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

Section 390
Categorical Exclusion for
Oil and Gas Development

NUMBER: DOI-BLM-CO-110-2014-0023-CX

CASEFILE/PROJECT NUMBER: COC60733

PROJECT NAME: WPX's request to install a 2 inch fuel pipeline to service the RGU 31-25-198 well pad and the Northeast Ryan Gulch Water Recycling Pit

LEGAL DESCRIPTION: T. 1 S., R. 98 W., Sec. 25, 6th P.M.

APPLICANT: WPX Energy Rocky Mountain, LLC.

DESCRIPTION OF PROPOSED ACTION: WPX Energy Rocky Mountain, LLC requests authorization to install a two inch fuel pipeline connecting the subject well pad (RGU 31-25-198) to the Northeast Ryan Gulch Water Recycling Pit (COC60733). The proposed fuel line will be installed in the trench that will be used for the water lines that were reviewed in DOI-BLM-CO-110-2010-0159-EA. The line will be approximately 782 feet in length. The pipeline will be used to transport gas to the run heaters on the water tanks that will be located on the Northeast Ryan Gulch water recycling pit.

Decision to be Made: The BLM will decide whether or not to permit the fuel line, 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. There will be no additional disturbance since the proposed fuel line will be installed in the same trench as previously approved water lines. Pipelines associated with the RGU 31-25-198 well pad were analyzed in DOI-BLM-CO-110-2010-0159-EA, and the previously approved 4 inch water lines will be installed in the same trench as these proposed fuel lines.

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

Estimates of surface disturbance within the lease (COC60733 at the surface location) that are most likely attributed to oil and gas exploration and production activities equal approximately 106 acres. This area represents 9 percent of the total area of the lease, which is approximately 1,239 acres in size.

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

Yes. Perceived impacts associated with the construction of the well pad and the access and pipeline corridors associated with these wells were reviewed in DOI-BLM-CO-110-2010-0159-EA (signed on 7/2/2010).

INTERDISCIPLINARY REVIEW: Internal scoping was initiated when the project was presented to the White River Field Office (WRFO) interdisciplinary team on 11/19/2013. External scoping was conducted by posting this project on the WRFO's on-line National Environmental Policy Act (NEPA) register on12/11/2012.

Name	Title	Resource	Date
Michael Selle	Archaeologist	Cultural Resources, Native American Religious Concerns	11/22/2013
Lisa Belmonte	Wildlife Biologist	Special Status Wildlife Species	12/10/2013
Heather Woodruff	Range Management Specialist/Ecologist	Special Status Plant Species	11/22/2013
Mary Taylor	Rangeland Management Specialist	Vegetation, Invasive, non-Native Species	11/25/2013

REMARKS:

Cultural Resources: The proposed pipeline is located in an area that has been inventoried at the Class III (100 percent pedestrian) level (Conner and Davenport 2012 compliance dated 2/22/2012, Mills 2013 compliance dated 9/5/2013, Schwendler *et al* 2008 compliance dated 2/11/2009). No cultural resources are located directly in the project area though there are several within 305 meters (1,000 feet) of the project. Most of the resources are separated from the project by the well pad or by the pipelines and roads to the south of the recycling pit. Unless previously unidentified subsurface remains are encountered during trenching it is not expected that there would be any direct impacts to cultural resources. Indirect impacts could result due to an increase of human traffic and activity in the area during construction and/or operation of the facility. Indirect impacts are likely to take the form of unlawful collection of artifacts from sites in the vicinity during worker free time while construction and operation are underway.

Any impacts to cultural Resources as a result of the Proposed Action would 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 pipeline is located in an area generally mapped as the Uintah Formation (Tweto 1979) which the BLM has classified as a Potential Fossil yield Classification (PFYC)5 formation. Formations that placed in the PFYC 5 category are known to produce scientifically noteworthy fossil resources (c. Armstrong and Wolny 1989). If it becomes necessary to excavate into the underlying sedimentary rock to bury the pipelines thee is a potential to impact scientifically noteworthy fossils. Any impacts to fossil would constitute a long term, permanent, irreversible, irretrievable loss of scientific data from the regional paleontological dataset.

