

**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-110-2014-0016-CX (Well: RG 12-14-198)
DOI-BLM-CO-110-2014-0019-CX (Well: RG 11-14-198)
DOI-BLM-CO-110-2014-0020-CX (Well: RG 541-15-298)

CASEFILE/PROJECT NUMBER: COC66586

PROJECT NAME: WPX Ryan Gulch (RG) 12-14-298, 11-14-298 and 541-15-298 wells

LEGAL DESCRIPTION: T. 2 S., R. 98 W., Sec. 14, 6th P.M.

APPLICANT: WPX ENERGY ROCKY MOUNTAIN, LLC.

BACKGROUND: The SUPO identifies operations for the RG 12-14-298 well pad within the Ryan Gulch area. Nine wells have already been approved on this location, and perceived impacts associated with construction activities and drilling operations were reviewed in DOI-BLM-CO-110-2007-0043-EA (signed on 2/01/2007) and DOI-BLM-CO-110-2008-0107-DNA (signed on 7/15/2008). Two of the three wells are resubmissions because of extension expirations and one is a new well.

DESCRIPTION OF PROPOSED ACTION: WPX Energy is proposing to drill three Federal wells on a previously approved and constructed location on Federal surface (see Figures 1 and 2). No new or re-construction road disturbance will occur. No new gas or water lines will be needed; the existing infrastructure is adequate. All drilling, completion and production fluids will be recycled at the Parachute Centralized E&P Waste Facility, located in T. 6 S., R. 96 W., Sec. 36.

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?

The proposed wells would be drilled from existing locations; therefore, no new surface disturbance would result from implementing the Proposed Action.

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 (COC66586 at the surface location) that are most likely attributed to oil and gas activities equal approximately 40 acres. This area represents 6 percent of the total area of the lease, which is approximately 666 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 BLM-CO-110-2007-0043-EA (signed on 2/01/2007) and DOI-BLM-CO-110-2008-0107-DNA (signed on 7/15/2008). In addition, these documents included the review of perceived impacts related to drilling natural gas wells and installation of pipelines to these sites.

INTERDISCIPLINARY REVIEW: Internal scoping was initiated when the project was presented to the White River Field Office (WRFO) interdisciplinary team on 11/12/2013.

External scoping was conducted by posting this project on the WRFO's on-line National Environmental Policy Act (NEPA) register on 11/15/2013.

Name	Title	Resource	Date
Michael Selle	Archaeologist	Cultural Resources, Native American Religious Concerns	11/21/2013
Lisa Belmonte	Wildlife Biologist	Special Status Wildlife Species	11/19/2013
Heather Woodruff	Range Management Specialist/Ecologist	Special Status Plant Species	11/12/2013
Mary Taylor	Rangeland Management Specialist	Vegetation, Invasive, non-Native Species	11/12/2013

REMARKS:

Cultural Resources: The proposed new wells are in an area that has been inventoried at the Class III (100 percent pedestrian) level for two projects (Berg *et al* 2007 compliance dated 6/26/2008, McDonald 2006 compliance dated 10/25/2006) which did not identify any surface manifestations of cultural resources within 305 meters (1000 feet) of the project area.

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 project 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 meaning it is known to produce scientifically noteworthy fossil resources (c Armstrong and Wolny 1989).

Threatened and Endangered Wildlife Species: There are no special status wildlife species that are known to inhabit or derive important use of the project area. All wildlife-related issues and concerns were adequately addressed in BLM-CO-110-2007-0043-EA. The Proposed Action will not require any additional surface disturbance or vegetation removal. Drilling activities will begin outside of the migratory bird and raptor nesting period. Any birds returning to the area would initiate nesting activities in the face of ongoing disturbance.

Threatened and Endangered Plant Species: The wellpad is located on the Uinta geologic formation which is a potential geologic formation where threatened *Physaria* species could occur. The closest suitable habitat is 640 meters away from the pre-constructed wellpad. There were no special status plant concerns in the original EA (DOI-BLM-CO-110-2007-0043-EA) and the same analysis is sufficient for this Action. As long as no disturbance occurs outside the already existing wellpad footprint no SSPS surveys will be required. However, if disturbance occurs outside the wellpad footprint SSPS surveys will be required prior to any surface disturbance.

Vegetation and Invasive and Non-native Species: Impacts to vegetation communities are largely the same as analyzed in BLM-CO-110-2007-0043-EA. 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 of Northwest Colorado: A Regional Analysis. Museum of Western Colorado.

