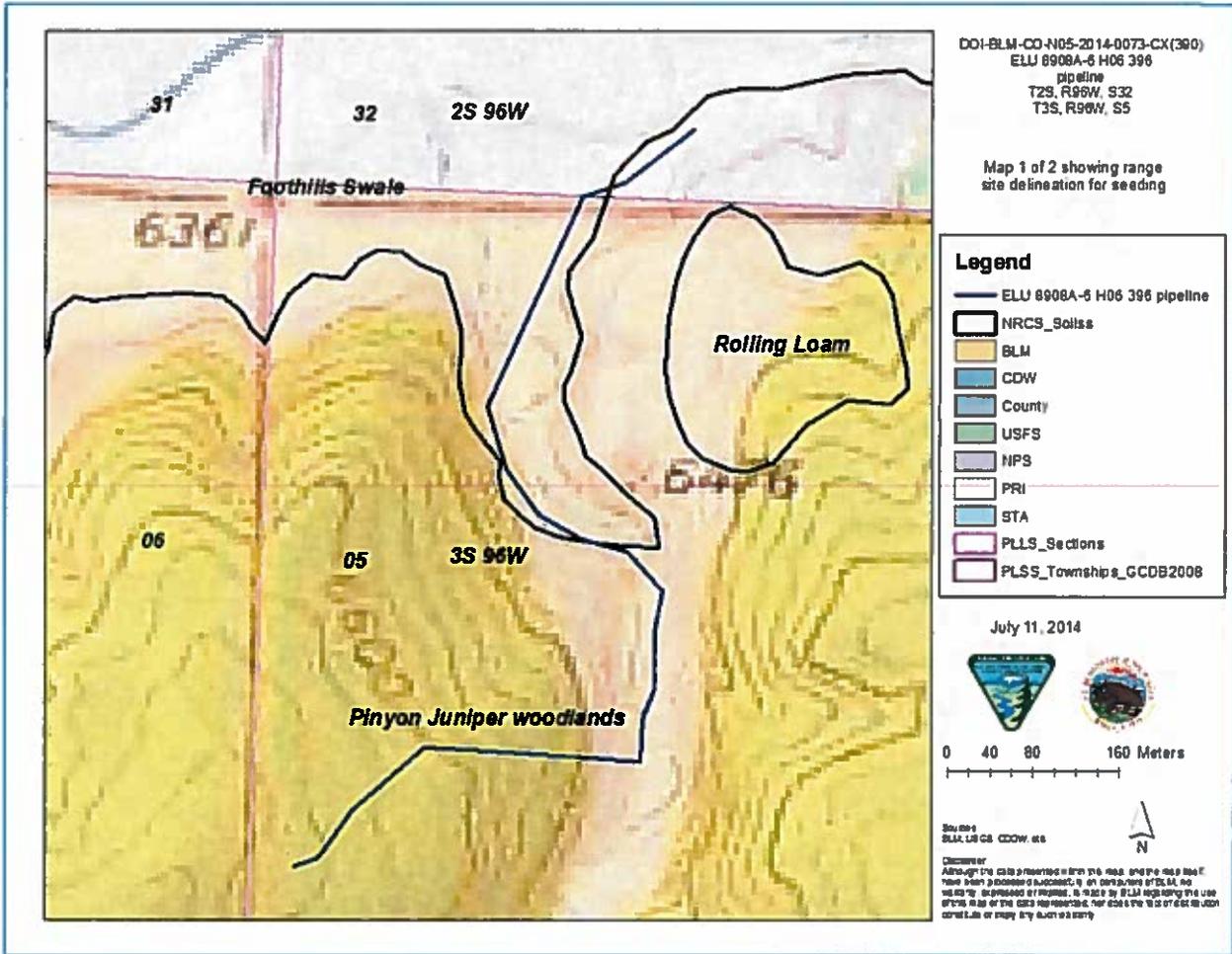
Drill seeding is the preferred method of application and drill seeding depth must be no greater than ½ inch. If drill seeding cannot be accomplished, seed should be broadcast at double the rate used for drill seeding, and harrowed into the soil.