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. The project lies in mule deer severe winter range, a specialized component of winter range that supports nearly all of a herd in the most extreme winters (snowfall, temperatures etc.). In November 2009 an

agreement was reached by Colorado Parks and Wildlife (CPW), Williams, and BLM that supports CPWs research that is designed to better define deer response to applied BMPs and increased, but spatially confined natural gas development. To provide the necessary contrast in experimental design, gas development projects within a pre-defined area of William's Ryan Gulch Unit have been excepted from big game winter timing limitations through the year 2015. The exception area encompasses about 11% of the deer severe winter range encompassed by William's leaseholdings in Piceance Basin or about 1% of the total severe winter range available within Game Management Unit (GMU) 22. The project is located in this exception area.

Threatened and Endangered Plant Species: There are no special status plant species issues or concerns associated with the Proposed Action.

Vegetation and Invasive and Non-native Species: Impacts to vegetation communities are largely the same as analyzed in DOI-BLM-CO-110-2010-0159-EA (signed on 7/2/2010). However, reclamation practices have been modified to better reduce impacts and risks to affected vegetation communities from invasive or non-native plant species. Updated mitigation practices are listed below.

REFERENCES CITED:

Armstrong, Harley J., and David G. Wolny

1989 Paleontological Resources on Northwest Colorado: A Regional Analysis. Museum of Western Colorado, Grand Junction, Colorado.

Conner, Carl E., and Barbara Davenport

2012 Class III Cultural Resources Inventory Report for the Proposed McBryde to Black Sulphur Power line (~8.9 Miles) in Rio Blanco County, Colorado for White River Electric Association. Grand River Institute, Grand Junction, Colorado (12-11-31: OAHP # RB.LM.R1301)

Mills, Hannah

2013 Class III Cultural Resources Survey for the NE Ryan Gulch Water Recycling Pit in Rio Blanco County, Colorado for WPX Energy Rocky Mountain, LLC. Grand river institute, Grand Junction, Colorado (13-11-11: OAHP # RB.LM.NR2358)

Schwendler, Rebecca, Sarah Baer, Karen Reed, Scott Phillips, Scott Slessman, Matthew Bandy, Nicole Kromarek, Scott Bowen, Max Wolk, Caryn M. Berg, Paul Burnett, Tom Witt, Sean Doyle, Michelle Delmas, Michael Cregger, John Kennedy, Judy Cooper, Zonna Barnes, Amanda Cohen, Cynthia Manseau, Michael Retter, Dan Shosky, and Erin Salisbury

2008 A Class III Cultural Resource Inventory for the Ryan Gulch 3-D Geophysical Exploration Project, Rio Blanco County, Colorado. SWCA Environmental Consultants, Broomfield, Colorado. (09-127-01: OAHP # RB.LM.R1083)

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

MITIGATION: The following mitigation is based on that found in DOI-BLM-CO-110-2010-0159-EA and applies to the installation and maintenance of the proposed fuel line:

Pre-Construction Activities and Notifications

1) The *designated Natural Resource Specialist* will be notified 24 hours prior to beginning all construction-related activities associated with this project that result in disturbance of surface soils via email or by phone. Construction-related activities may include, but are not limited to, pad and road construction, clearing pipeline corridors, trenching, etc. Notification of all construction-related activities, regardless of size, that result in disturbance of surface soils as a result of this project is required.

Post-Construction Notifications

2) In an attempt to track interim and final reclamation of federal actions related to the development of federal mineral resources, the operator shall provide the *designated Natural Resource Specialist* with geospatial data in a format compatible with the WRFO's ESRI ArcGIS Geographic Information System (GIS). These data will be used to accurately locate and identify all geographic as-built (i.e., constructed) features associated with this project and included in the Application for Permit to Drill (APD) or Sundry Notice (SN), as appropriate. 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 Natural Resource Specialist* via email or by phone, and provide justification supporting an extension of the required data submission time period. GIS polygon features may include, but are not limited to, constructed access roads, existing roads that were upgraded, pipeline corridors, and well pad footprints. 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-build 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 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:

BLM, White River Field Office
Attn: Natural Resource Specialist
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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.

3) If for any reason the location or orientation of the geographic feature associated with the Proposed Action changes, the operator shall submit updated GIS "As-Built" data to *designated Natural Resource Specialist* within 7 calendar days of the change. This information shall be submitted via Sundry Notice.

Roads and Access

4) The holder is responsible for obtaining all required state and local permits for the Right-of-Way.

Soil

5) All construction and drilling activity shall cease if soils or road surfaces become saturated to a depth of three inches unless there are safety concerns or activities are otherwise approved by the Authorized Officer.

