

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)

NUMBER: DOI-BLM-CO-N05-2014-0065-DNA

CASEFILE/PROJECT NUMBER: Amend COC74215 and COC74153
COC76776 (Temporary Use Permit)

PROJECT NAME: Mesa Energy Connecting Gas and Water Pipelines

LEGAL DESCRIPTION: Sixth Principal Meridian, Colorado
T. 1 N., R. 98 W.,
sec. 31, lot 7 and NE $\frac{1}{4}$ SW $\frac{1}{4}$.

T. 1 N., R. 99 W.,
sec. 36, lots 13 to 16, inclusive.

APPLICANT: Mesa Energy Partners, LLC

DESCRIPTION OF PROPOSED ACTION: Mesa Energy Partners, LLC (Mesa) requests to amend rights-of-way (ROWs) COC74215 (water pipeline) and COC74153 (gas pipeline) for installation of an 8-inch buried steel natural gas pipeline and a 4-inch buried poly water pipeline along the northern edge of County Road 122. The water pipeline is necessary to transport off-unit water from WPX's Barcus Creek Unit to Mesa's disposal well thereby eliminating trucking. The gas pipeline would transport gas through the Buckhorn Draw Unit using portions of the existing gathering system. This would allow gas from Barcus Creek to take the shortest route to WPX's Willow Creek plant. Mesa's gas would also be transported to Willow Creek. The pipeline would be built in two phases.

For Phase 1, the pipelines would start at a tie-in point to the existing Mesa gathering system located in section 36, T1N, R99W and would run east to a tie-in point with the Williams gathering system for the Barcus Creek Unit. The approximate length of the pipeline would be 5,200 ft. Mesa requests a 50 ft width for construction with a 30 ft permanent width. ROW COC74215 would be amended for an additional length of 5,200 ft, 15 ft width, and would contain 1.79 acres. ROW COC74153 would be amended for an additional length of 5,200 ft, 30 ft width, and would contain 3.58 acres. A temporary use permit would be issued for the additional 20 ft construction width. The TUP would be 5,200 ft long, 20 ft, wide, and contain approximately 2.39 acres.

For Phase 2, the pipelines would continue east along County Road 122 from the end of Phase 1 to tie-in to an existing Williams gathering system in section 31, T1N, R98W. The approximate length of the additional pipelines would be 3,200 ft. Mesa requests a 50 ft width from construction with a 30 ft permanent width. ROW COC74215 would be amended for an additional length of 3,200 ft, 15 ft width, and would contain 1.10 acres. ROW COC74153 would be amended for an additional length of 3,200 ft, 30 ft width, and would contain 2.20 acres. A temporary use permit would be issued for the additional 20 ft construction width. The TUP would be 3,200 ft long, 20 ft wide, and contain approximately 1.47 acres.

Phase 1 construction would begin in late summer/fall of 2014 and is estimated to take three to four weeks. Construction of Phase 2 is estimated to begin in 2015. The pipelines would be installed by blading and trenching the surface. The trench width would be 24-inches. The pipelines would be buried with a minimum cover of 36-inches. The surface would then be restored using the trenched soil. For topsoil and subsoil segregation, refer to Coyote Basin Master Stormwater Management Plan, which is on file at White River Field Office and is available upon request. Access for construction would be by existing roads. All trees shall be purchased prior to construction from the BLM. All disturbed areas would be re-seeded using Native Seed Mix #3.

Applicant Committed Design Feature:

1. All construction activity will occur between August 15 through April 1.

PLAN CONFORMANCE REVIEW:

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

Date Approved: July 1, 1997

Decision Number/Page: 2-49

Decision Language: "To make public lands available for the siting of public and private facilities through the issuance of applicable land use authorizations, in a manner that provides for reasonable protection of other resource values."

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-110-2012-0140- EA

Date Approved: 2/13/2013

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 natural gas pipeline and water pipeline. The existing NEPA document (DOI-BLM-CO-110-2012-0140-EA) analyzed a natural gas pipeline, water pipeline, access road, and well pad.