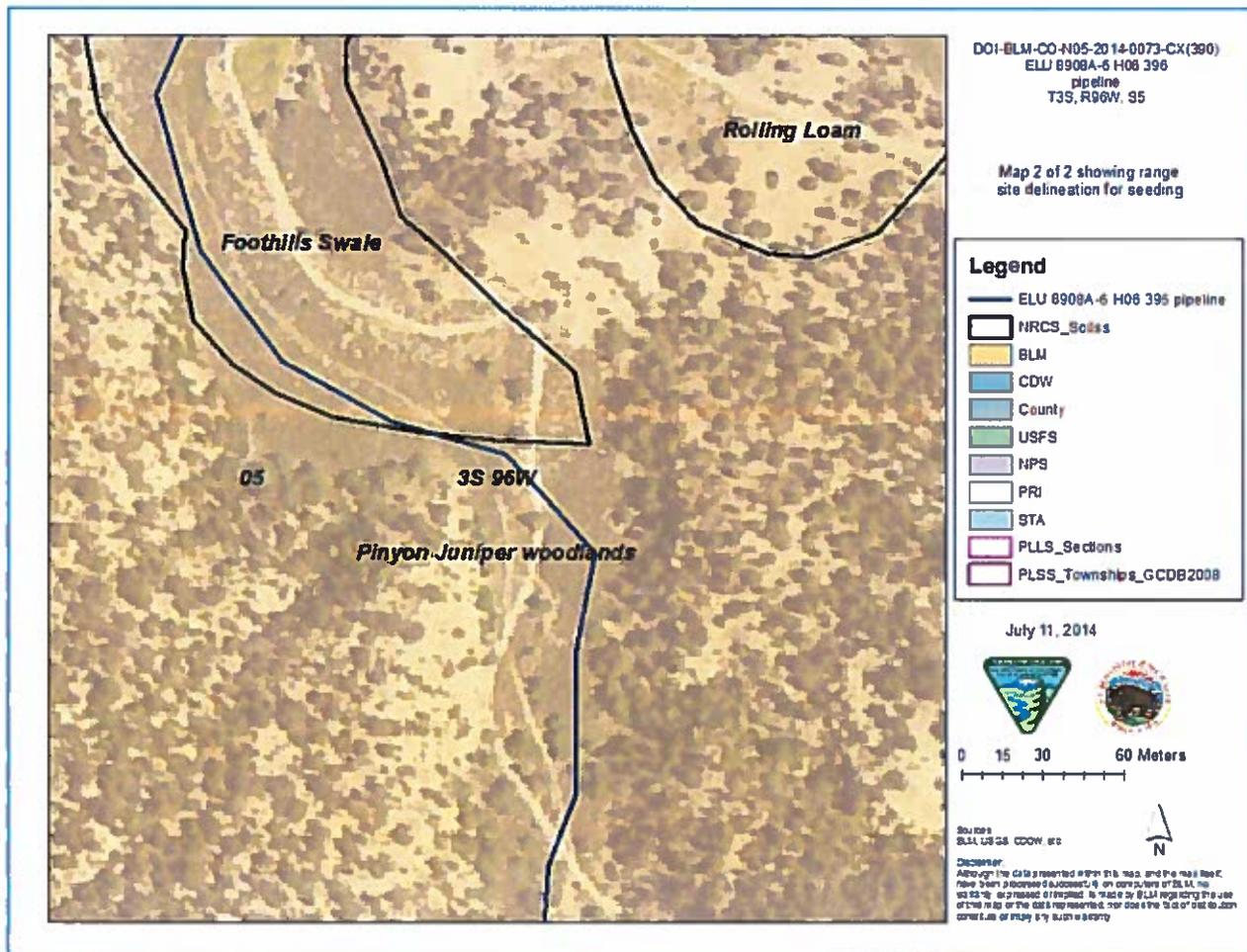
Seed Mix No. 3 for Final Reclamation of the Pinyon/Juniper portion of proposed pipeline

Cultivar	Common Name	Scientific Name	Application Rate (lbs. PLS/acre)
Rosana	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
Maple Grove	Needle and Thread grass	<i>Hesperostipa comata</i> spp. <i>comata</i>	2.5
	Scarlet Globemallow	<i>Sphaeralcea coccinea</i>	0.5

Seed Mix No. 5 for Final Reclamation of the Foothill Swale portion of proposed pipeline

Cultivar	Common Name	Scientific Name	Application Rate (lbs. PLS/acre)
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





4. If it becomes apparent that livestock use on the reclaimed pipeline corridor is hindering reclamation efforts, the BLM recommends fencing those affected areas. Fencing should remain in place through successful reclamation to promote re-vegetation and reduce weeds. All fences (built to BLM specification per BLM manual H-1741-1) will be installed, maintained, and removed by the operator upon approval by the AO. Fence sections must have adequate pass-through areas (approximately every 1,000 feet) to allow unimpeded livestock movement through the general area (across the pipeline corridor).
5. The following reclamation success criteria apply:
 - a) Self-sustaining desirable vegetative groundcover consistent with the site Desired Plant Community (DPC) (as defined by the range site, WRFO Assessment, Inventory, and Monitoring (AIM) protocol site data (BLM TN 440), ecological site description or an associated approved reference site) is adequately established as described below on disturbed surfaces to stabilize soils through the life of the project.
 - b) Vegetation with eighty percent similarity of desired foliar cover, bare ground, and shrub and/or forb density in relation to the identified DPC. Vegetative cover values for woodland or shrubland sites are based on the capability of those sites in an herbaceous state.
 - c) 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 may include native species from the surrounding site, species listed in the range/ecological site description, AIM data, reference site, or species from the BLM approved seed mix. If non-prescribed or unauthorized plant species (e.g., yellow sweetclover, *Melilotus officinalis*) appear in the reclamation site the BLM may require their removal.

d) Bare ground does not exceed the AIM data, range site description or if not described, bare ground will not exceed that of a representative undisturbed DPC meeting the Colorado Public Land Health Standards.