6) If erosion features such as riling, gullying, piping and mass wasting occur at anytime on disturbed surfaces the erosion features will be addressed immediately after observation by submitting a plan to assure successful soil stabilization with BMPs to address the erosion problems.

Wastes

7) The operator shall comply with all Federal, State and/or local laws and regulations addressing the handling, use, and release of any substance that poses a risk of harm to human health or the environment.

8) Regardless of a substance's status as exempt or non-exempt, the operator shall provide for the clean-up and testing of air, water (surface 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.

9) In addition to compliance with the reporting requirements of Notice to Lessee's-#3A and regardless of a substance's status as exempt or non-exempt, the operator shall report all emissions or releases of any quantity of any substance that may pose a risk of harm to human health or the environment to the Bureau of Land Management's White River Field Office at (970) 878-3800.

Rangeland Mgmt

12) The operator will be responsible for repairing any and all damage to the Ryan waterline crossed by the pipeline and access road. Deeper burial of the water line may adversely affect gravity flow, so the project proponent may be required to construct/replace adjacent parts of the pipeline to ensure functionality.

13) All fences crossed by the access road to the well location will have a minimum 20 foot wide cattleguard (and braces) installed and maintained to BLM specifications for the lifetime of the project. All cattleguard/fence work will take place prior to well location, pipeline or facility construction. Specifications will be included as part of the Conditions of Approval for this action.

14) Any and all fences intersected by the access road or pipeline will be braced to BLM specifications prior to cutting. A temporary wire gate will be constructed. This work will take place prior to access road/ pipeline ROW construction.

15) All roadside and well location cut and fill slopes will be revegetated immediately after construction with the seed mixture(s) specified in the conditions of approval. Such revegetation will be either temporary or permanent.

Cultural and Paleontological

16) 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.

17) 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.

18) Pursuant to 43 CFR 10.4(g) the holder of this authorization must notify the AO, by telephone, with 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), you must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the authorized officer.

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

20) If any paleontological resources are discovered as a result of operations under this authorization, the operator/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 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.

21) If it becomes necessary, at any time, to excavate into the underlying rock formation to construct the access road, level the well pad, excavate any reserve/blooie/cuttings pits or bury any pipelines an approved paleontological monitor shall be present for all such excavations.

Pre-Reclamation Notification

22) The *designated Natural Resource Specialis*t will be notified 24 hours prior to beginning all reclamation activities associated with this project via email or by phone. Reclamation activities may include, but are not limited to, seed bed preparation that requires disturbance of surface soils, seeding, constructing exclosures (e.g., fences) to exclude livestock from reclaimed areas.

23) The operator will be required to meet with the WRFO reclamation staff in March or April of each calendar year and present a comprehensive work plan. The purpose of the plan is to provide information pertaining to reclamation activities that are expected to occur during the current growing season. Operators shall also provide a map that shows all reclamation sites where some form of reclamation activity is expected to occur during the current growing season.

The following mitigation also applies to the Proposed Action:

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

25) To reduce erosion and minimize noxious weed establishment, all areas of the disturbance where it is not necessary to keep the area free of vegetation shall be seeded with the recommended seed mix below.

26) All seed used must be certified and free of noxious weeds. All seed tags will be submitted to the designated NRS within 14 calendar days from the time the seeding activities have ended. Documentation shall be provided with the seed tags to address the purpose of the seeding activity (i.e., seeding of re-contoured areas) and, if applicable, the name and contact information of the contractor who performed the work, the seeding method (e.g., broadcast, hydro-seeded, drilled), an as-built shape-file of the area seeded, an attached map that clearly identifies all disturbed areas that were seeded, and the date the seed was applied.

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

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

Table 5. Native Seed Mix 3

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

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

a) Vegetation monitoring (method approved by the BLM) reveals vegetation with eighty percent similarity of desired foliar cover, bare ground, and shrub and or forb density in relation to the identified DPC. In the absence of specified DPC data, an agreed upon reference site or AIM data would serve as the DPC. Vegetative cover values for woodland or shrubland sites are based on the capability of those sites in an herbaceous state.

b) The resulting plant community must have composition of at least five desirable plant species, and no one species may exceed 70 percent relative cover to ensure that site species diversity is achieved. Desirable species include native species from the surrounding site, species listed in the range/ecological site description, or species from the BLM approved seed mix.

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

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

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

MONITORING AND COMPLIANCE: On-going compliance inspections and monitoring of drilling, production, and post-production activities will be conducted by White River Field Office staff during construction of well pads, access roads, and pipelines. Specific mitigation developed in the associated Categorical Exclusion and the lease terms and conditions will be followed. The Operator will be notified of compliance related issues in writing, and depending on the nature of the issue(s), will be provided 30 days to resolve such issues.