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-110-2012-0140-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-N05-2014-0065-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-N05-2014-0065-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-110-2012-0140-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 4/15/2014. External scoping was conducted by posting this project on the WRFO's on-line NEPA register on 5/28/2014. As of 10/21/2014, 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 4/15/2014. 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 remarks concerning cultural resources and special status species.

Name	Title	Resource	Date
Michael Selle	Archaeologist	Cultural Resources, Native American Religious Concerns	4/23/2014
Lisa Belmonte	Wildlife Biologist	Special Status Wildlife Species	7/6/2014
Heather Woodruff	Acting Ecologist	Special Status Plant Species	4/16/2014

REMARKS:

Cultural Resources: The pipeline corridor has been inventoried at the Class III (100 percent pedestrian) level by two inventory projects (Conner and Davenport 2007, compliance dated 7/18/2007 and Conner, Davenport and Miller 2010, compliance dated 2/11/2011). No sites were identified directly in the pipeline right-of-way; however, there are sites within 1,000 feet (305 meters) of the project area. There is no direct impact to the sites anticipated from the new construction. However, increased activity and human presence in the area could result in indirect impacts such as unlawful collection of surface artifacts. These losses, though apparently minor, do result in a loss of important scientific archaeological data from the regional archaeological database. Any losses to the database that result from indirect impacts to the sites constitute a long term permanent, irreversible, and irretrievable loss of data from the regional archaeological database.

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 pipelines are 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 fossils of scientific interest. Any excavation into the underlying sedimentary rock has the potential to impact fossil resources. If fossils are encountered during excavations and are sufficiently large enough to be immediately identified, the fossil resources will be slightly impacted. However, the Uinta Formation may also produce much smaller fossils that might not necessarily be identified during construction. Impacts to those fossils are much more difficult to mitigate. Any loss of fossils or

the context that they come from, even if some fossils are recovered, represents a permanent, long term, irreversible, and irretrievable loss of data from the regional paleontological database.

Threatened and Endangered Wildlife Species: There are no threatened or endangered animal species that are known to inhabit or derive important use from the project area. Wildlife issues, both terrestrial and aquatic, were adequately addressed in DOI-BLM-CO-110-2012-0140- EA. There are no additional wildlife issues or concerns associated with the Proposed Action. Reductions in truck traffic associated with water line installation would likely be beneficial, as it would decrease the chance for vehicle strikes and disruption/displacement of local wildlife.

Special Status Plant Species: There were no special status plant concerns in the original EA (DOI-BLM-CO-110-2012-140-EA) and the same analysis is sufficient for this action. The area was surveyed for threatened and endangered plants, as well as BLM sensitives, in 2012 by West Water Engineering. Suitable habitat was identified for *Physaria* spp., but no bladderpod or twinpod plants were observed. Phase 1 of the project will be taking out approximately 0.22 miles of suitable threatened plant habitat. Phase 2 of the project will be taking out approximately 0.21 miles of suitable threatened plant habitat. No BLM sensitive plant species were observed during the 2012 survey.

All mitigation from (DOI-BLM-CO-110-2012-140-EA) will remain in effect with regards to re-surveying for plants and the use of the modified seed mix.

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

2007 Class III Cultural Resources Inventory for the Ryan Gulch to Barcus Creek Pipeline Project in Rio Blanco County, Colorado for Williams Production RMT. Grand River Institute, Grand Junction, Colorado. (07-11-19: SHPO # RB.LM.R1037)

Conner, Carl E., Barbara Davenport and James C. Miller

2010 Class III Cultural Resources Inventory for the Barcus Creek unit (3065 Acres) in Rio Blanco County, Colorado, for Williams Production RMT Company. Grand River Institute, Grand Junction, Colorado. (11-1-02: SHPO # RB.LM.R1230)

Tweto, Ogden

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

MITIGATION:

1. All applicable terms and conditions of the right-of-way grants shall be carried forward and remain in full force and effect.