6. The Reclamation Status Report will include the well number, API number, legal description, UTM coordinates, project description (e.g., well pad, pipeline, etc.), reclamation status (e.g., interim or final), whether the well pad and/or pipeline has been re-vegetated and/or re-contoured, date seeded, photos of the reclaimed site, estimate of acres seeded, seeding method (e.g., broadcast, drilled, hydro-seeded, etc.), and contact information for the person responsible for developing the report. The report will include maps showing each point (i.e., well pad), polygon, and/or polyline (i.e., pipeline) feature that was included in the report. The data must be submitted in UTM Zone 13N, NAD 83, in units of meters. In addition, scanned copies of seed tags that accompanied the seed bags will be included with the report. Internal and external review of the WRFO Reclamation Status Report and the process used to acquire the necessary information will be conducted annually, and new information or changes in the reporting process will be incorporated into the report. The Reclamation Status Report will be submitted to the BLM Reclamation Coordinator.
7. The operator must coordinate with the livestock grazing permittee (Oldland 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/ 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.
8. 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) 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).

9. In order to track reclamation of actions related to the development of Federal mineral resources, the operator shall provide the designated [*Natural Resource Specialist (NRS) or Realty Specialist*] with geospatial data in a format compatible with the WRFO's geographic information system (GIS) (i.e., point or polygon features). These data will be used to accurately locate and identify all geographic as-built (i.e., constructed and design implemented) features, recontouring, and seeding associated with this project and must be included in the Application for Permit to Drill (APD) or Sundry Notice (SN) as appropriate.
- a) These data shall be submitted within 60 days of construction completion. If the operator is unable to submit the required information within the specified time period, the operator shall notify the designated [*NRS or Realty Specialist*] via email or phone, and provide justification supporting an extension of the required data submission time period.
 - b) GIS polygon features may include, but are not limited to:
 - i. Full well pad footprints (including all stormwater and design features);
 - ii. Constructed access routes/widths, existing roads that were upgraded/widths; temporary use areas; and
 - iii. Pipeline corridors
 - c) Acceptable data formats are: (1) corrected global positioning system (GPS) files with sub-meter accuracy or better; (2) ESRI shapefiles or geodatabases; or (3) AutoCAD .dwg or .dxf files. If possible, both (2) and (3) should be submitted for each as-built feature. Geospatial data must be submitted in 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 shall be directed to the WRFO BLM GIS staff at (970) 878-3800. If the operator is unable to send the data electronically, the operator shall submit the data on compact disk(s) to the designated [*NRS or Realty Specialist*].
 - d) Internal and external review of the reporting process and the adequacy of the associated information to meet established goals will be conducted on an on-going basis. New information or changes in the reporting process will be incorporated into the request, as appropriate. Subsequent permit application processing may be dependent upon successful execution of this request, as stated above.
10. 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 thereof, 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 activities such as welding, cutting, grinding, 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. If a natural ignition occurs within the approved project area, the fire may be initially contained by the applicant only if employee safety is not endangered. The use of heavy equipment for fire suppression is prohibited, unless authorized by the Field Manager.
11. Unless authorized, there will be no vehicle access, including OHVs, on linear rights-of-way (e.g., pipelines and power lines). Physical barriers (e.g., fences, rocks, etc.) may be necessary to prevent travel on reclaimed surfaces. Woody materials would be distributed in such a way to avoid large concentrations of heavy fuels.
 12. 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.
 13. 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 operator 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 operator, 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.
 14. 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 operator must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the AO.
 15. Any excavations into the alluvial fill of the drainage to bury the pipelines must be monitored by an approved archaeologist.
 16. Sites 5RB.8341 and 5RB.8391 shall be fenced with orange construction fencing to ensure avoidance and all ground disturbance within 30 meters of the sites shall be monitored by an approved archaeological consultant. Should subsurface remains be identified then stipulation 13 above shall be strictly enforced.
 - a) The approved archaeological consultant will advise placement of the fence
 - b) The fence will remain in place until the completion of interim reclamation
 - c) Removal of the fence will be monitored by the archaeological monitor
 17. 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 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.

18. 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.
19. 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.
20. It is recommended that all earthwork associated with the proposed action take place outside of the migratory bird breeding season (May 15 – July 15).
21. The operator will be required to monitor the project area for the life of the project and eradicate all noxious and invasive species which occur on site using materials and methods approved in advance by the Authorized Officer.

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 5/6/2014. External scoping was conducted by posting this project on the WRFO's on-line National Environmental Policy Act (NEPA) register on 5/28/2014.

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. Without the pipeline in place, Encana is unable to produce gas from the existing well once completed.

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:

09/02/14