Berg, Caryn M., Michael J. Retter and Scott C. Phillips

2007 Class II Cultural Resource Inventory of the Proposed Duke Energy land Acquisition, Williams Ryan Gulch project, Rio Blanco County, Colorado. SWCA Environmental Consultants, Broomfield, Colorado. (08-127-04: OAHP # RB.LM.R1051)

McDonald, Kae

2006 Five Windsor Energy Well Pads and Associated Access Roads in the Vicinity of Ryan Gulch, A Class III Cultural Resource Inventory in Rio Blanco County, Colorado. Metcalf Archaeological Consultants, Inc., Eagle, Colorado.

Tweto, Ogden

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

MITIGATION: The following mitigation was identified in DOI-BLM-CO-110-2007-0043-EA and applies to the Proposed Action:

1. The operator will be responsible for complying with all local, state, and federal air quality regulations as well as providing documentation to the BLM that they have done so.
2. To minimize production of fugitive particulate matter (fugitive dust) from associated access roads, vehicle speeds must not exceed 15 mph *or* dust plume must not be visible at appropriate designated speeds for road design. In addition, the application of a BLM approved dust suppressant (e.g. water) will be required during dry periods when dust plumes are visible at speeds less than or equal to 15 mph. Surfacing access roads with gravels will also help mitigate production of fugitive particulate matter.
3. Pursuant to 43 CFR 10.4(g), the operator/holder/permittee/applicant must notify the AO, by telephone and written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4(c) and (d), the operator/holder/permittee/applicant must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the AO.
4. The operator shall prevent use by migratory birds of reserve pits that store or are expected to store fluids which may pose a risk to such birds (e.g., migratory waterfowl, shorebirds, wading birds and raptors) during completion and after completion activities have ceased. Methods may include netting or other alternative methods that effectively prevent use and that meet BLM approval. It will be the responsibility of the operator to notify the BLM of the method that will be used to prevent use two weeks prior to when completion activities are

expected to begin. The BLM approved method will be applied within 24 hours after completion activities have begun. All lethal and non-lethal events that involve migratory birds will be reported to the Petroleum Engineer Technician immediately.

5. A litter policing program shall be implemented by the holder, and approved of in writing by the authorized officer, which covers all roads and sites associated with the drill pads and pipeline right-of-way.
6. The holder of Right-of-Way No. COC70845 agrees to indemnify the United States against any liability arising from the release of any hazardous substance or hazardous waste (as these terms are defined in the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C 9601, et.seq. or the Resource Conservation and Recovery Act of 1976, 42 U.S.C. 6901, et. seq.) on the right-of-way (unless the release or threatened release is wholly unrelated to the right-of-way holder's activity on the right-of-way). This agreement applies without regard to whether a release is caused by the holder, its agent, or unrelated third parties.
7. The holder shall submit its contingency plan with the following to the authorized officer prior to scheduled start up:
 - a. Include provisions for oil or other pollutant spill control.
 - b. The agencies responsible for contingency plans in Rio Blanco County, and BLM, shall be among the first to be notified in the event of any pipeline system failure resulting in a spill of oil or other pollutant.
 - c. Provide for restoration of the affected resource.
 - d. Provide that the authorized officer shall approve any materials or devices used for oil spill control and any disposal sites or techniques selected to handle oil, matter, or other pollutants.
 - e. Include separate and specific techniques and schedules for cleanup of spills of oil or other pollutants on land or waters.
8. If during any phase of the construction, operation, or termination of the pipeline or related facilities any oil or other pollutant should be discharged from the pipeline system, or from containers or vehicles impacting Federal lands, the control and total removal, disposal, and cleanup of such oil or other pollutant, wherever found, shall be the responsibility of the holder, regardless of fault. Upon failure of holder to control, cleanup, or dispose of such discharge on or affecting Federal lands, or to repair all damages to Federal lands resulting therefrom, the authorized officer may take such measures as he deems necessary to control and cleanup the discharge and restore the area, including, where appropriate, the aquatic environment and fish and wildlife habitats, at the full expense of the holder. Such action by the authorized officer shall not relieve the holder of any liability or responsibility.