The following applicable mitigation from DOI-BLM-CO-110-2012-0140-EA has been carried forward:

2. If the project is not initiated within 3 years of the biological survey, all suitable habitat must be re-surveyed. The results of the survey must be provided to the BLM before further ground disturbing activities occur. If occurrences of either federally threatened *Physaria* plant species are found to occur within 600 m of the Proposed Action, then Section 7 consultation with the U.S. Fish and Wildlife Service must be initiated. The results of the consultation may require further mitigation measures to be implemented in the project design.

3. Additionally, two forbs (sulfur flower buckwheat and northern sweetvetch) were added to the BLM recommended seed mix to enhance pollinator habitat in the reclaimed areas. By adding additional forbs in the seed mix, the reclaimed area may support pollinators that lost habitat during the construction phase of the project.

Timing Limitations

4. Vegetation removal associated with pipeline development will take place outside the migratory bird nesting season of May 15 through July 15.

Pre-Construction Activities and Notifications

5. Paint and maintain all above ground facilities Shadow Gray, consistent with the BLM Standard Environmental Color Chart. Initial painting will occur within six months of installation.

Air Quality

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.

Soils

7. In order to protect rangeland health standards for soils, erosion features such as rilling, gully, piping and mass wasting on the surface disturbance or adjacent to the surface disturbance as a result of this action will be addressed immediately after observation by contacting the Authorized Officer (AO) and by submitting a plan to assure successful soil stabilization with BMP's to address erosion problems.

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

Range Management

9. 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 repaired or replaced by the applicant to restore pre-disturbance functionality.

10. The holder shall notify the permittee authorized to graze livestock within the project area or the WRFO Range Management staff of planned construction activities 72 hours prior to beginning construction.

Wild Horses

11. Prior to surface-disturbing activities, the holder and/or their contractors should determine if wild horses are present in the vicinity of proposed project area. During the spring foaling period, between March 1 and June 15, if BLM determines wild horses are in the vicinity of proposed development, development activities may be delayed for a specified 60-day period from within the window of March 1 through June 15, as outlined by the White River ROD/RMP, to reduce impacts during this sensitive time period. Further, project activities may need to be adjusted around a wild horse gather if scheduled during the same time as the gather. The lessee may also be required to perform special conservation measures within this area including: a) habitat improvement projects in adjacent areas, if development displaces wild horses from critical habitat; b) replacement of disturbed watering sites with an equal source of water having equal utility; and c) activity/improvements providing for unrestricted movement of wild horses between summer and winter ranges.

12. In wild horse use area while the trenches are open, prior to the burial of the pipeline, the trench should be inspected daily to reduce the potential for wild horses to become trapped should they fall into a trench.

13. Should the Proposed Action occur simultaneous with a wild horse gather, all project-related traffic would need to be coordinated with the BLM and the contractor for the gather.

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

Cultural Resources

15. 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.

16. 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.

17. Pursuant to 43 CFR 10.4(g), the holder must notify the AO, by telephone and written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4(c) and (d), the holder must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the AO.

Paleontological Resources

18. The holder is responsible for informing all persons who are associated with the project operations that they will be subject to prosecution for disturbing or collecting vertebrate fossils, collecting large amounts of petrified wood (over 25 lbs./day, up to 250 lbs./year), or collecting fossils for commercial purposes on public lands.

19. 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.

20. 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.

Hazardous Materials

21. 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.

22. 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.

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

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

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 the lessee/operator, and through the right-of-way holder and lessee/operator, 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.

Fire Management

29. When working on lands administered by the BLM WRFO, notify Craig Interagency Dispatch (970-826-5037) in the event of any fire. The reporting party will inform the dispatch center of fire location, size, status, smoke color, aspect, fuel type, and provide their contact information. 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.

30. 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.

31. 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.

32. To avoid jack pots of fuel on site, vegetation which is not to be used for storm water management or erosion control shall be chipped and mixed with topsoil for future redistribution.

Realty Authorizations

33. All activities would be required to comply with all applicable local, state, and federal laws, statutes, regulations, standards, and implementation plans. This would include acquiring all required State and Rio Blanco County permits, implementing all applicable mitigation measures required by each permit, and effectively coordinating with existing facility ROW holders.