NAME OF PREPARER: Brett Smithers

NAME OF ENVIRONMENTAL COORDINATOR: Heather Sauls

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

SIGNATURE OF AUTHORIZED OFFICIAL: Kent T. Walter
Field Manager

DATE SIGNED: 01/08/14

ATTACHMENTS:

Figure 1. Project area map.
Figure 2. Aerial photo of existing disturbance and the proposed pipeline.

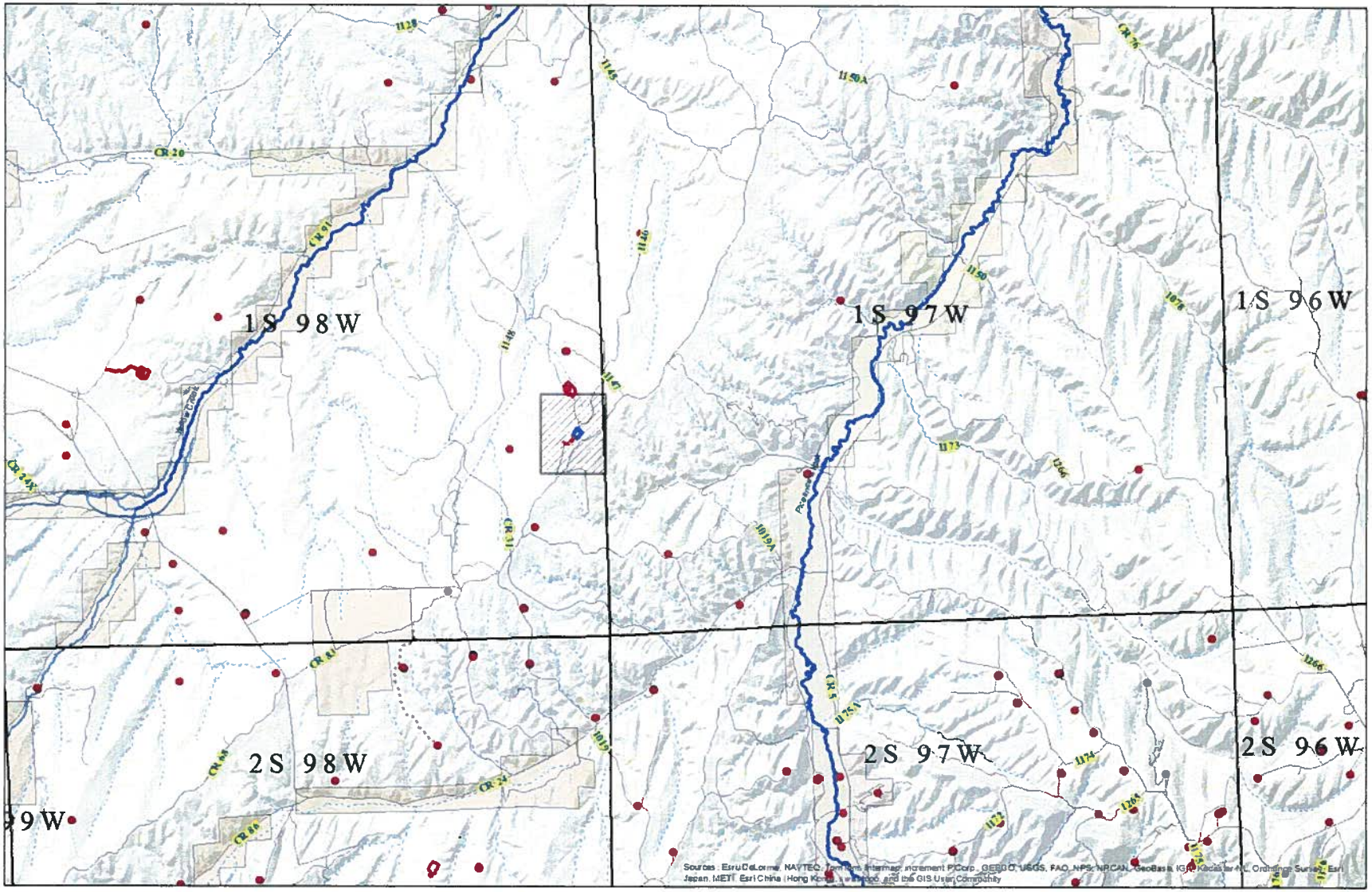

Figure 1. The image above illustrates the geographic location (within the cross hatched box) of the project area for the proposed fuel line.