9. **Surface Water:** All surface disturbing activities on BLM administered lands will strictly adhere to “Gold Book” (fourth edition) surface operating standards for oil and gas exploration and development (copies of the “Gold Book” can be obtained at the WRFO). Corrugated metal pipes (CMPs) and drainage dips shall be located in such a manner as to avoid discharge onto unstable terrain such as headwalls or slumps. CMPs are not recommended on roads that have gradients less than 10 percent. Based on the nature of the affected soils, drain dips will be utilized in place of CMPs in these locations. The use of drain dips on road gradients greater than 10 percent should be avoided. Energy dissipaters such as large gravels/small cobbles will be used at culvert and drainage dip inlets/outlets to minimize additional erosion. To mitigate water being channelized down the roadway, all activity will stop when soils or road surfaces become saturated to a depth of three inches. Mud blading will be prohibited in attempts to reduce further soil displacement (unless otherwise approved by the BLM).
10. The operator will consult with the State of Colorado Water Quality Control Division regarding Stormwater Discharge Permits prior to commencing construction activities. All construction activities that disturb one acre or greater require a Stormwater Discharge Permit. Written documentation to the BLM Authorized Officer is required prior to surface disturbance to indicate that appropriate permits have been obtained. Written documentation may be a copy of the Stormwater Discharge Permit or an official verification letter from the State Water Quality Control Division to the operator that includes the Permit Certification Number. For further information contact WRFO Hydrologist at 970-878-3800. Appropriate documents may be faxed (970-878-3805), or mailed to the White River Field Office.
11. The operator will consult with the US Army Corps of Engineers to obtain approval prior to discharging fill material into waters of the US in accordance with Section 404 of the Clean Water Act. Waters of the US are defined in 33 CFR Section 328.3. Written documentation to the BLM Authorized Officer is required prior to construction activities to indicate that the US Army Corps of Engineers has been notified prior to construction or that 404 Permits have been obtained or are not required by the permitting agency. Written documentation may be a copy of the Pre-Construction Notification (PCN) Form or an official verification letter from the US Army Corps of Engineers to the operator stating that a permit has been issued or is not required for the activities in question. For further information contact WRFO Hydrologist at 970-878-3800. Appropriate documents may be faxed (970-878-3805), or mailed to the White River Field Office.
12. To mitigate additional soil erosion at the well pad and potential increased sediment and salt loading to the Colorado River System, all disturbed areas affected by drilling or subsequent operations, except areas reasonably needed for production operations, shall be reclaimed as early and as nearly as practicable to their original condition and shall be maintained to control dust and minimize erosion. To allow optimal opportunity for interim reclamation of well pads, all tanks and production facilities will be situated on the access road side of the well pad (unless otherwise approved by the WRFO-BLM Field Manager). Reclamation efforts on all pipelines will be final. Interim reclamation of well pads and final reclamation of pipeline right of ways (ROW) on BLM administered surfaces will commence as follows:

- a) Debris and waste materials other than de minimus amounts, including, but not limited to, concrete, sack bentonite and other drilling mud additives, sand, plastic, pipe and cable, as well as equipment associated with the drilling, re-entry or completion operations shall be removed.
- b) Stockpiled topsoil and spoil piles will be separated and clearly labeled to prevent mixing during reclamation efforts.
- c) Stockpiled topsoil will be seeded with a BLM approved seed mixture. Topsoil stockpiles that will potentially remain in place for extended periods of time (e.g. multi-well locations) will be covered with biodegradable fabrics such as (but not limited to) jute netting or Curlex and seeded with the appropriated seed mixture.
- d) Stockpiled topsoil segregated from spoil piles will be replaced during reclamation in its respective original position (last out, first in) to minimize mixing of soil horizons.
- e) Stockpiled soils (spoil and topsoil) will be pulled back over all disturbed surfaces affected by pipeline/road construction, drilling or subsequent operations, except areas reasonably needed for production operations. Areas on *well pads* not needed for production operations shall be partially reshaped as early and as nearly as practicable to near pre-construction contours. Pipelines will be recontoured to pre-construction contours as soon as construction activities cease.
- f) The operator will ensure stockpiled topsoil is evenly distributed over the **top** of spoil used in recontouring/partial-reshaping efforts.
- g) Recontoured/partially-reshaped areas will be seeded with a BLM approved seed mixture, and all slopes exceeding 5 % will be covered with wildlife friendly biodegradable fabrics (such as but not limited to Jute blankets, Curlex...) to provide additional protection to topsoil, retain soil moisture, and help promote desired vegetative growth.
- h) Following seeding and placement of biodegradable fabrics, woody debris cleared during initial construction will be pulled back over the recontoured/partially-reshaped areas to act as flow deflectors and sediment traps. Available woody debris will be evenly distributed over the entire portion of the reclaimed area and will not account for more than 20% of total ground cover.
- i) The operator will be responsible for excluding livestock grazing from all reclaimed portions of *well pads*. To eliminate livestock utilization of reclaimed areas prior to successful reclamation, a 4-strand BLM Type-D barbed wire fence with braced wooden corners or net wire fence brought to the ground surface built to BLM specifications will be constructed around all reclaimed portions of the well pad including cut and fill slopes immediately after interim reclamation is concluded (within 2 weeks) unless otherwise instructed by the BLM. A BLM specified cattleguard will be placed at the time of fence construction where the well access road bisects the fenceline that surrounds the well pad's disturbance imprint. Once reclaimed plant species are fully established on disturbed sites as determined by the BLM (e.g. Desired Plant Community (DPC), Public Land Health Standards), the fence and cattle guard will be completely removed by the applicant after a minimum of two growing seasons. This will allow for reclaimed plant species to establish without grazing pressure from livestock.
- j) The operator will be responsible for achieving a reclamation success rate for interim reclamation and final abandonment (on all disturbed areas associated with well pads, pipelines, and access roads) of sufficient vegetative ground cover from reclaimed plant species within three growing seasons after the application of seed. Additional reclamation