34. The holder shall provide the BLM AO with data in a format compatible with the WRFO’s ESRI ArcGIS Geographic Information System (GIS) to accurately locate and identify the ROW and all constructed infrastructure, (as-built maps) within 60 days of construction completion. Acceptable data formats are: (1) corrected global positioning system (GPS) files with sub-meter accuracy or better; (2) ESRI shapefiles or geodatabases; or at last resort, (3) AutoCAD .dwg or .dxf files. Option 2 is highly preferred. In ALL cases the data must be submitted in Universal Transverse Mercator (UTM) Zone 13N, NAD 83, in units of meters. Data may be submitted as: (1) an email attachment; or (2) on a standard compact disk (CD) in compressed (WinZip only) or uncompressed format. All data shall include metadata, for each submitted layer, that conforms to the Content Standards for Digital Geospatial Metadata from the Federal Geographic Data Committee standards. Questions should be directed to WRFO BLM GIS staff at (970) 878-3800.

35. Construction activity should take place entirely within the areas authorized in the ROW grant and temporary use permit.

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

Reclamation and Weed Management

37. The BLM recommends the use of WRFO modified native seed mix #3 for all reclamation in the project area.

White River Field Office Modified Native Seed Mix #3

Species	Seeding Rate Pure Live Seed (PLS)*
Western wheatgrass (Rosana)	3 lb/ac. PLS
Indian ricegrass (Rimrock)	3 lb/ac. PLS
Bluebunch wheatgrass (Whitmar)	3.5 lb/ac. PLS
Needle and Thread Grass	2.5 lb/ac. PLS
Scarlet Globemallow	0.5 lb/ac. PLS
Sulphur Flower Buckwheat	1.5 lb/ac. PLS

White River Field Office Modified Native Seed Mix #3

Species	Seeding Rate Pure Live Seed (PLS)*
Lewis Flax (Maple Grove)	1 lb/ac. PLS
Northern Sweetvetch	2 lb/ac. PLS
Sulphur Flower Buckwheat	1 lb/ac. PLS

* Seeding rate is for drilled seeding; for broadcast seeding the rate should be doubled

38. The holder will be required to manage weeds that establish on the project area.

39. If herbicides are to be used to manage weeds, an approved pesticide use proposal (PUP) will need to be completed and submitted to the WRFO before any application can take place.

40. Construction equipment will be thoroughly washed prior to being brought on site to minimize the risk of weed seeds and propagules being brought to the project area.

41. 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% 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 x 8 x 8 feet. Materials used in the stockpiles should be a variety of diameters, but should be no smaller than 6 inches in diameter. Additionally the piles should be no less than 30 feet apart.

42. Trees that must be removed for construction and are not required for reclamation shall be cut down to a stump height of 6 inches or less prior to other heavy equipment operation. These trees shall be cut in four foot lengths (down to 4 inches diameter) and placed in manageable stacks immediately adjacent to a public road to facilitate removal for company use or removal by the public.

COMPLIANCE PLAN: On-going compliance inspections and monitoring will be conducted by the BLM White River Field Office staff during and after construction. Specific mitigation developed in this document 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: Stacey Burke

NAME OF ENVIRONMENTAL COORDINATOR: Heather Sauls

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.

SIGNATURE OF AUTHORIZED OFFICIAL:


Acting Field Manager

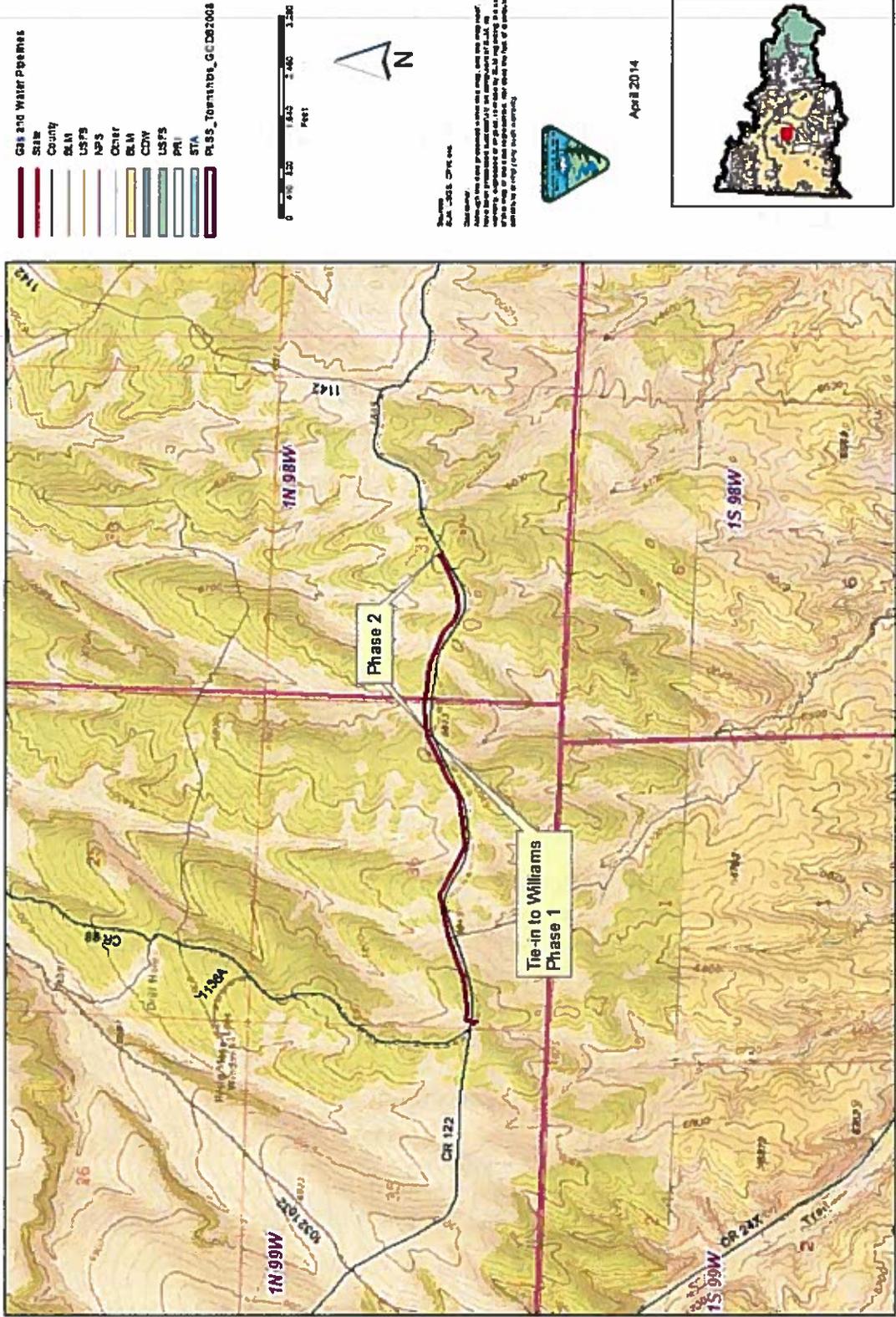
DATE SIGNED: 10/22/14

ATTACHMENTS: Exhibit A (Map of Proposed Pipelines)

Note: The signed Conclusion in this DNA Worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision. However, the lease, permit, or other authorization based on this DNA is subject to protest or appeal under 43 CFR Part 4 and the program-specific regulations.

Mesa Gas and Water Pipelines Connecting Barcus Creek to Buckhorn Draw Unit

Exhibit A



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

DECISION RECORD

PROJECT NAME: Mesa Energy Connecting Gas and Water Pipelines

DETERMINATION OF NEPA ADEQUACY NUMBER: DOI-BLM-CO-N05-2014-0065-DNA

DECISION

It is my decision to implement the Proposed Action, as mitigated in DOI-BLM-CO-N05-2014-0065-DNA, authorizing the construction, operation, and maintenance of a gas pipeline and water line connecting WPX's Barcus Creek Unit to Mesa's Buckhorn Draw Unit. Mesa has committed that all construction activity will occur between August 15 and April 1.