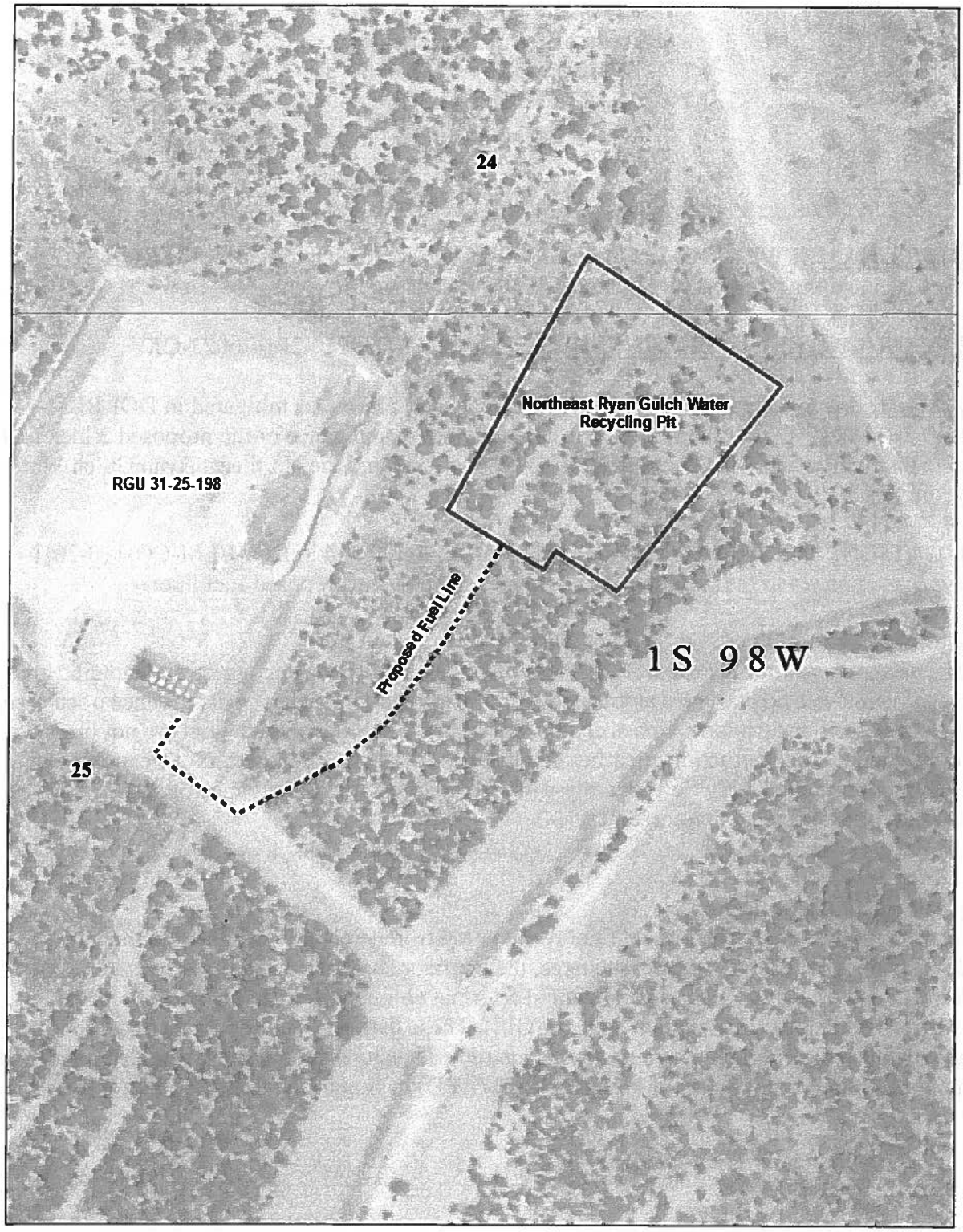

Figure 2. The image above illustrates the geographic location of the existing road corridor that will be used as the pipeline route (symbolized as a red dotted line) for the proposed two inch fuel line. The proposed fuel line will be installed in the trench that was reviewed in DOI-BLM-CO-110-2010-0159-EA for the pipelines that are associated with the existing RGU 31-25-198 well pad.