efforts will be undertaken at the operators expense if: after the first growing season there is no positive indicators of successful establishment of seeded species (e.g. germination); after the second year seeded species are not yet established (e.g. producing seed); and after the third growing season seeded vegetative communities lack persistence (e.g. reproductively capable of enduring drought conditions and sustaining the seeded community). Reclamation achievement will be evaluated using the Public Land Health Standards that include indicators of rangeland health. Rehabilitation efforts must be repeated if it is concluded that the success rate is below an acceptable level as determined by the BLM.

13. Upon final abandonment of the well pads, new access roads, and completion of pipelines, 100% of all disturbed surfaces will be restored to pre-construction contours, and revegetated with a BLM preferred seed mixture. Natural drainage patterns will be restored and stabilized with a combination of vegetative (seeding) and non-vegetative (straw bails, woody debris, straw waddles, biodegradable fabrics...) techniques. All available woody debris will be pulled back over recontoured areas (woody debris will not account for more that 20% of total surface cover) to help stabilize soils, trap moisture, and provide cover for vegetation. Monitoring and additional reclamation efforts will persist until reclamation is proven successful (as determined by the BLM).
14. Ground Water: Shallow aquifers shall be protected from hydrofracturing and the production of oil and gas by installation and cementing of surface and intermediate casing. Any groundwater produced from the Fort Union or Mesaverde Formations will be hauled off and disposed of due to poor water quality and therefore preventing adverse impacts to valuable surface and ground water resources. Environmentally unfriendly substances (e.g. diesel) must not be allowed to contact soils. The use of spill-guards (or equivalent spill prevention equipment) under and around pumping equipment will be required for all locations to intercept contaminants prior to contacting soils and infiltrating into groundwater. Furthermore, all pits shall be lined to protect shallow ground water from pit contents. All wastes associated with construction and drilling will be properly treated and disposed of.
15. Mitigate soil loss from roadway and surrounding area by restricting road access to authorized personal only (e.g. restrict access to newly constructed roads). The operator will be responsible for segregating topsoil material and backfilling of topsoil in its respective original position (last out, first in) to assist in the reestablishment of soil health and productivity. Erosion and sediment control measures will be installed on all slopes exceeding five percent to mitigate soil loss. Erosion and sediment control measures will be maintained until upland areas are stabilized.
16. Mud blading will be prohibited and all activity shall cease when soils or road surfaces become saturated to a depth of three inches (on BLM administered lands) unless otherwise approved by the AO. All disturbed surfaces will be restored to natural contours and revegetated with a BLM approved seed mixture. Interim reclamation will follow the mitigation outlined in the Water Quality portion of this document. All pits shall be lined to prevent contents from reserve pits from seeping into surrounding soils, contaminating local ground water, reducing soil productivity and compromising reclamation success.

17. If construction/development occurs between April 15 and November 15, the operator will be required to water or surface access roads from RBC Rd 85 east to all active locations to reduce airborne dust and damage to roadside vegetation communities.
18. The operator shall provide written notification of the proposed activities to the owner(s) of any water monitoring wells within a 1,000 foot radius of each of the five proposed well pad locations. This notification must be submitted to the owner(s) prior to the commencement of surface disturbing activities on the lease, and a copy of the document(s) shall also be forwarded to the BLM White River Field Office in Meeker, Colorado.
19. To prove ownership of any aquifer contamination or influence, a fluorescent dye other than Rhodamin WT shall be added to all drilling fluids used through the Green River Formation. This requirement may be waived if written permission is obtained prior to the onset of drilling operations from the owner(s) of any water monitoring wells within a 1,000 foot radius of the proposed well pads. A copy of this written waiver from the water well owner(s) shall also be forwarded to the BLM White River Field Office in Meeker, Colorado.
20. All permanent (onsite for six [6] months or longer) structures, facilities and equipment placed onsite shall be painted Munsell Soil Color Chart Juniper Green or equivalent within six months of installation.

The following mitigation will also apply to the Proposed Action:

21. 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.
22. 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.
23. 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.