Mitigation Measures

1. All applicable terms and conditions of the right-of-way grants shall be carried forward and remain in full force and effect.
2. If the project is not initiated within 3 years of the biological survey, all suitable habitat must be re-surveyed. The results of the survey must be provided to the BLM before further ground disturbing activities occur. If occurrences of either federally threatened Physaria plant species are found to occur within 600 m of the Proposed Action, then Section 7 consultation with the U.S. Fish and Wildlife Service must be initiated. The results of the consultation may require further mitigation measures to be implemented in the project design.
3. Additionally, two forbs (sulfur flower buckwheat and northern sweetvetch) were added to the BLM recommended seed mix to enhance pollinator habitat in the reclaimed areas (See mitigation in Vegetation). By adding additional forbs in the seed mix, the reclaimed area may support pollinators that lost habitat during the construction phase of the project.

Timing Limitations

4. Vegetation removal associated with pipeline development will take place outside the migratory bird nesting season of May 15 through July 15.

Pre-Construction Activities and Notifications

5. Paint and maintain all above ground facilities Shadow Gray, consistent with the BLM Standard Environmental Color Chart. Initial painting will occur within six months of installation.

Air Quality

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.

Soils

7. In order to protect rangeland health standards for soils, erosion features such as rilling, gullyng, piping and mass wasting on the surface disturbance or adjacent to the surface disturbance as a result of this action will be addressed immediately after observation by contacting the Authorized Officer (AO) and by submitting a plan to assure successful soil stabilization with BMP's to address erosion problems.

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

Range Management

9. 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 repaired or replaced by the applicant to restore pre-disturbance functionality.

10. The holder shall notify the permittee authorized to graze livestock within the project area or the WRFO Range Management staff of planned construction activities 72 hours prior to beginning construction.

Wild Horses

11. Prior to surface-disturbing activities, the holder and/or their contractors should determine if wild horses are present in the vicinity of proposed project area. During the spring foaling period, between March 1 and June 15, if BLM determines wild horses are in the vicinity of proposed development, development activities may be delayed for a specified 60-day period from within the window of March 1 through June 15, as outlined by the White River ROD/RMP, to reduce impacts during this sensitive time period. Further, project activities may need to be adjusted around a wild horse gather if scheduled during the same time as the gather. The lessee may also be required to perform special conservation measures within this area including: a) habitat improvement projects in adjacent areas, if development displaces wild horses from critical habitat; b) replacement of disturbed watering sites with an equal source of water having equal utility; and c) activity/improvements providing for unrestricted movement of wild horses between summer and winter ranges.

12. In wild horse use area while the trenches are open, prior to the burial of the pipeline, the trench should be inspected daily to reduce the potential for wild horses to become trapped should they fall into a trench.

13. Should the Proposed Action occur simultaneous with a wild horse gather, all project-related traffic would need to be coordinated with the BLM and the contractor for the gather.

14. To minimize the incidents of young foals becoming dislocated from their mares, construction, drilling and receiving crews would be required to slow or stop when wild horses

are encountered, allowing bands to move away at a pace slow enough so that the foals can keep pace and are not separated.

Cultural Resources

15. 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.

16. 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.

17. Pursuant to 43 CFR 10.4(g), the holder must notify the AO, by telephone and written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4(c) and (d), the holder must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the AO.

Paleontological Resources

18. The holder is responsible for informing all persons who are associated with the project operations that they will be subject to prosecution for disturbing or collecting vertebrate fossils, collecting large amounts of petrified wood (over 25 lbs./day, up to 250 lbs./year), or collecting fossils for commercial purposes on public lands.

19. 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.

20. 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.

Hazardous Materials

21. 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.

22. 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.

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

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

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 the lessee/operator, and through the right-of-way holder and lessee/operator, 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.