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DECISION

PROJECT NAME: WPX's request to install a 2 inch fuel pipeline to service the RGU 31-25-198 well pad and the Northeast Ryan Gulch Water Recycling Pit

CATEGORICAL EXCLUSION NUMBER: DOI-BLM-CO-110-2014-0023-CX

DECISION: It is my decision to implement the Proposed Action, as mitigated in DOI-BLM-CO-110-2014-0023-CX, authorizing the installation and maintenance of the proposed 2 inch fuel pipeline that will service WPX's RGU 31-25-198 well pad and the Northeast Ryan Gulch Water Recycling Pit.

MITIGATION: The following mitigation is based on that found in DOI-BLM-CO-110-2010-0159-EA and applies to the installation and maintenance of the proposed fuel line:

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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 Natural Resource Specialist* via email or by phone, and provide justification supporting an extension of the required data submission time period. GIS polygon features may include, but are not limited to, constructed access roads, existing roads that were upgraded, pipeline corridors, and well pad footprints. 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-build 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 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:

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Rangeland Mgmt

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15) All roadside and well location cut and fill slopes will be revegetated immediately after construction with the seed mixture(s) specified in the conditions of approval. Such revegetation will be either temporary or permanent.

Cultural and Paleontological

16) 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.

17) 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.

18) Pursuant to 43 CFR 10.4(g) the holder of this authorization must notify the AO, by telephone, with 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), you must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the authorized officer.

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

20) If any paleontological resources are discovered as a result of operations under this authorization, the operator/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 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.

21) If it becomes necessary, at any time, to excavate into the underlying rock formation to construct the access road, level the well pad, excavate any reserve/blooie/cuttings pits or bury any pipelines an approved paleontological monitor shall be present for all such excavations.

Pre-Reclamation Notification

22) The *designated Natural Resource Specialis*t will be notified 24 hours prior to beginning all reclamation activities associated with this project via email or by phone. Reclamation activities may include, but are not limited to, seed bed preparation that requires disturbance of surface soils, seeding, constructing exclosures (e.g., fences) to exclude livestock from reclaimed areas.

23) The operator will be required to meet with the WRFO reclamation staff in March or April of each calendar year and present a comprehensive work plan. The purpose of the plan is to

provide information pertaining to reclamation activities that are expected to occur during the current growing season. Operators shall also provide a map that shows all reclamation sites where some form of reclamation activity is expected to occur during the current growing season.

The following mitigation also applies to the Proposed Action:

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

25) To reduce erosion and minimize noxious weed establishment, all areas of the disturbance where it is not necessary to keep the area free of vegetation shall be seeded with the recommended seed mix below.

26) All seed used must be certified and free of noxious weeds. All seed tags will be submitted to the designated NRS within 14 calendar days from the time the seeding activities have ended. Documentation shall be provided with the seed tags to address the purpose of the seeding activity (i.e., seeding of re-contoured areas) and, if applicable, the name and contact information of the contractor who performed the work, the seeding method (e.g., broadcast, hydro-seeded, drilled), an as-built shape-file of the area seeded, an attached map that clearly identifies all disturbed areas that were seeded, and the date the seed was applied.

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

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

Table 5. Native Seed Mix 3

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

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

   a) Vegetation monitoring (method approved by the BLM) reveals vegetation with eighty percent similarity of desired foliar cover, bare ground, and shrub and or forb density in relation to the identified DPC. In the absence of specified DPC data, an agreed upon reference site or AIM data would serve as the DPC. Vegetative cover values for woodland or shrubland sites are based on the capability of those sites in an herbaceous state.

   b) The resulting plant community must have composition of at least five desirable plant species, and no one species may exceed 70 percent relative cover to ensure that site species diversity is achieved. Desirable species include native species from the surrounding site, species listed in the range/ecological site description, or species from the BLM approved seed mix.

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

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

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

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 11/19/2013. External scoping was conducted by posting this project on the WRFO's on-line National Environmental Policy Act (NEPA) register on 12/11/2012.

RATIONALE:
The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with Section 390 of the Energy Policy Act. The two inch fuel line will be used to transport gas from the RGU 31-25-198 well pad to the Northeast Ryan Gulch Water Recycling Pit. This gas will be used to fuel the run heaters on the water tanks located at the water recycling pit. It is assumed transporting fuel via a pipeline will reduce the number of vehicle trips to the recycling pit.

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: Kent E. Walter
Field Manager

DATE SIGNED: 01/08/14