24. If any paleontological resources are discovered as a result of operations under this authorization, the operator or any of his agents must stop work immediately at that site, immediately contact the BLM Paleontology Coordinator, and make every effort to protect the site from further impacts, including looting, erosion, or other human or natural damage. Work may not resume at that location until approved by the AO. The BLM or designated paleontologist will evaluate the discovery and take action to protect or remove the resource within 10 working days. Within 10 days, the operator will be allowed to continue construction through the site, or will be given the choice of either (a) following the Paleontology Coordinator's instructions for stabilizing the fossil resource in place and avoiding further disturbance to the fossil resource, or (b) following the Paleontology Coordinator's instructions for mitigating impacts to the fossil resource prior to continuing construction through the project area.
25. The operator 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.
26. 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.
27. 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.
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	<i>Pascopyrum smithii</i>	4
Whitmar	Bluebunch Wheatgrass	<i>Pseudoroegneria spicata</i> ssp. <i>inermis</i>	3.5
Rimrock	Indian Ricegrass	<i>Achnatherum hymenoides</i>	3
	Needle and Thread Grass	<i>Hesperostipa comata</i> ssp. <i>comata</i>	2.5

Maple Grove	Lewis Flax	<i>Linum lewisii</i>	1
	Scarlet Globemallow	<i>Sphaeralcea coccinea</i>	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:

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

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

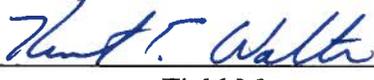
MONITORING AND COMPLIANCE: On-going compliance inspections and monitoring of drilling, production, and post-production activities will be conducted by White River Field Office staff during construction of well pads, access roads, and pipelines. Specific mitigation developed in the associated Categorical 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: 
Field Manager

DATE SIGNED: 01/06/14

ATTACHMENTS:

Figure 1. Project area map.

Figure 2. Project area map with existing disturbance.