Fire Management

29. When working on lands administered by the BLM WRFO, notify Craig Interagency Dispatch (970-826-5037) in the event of any fire. The reporting party will inform the dispatch center of fire location, size, status, smoke color, aspect, fuel type, and provide their contact information. 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.

30. 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.

31. 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.

32. To avoid jack pots of fuel on site, vegetation which is not to be used for storm water management or erosion control shall be chipped and mixed with topsoil for future redistribution.

Realty Authorizations

33. All activities would be required to comply with all applicable local, state, and federal laws, statutes, regulations, standards, and implementation plans. This would include acquiring all required State and Rio Blanco County permits, implementing all applicable mitigation measures required by each permit, and effectively coordinating with existing facility ROW holders.

34. The holder shall provide the BLM AO with data in a format compatible with the WRFO's ESRI ArcGIS Geographic Information System (GIS) to accurately locate and identify the ROW and all constructed infrastructure, (as-built maps) within 60 days of construction completion. Acceptable data formats are: (1) corrected global positioning system (GPS) files with sub-meter accuracy or better; (2) ESRI shapefiles or geodatabases; or at last resort, (3) AutoCAD .dwg or .dxf files. Option 2 is highly preferred. In ALL cases the data must be submitted in Universal Transverse Mercator (UTM) Zone 13N, NAD 83, in units of meters. Data may be submitted as: (1) an email attachment; or (2) on a standard compact disk (CD) in compressed (WinZip only) or uncompressed format. All data shall include metadata, for each submitted layer, that conforms to the Content Standards for Digital Geospatial Metadata from the Federal Geographic Data Committee standards. Questions should be directed to WRFO BLM GIS staff at (970) 878-3800.

35. Construction activity should take place entirely within the areas authorized in the ROW grant and temporary use permit.

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

Officer must approve the plan in writing prior to the holder's commencement of any termination activities.

Reclamation and Weed Management

37. The BLM recommends the use of WRFO modified native seed mix #3 for all reclamation in the project area.

White River Field Office Modified Native Seed Mix #3

Species	Seeding Rate Pure Live Seed (PLS)*
Western wheatgrass (Rosana)	3 lb/ac. PLS
Indian ricegrass (Rimrock)	3 lb/ac. PLS
Bluebunch wheatgrass (Whitmar)	3.5 lb/ac. PLS
Needle and Thread Grass	2.5 lb/ac. PLS
Scarlet Globemallow	0.5 lb/ac. PLS
Sulphur Flower Buckwheat	1.5 lb/ac. PLS
Lewis Flax (Maple Grove)	1 lb/ac. PLS
Northern Sweetvetch	2 lb/ac. PLS
Sulphur Flower Buckwheat	1 lb/ac. PLS

* Seeding rate is for drilled seeding; for broadcast seeding the rate should be doubled.

38. The holder will be required to manage weeds that establish on the project area.

39. If herbicides are to be used to manage weeds, an approved pesticide use proposal (PUP) will need to be completed and submitted to the WRFO before any application can take place.

40. Construction equipment will be thoroughly washed prior to being brought on site to minimized the risk of weed seeds and propogules being brought to the project area.

41. 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% 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 x 8 x 8 feet. Materials used in the stockpiles should be a variety of diameters, but should be no smaller than 6 inches in diameter. Additionally the piles should be no less than 30 feet apart.

42. Trees that must be removed for construction and are not required for reclamation shall be cut down to a stump height of 6 inches or less prior to other heavy equipment operation. These trees shall be cut in four foot lengths (down to 4 inches diameter) and placed in manageable stacks immediately adjacent to a public road to facilitate removal for company use or removal by the public.

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: Scoping was the primary mechanism used by the BLM to initially identify issues. Internal scoping was initiated when the project was presented to the White River Field Office (WRFO) interdisciplinary team on 4/15/2014. 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 proposal for the construction, operation, and maintenance of a natural gas pipeline and a water pipeline to connect wells in WPX's Barcus Creek Unit to Mesa Energy's water disposal well and the Buckhorn Draw Unit natural gas pipeline system, 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.

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:

Heather Sauls

Acting Field Manager

DATE SIGNED: *10/22/14*