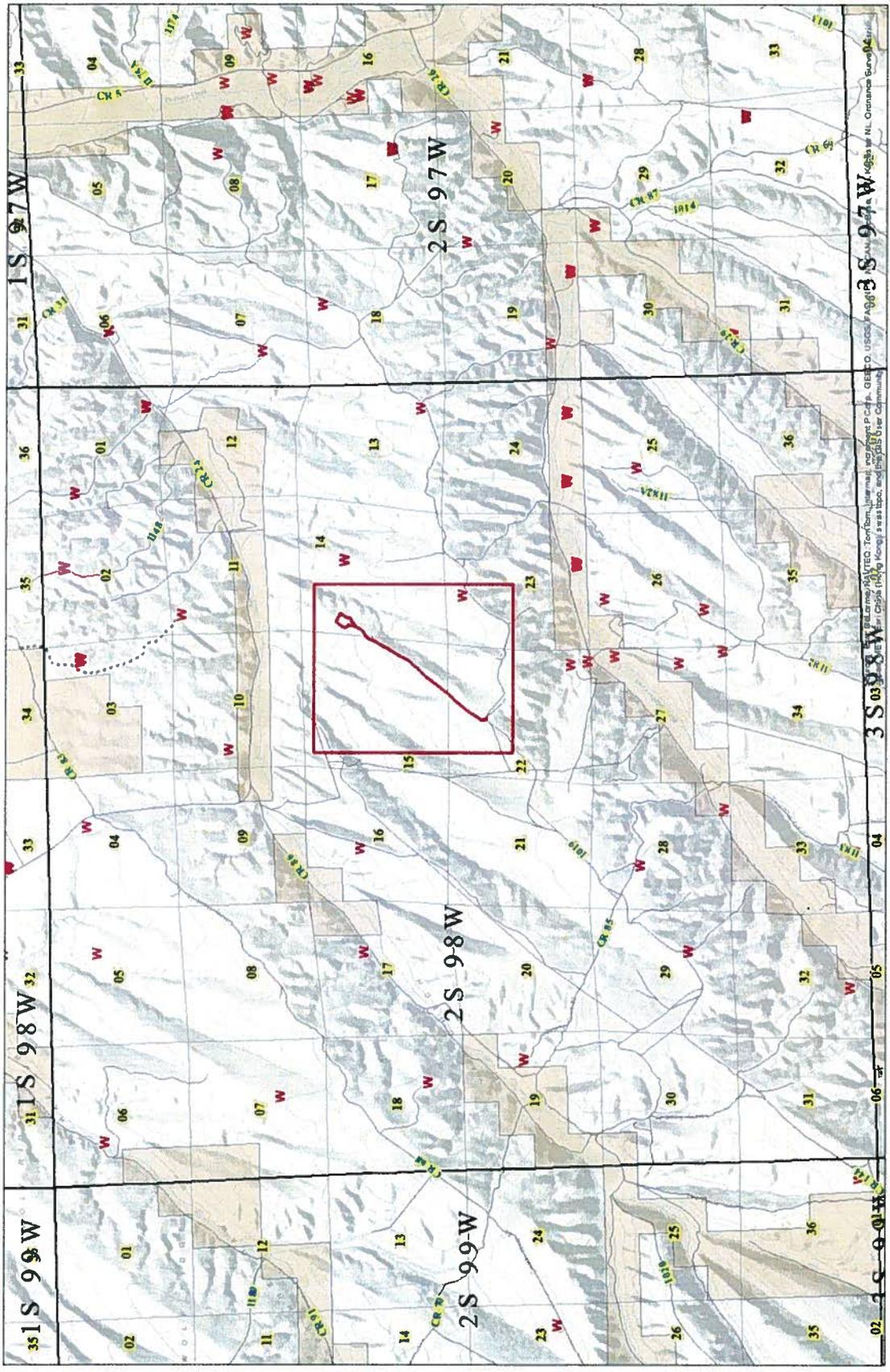


Figure 1. The image above illustrates the geographic location of the existing well pad and road corridor that will be used to drill the proposed wells.



Figure 2. The image above illustrates the geographic location of the existing well pad and road corridor that will be used to drill the proposed wells. In addition, existing disturbance within the project area is included.

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

DECISION

PROJECT NAME: WPX Ryan Gulch (RG) 12-14-298, 11-14-298 and 541-15-298 wells

CATEGORICAL EXCLUSION NUMBER:

DOI-BLM-CO-110-2014-0016-CX (Well: RG 12-14-198)

DOI-BLM-CO-110-2014-0019-CX (Well: RG 11-14-198)

DOI-BLM-CO-110-2014-0020-CX (Well: RG 541-15-298)

DECISION: It is my decision to implement the Proposed Action, as mitigated in DOI-BLM-CO-110-2014-0016-CX, authorizing drilling the proposed three wells on the existing RG 12-14-298 well pad.

MITIGATION: The following mitigation was identified in DOI-BLM-CO-110-2007-0043-EA and applies to the Proposed Action:

1. The operator will be responsible for complying with all local, state, and federal air quality regulations as well as providing documentation to the BLM that they have done so.
2. To minimize production of fugitive particulate matter (fugitive dust) from associated access roads, vehicle speeds must not exceed 15 mph *or* dust plume must not be visible at appropriate designated speeds for road design. In addition, the application of a BLM approved dust suppressant (e.g. water) will be required during dry periods when dust plumes are visible at speeds less than or equal to 15 mph. Surfacing access roads with gravels will also help mitigate production of fugitive particulate matter.
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4. The operator shall prevent use by migratory birds of reserve pits that store or are expected to store fluids which may pose a risk to such birds (e.g., migratory waterfowl, shorebirds, wading birds and raptors) during completion and after completion activities have ceased. Methods may include netting or other alternative methods that effectively prevent use and that meet BLM approval. It will be the responsibility of the operator to notify the BLM of the method that will be used to prevent use two weeks prior to when completion activities are expected to begin. The BLM approved method will be applied within 24 hours after

completion activities have begun. All lethal and non-lethal events that involve migratory birds will be reported to the Petroleum Engineer Technician immediately.

5. A litter policing program shall be implemented by the holder, and approved of in writing by the authorized officer, which covers all roads and sites associated with the drill pads and pipeline right-of-way.
6. The holder of Right-of-Way No. COC70845 agrees to indemnify the United States against any liability arising from the release of any hazardous substance or hazardous waste (as these terms are defined in the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C 9601, et. seq. or the Resource Conservation and Recovery Act of 1976, 42 U.S.C. 6901, et. seq.) on the right-of-way (unless the release or threatened release is wholly unrelated to the right-of-way holder's activity on the right-of-way). This agreement applies without regard to whether a release is caused by the holder, its agent, or unrelated third parties.
7. The holder shall submit its contingency plan with the following to the authorized officer prior to scheduled start up:
 - a. Include provisions for oil or other pollutant spill control.
 - b. The agencies responsible for contingency plans in Rio Blanco County, and BLM, shall be among the first to be notified in the event of any pipeline system failure resulting in a spill of oil or other pollutant.
 - c. Provide for restoration of the affected resource.
 - d. Provide that the authorized officer shall approve any materials or devices used for oil spill control and any disposal sites or techniques selected to handle oil, matter, or other pollutants.
 - e. Include separate and specific techniques and schedules for cleanup of spills of oil or other pollutants on land or waters.
8. If during any phase of the construction, operation, or termination of the pipeline or related facilities any oil or other pollutant should be discharged from the pipeline system, or from containers or vehicles impacting Federal lands, the control and total removal, disposal, and cleanup of such oil or other pollutant, wherever found, shall be the responsibility of the holder, regardless of fault. Upon failure of holder to control, cleanup, or dispose of such discharge on or affecting Federal lands, or to repair all damages to Federal lands resulting therefrom, the authorized officer may take such measures as he deems necessary to control and cleanup the discharge and restore the area, including, where appropriate, the aquatic environment and fish and wildlife habitats, at the full expense of the holder. Such action by the authorized officer shall not relieve the holder of any liability or responsibility.
9. Surface Water: All surface disturbing activities on BLM administered lands will strictly adhere to "Gold Book" (fourth edition) surface operating standards for oil and gas

exploration and development (copies of the “Gold Book” can be obtained at the WRFO). Corrugated metal pipes (CMPs) and drainage dips shall be located in such a manner as to avoid discharge onto unstable terrain such as headwalls or slumps. CMPs are not recommended on roads that have gradients less than 10 percent. Based on the nature of the affected soils, drain dips will be utilized in place of CMPs in these locations. The use of drain dips on road gradients greater than 10 percent should be avoided. Energy dissipaters such as large gravels/small cobbles will be used at culvert and drainage dip inlets/outlets to minimize additional erosion. To mitigate water being channelized down the roadway, all activity will stop when soils or road surfaces become saturated to a depth of three inches. Mud blading will be prohibited in attempts to reduce further soil displacement (unless otherwise approved by the BLM).

10. The operator will consult with the State of Colorado Water Quality Control Division regarding Stormwater Discharge Permits prior to commencing construction activities. All construction activities that disturb one acre or greater require a Stormwater Discharge Permit. Written documentation to the BLM Authorized Officer is required prior to surface disturbance to indicate that appropriate permits have been obtained. Written documentation may be a copy of the Stormwater Discharge Permit or an official verification letter from the State Water Quality Control Division to the operator that includes the Permit Certification Number. For further information contact WRFO Hydrologist at 970-878-3800. Appropriate documents may be faxed (970-878-3805), or mailed to the White River Field Office.
11. The operator will consult with the US Army Corps of Engineers to obtain approval prior to discharging fill material into waters of the US in accordance with Section 404 of the Clean Water Act. Waters of the US are defined in 33 CFR Section 328.3. Written documentation to the BLM Authorized Officer is required prior to construction activities to indicate that the US Army Corps of Engineers has been notified prior to construction or that 404 Permits have been obtained or are not required by the permitting agency. Written documentation may be a copy of the Pre-Construction Notification (PCN) Form or an official verification letter from the US Army Corps of Engineers to the operator stating that a permit has been issued or is not required for the activities in question. For further information contact WRFO Hydrologist at 970-878-3800. Appropriate documents may be faxed (970-878-3805), or mailed to the White River Field Office.
12. To mitigate additional soil erosion at the well pad and potential increased sediment and salt loading to the Colorado River System, all disturbed areas affected by drilling or subsequent operations, except areas reasonably needed for production operations, shall be reclaimed as early and as nearly as practicable to their original condition and shall be maintained to control dust and minimize erosion. To allow optimal opportunity for interim reclamation of well pads, all tanks and production facilities will be situated on the access road side of the well pad (unless otherwise approved by the WRFO-BLM Field Manager). Reclamation efforts on all pipelines will be final. Interim reclamation of well pads and final reclamation of pipeline right of ways (ROW) on BLM administered surfaces will commence as follows:
 - a) Debris and waste materials other than de minimus amounts, including, but not limited to, concrete, sack bentonite and other drilling mud additives, sand, plastic, pipe and cable, as

well as equipment associated with the drilling, re-entry or completion operations shall be removed.

- b) Stockpiled topsoil and spoil piles will be separated and clearly labeled to prevent mixing during reclamation efforts.
- c) Stockpiled topsoil will be seeded with a BLM approved seed mixture. Topsoil stockpiles that will potentially remain in place for extended periods of time (e.g. multi-well locations) will be covered with biodegradable fabrics such as (but not limited to) jute netting or Curlex and seeded with the appropriated seed mixture.
- d) Stockpiled topsoil segregated from spoil piles will be replaced during reclamation in its respective original position (last out, first in) to minimize mixing of soil horizons.
- e) Stockpiled soils (spoil and topsoil) will be pulled back over all disturbed surfaces affected by pipeline/road construction, drilling or subsequent operations, except areas reasonably needed for production operations. Areas on *well pads* not needed for production operations shall be partially reshaped as early and as nearly as practicable to near pre-construction contours. Pipelines will be recontoured to pre-construction contours as soon as construction activities cease.
- f) The operator will ensure stockpiled topsoil is evenly distributed over the **top** of spoil used in recontouring/partial-reshaping efforts.
- g) Recontoured/partially-reshaped areas will be seeded with a BLM approved seed mixture, and all slopes exceeding 5 % will be covered with wildlife friendly biodegradable fabrics (such as but not limited to Jute blankets, Curlex...) to provide additional protection to topsoil, retain soil moisture, and help promote desired vegetative growth.
- h) Following seeding and placement of biodegradable fabrics, woody debris cleared during initial construction will be pulled back over the recontoured/partially-reshaped areas to act as flow deflectors and sediment traps. Available woody debris will be evenly distributed over the entire portion of the reclaimed area and will not account for more than 20% of total ground cover.
- i) The operator will be responsible for excluding livestock grazing from all reclaimed portions of *well pads*. To eliminate livestock utilization of reclaimed areas prior to successful reclamation, a 4-strand BLM Type-D barbed wire fence with braced wooden corners or net wire fence brought to the ground surface built to BLM specifications will be constructed around all reclaimed portions of the well pad including cut and fill slopes immediately after interim reclamation is concluded (within 2 weeks) unless otherwise instructed by the BLM. A BLM specified cattleguard will be placed at the time of fence construction where the well access road bisects the fenceline that surrounds the well pad's disturbance imprint. Once reclaimed plant species are fully established on disturbed sites as determined by the BLM (e.g. Desired Plant Community (DPC), Public Land Health Standards), the fence and cattle guard will be completely removed by the applicant after a minimum of two growing seasons. This will allow for reclaimed plant species to establish without grazing pressure from livestock.
- j) The operator will be responsible for achieving a reclamation success rate for interim reclamation and final abandonment (on all disturbed areas associated with well pads, pipelines, and access roads) of sufficient vegetative ground cover from reclaimed plant species within three growing seasons after the application of seed. Additional reclamation efforts will be undertaken at the operators expense if: after the first growing season there is no positive indicators of successful establishment of seeded species (e.g. germination); after

the second year seeded species are not yet established (e.g. producing seed); and after the third growing season seeded vegetative communities lack persistence (e.g. reproductively capable of enduring drought conditions and sustaining the seeded community). Reclamation achievement will be evaluated using the Public Land Health Standards that include indicators of rangeland health. Rehabilitation efforts must be repeated if it is concluded that the success rate is below an acceptable level as determined by the BLM.

13. Upon final abandonment of the well pads, new access roads, and completion of pipelines, 100% of all disturbed surfaces will be restored to pre-construction contours, and revegetated with a BLM preferred seed mixture. Natural drainage patterns will be restored and stabilized with a combination of vegetative (seeding) and non-vegetative (straw bails, woody debris, straw waddles, biodegradable fabrics...) techniques. All available woody debris will be pulled back over recontoured areas (woody debris will not account for more than 20% of total surface cover) to help stabilize soils, trap moisture, and provide cover for vegetation. Monitoring and additional reclamation efforts will persist until reclamation is proven successful (as determined by the BLM).
14. Ground Water: Shallow aquifers shall be protected from hydrofracturing and the production of oil and gas by installation and cementing of surface and intermediate casing. Any groundwater produced from the Fort Union or Mesaverde Formations will be hauled off and disposed of due to poor water quality and therefore preventing adverse impacts to valuable surface and ground water resources. Environmentally unfriendly substances (e.g. diesel) must not be allowed to contact soils. The use of spill-guards (or equivalent spill prevention equipment) under and around pumping equipment will be required for all locations to intercept contaminants prior to contacting soils and infiltrating into groundwater. Furthermore, all pits shall be lined to protect shallow ground water from pit contents. All wastes associated with construction and drilling will be properly treated and disposed of.
15. Mitigate soil loss from roadway and surrounding area by restricting road access to authorized personal only (e.g. restrict access to newly constructed roads). The operator will be responsible for segregating topsoil material and backfilling of topsoil in its respective original position (last out, first in) to assist in the reestablishment of soil health and productivity. Erosion and sediment control measures will be installed on all slopes exceeding five percent to mitigate soil loss. Erosion and sediment control measures will be maintained until upland areas are stabilized.
16. Mud blading will be prohibited and all activity shall cease when soils or road surfaces become saturated to a depth of three inches (on BLM administered lands) unless otherwise approved by the AO. All disturbed surfaces will be restored to natural contours and revegetated with a BLM approved seed mixture. Interim reclamation will follow the mitigation outlined in the Water Quality portion of this document. All pits shall be lined to prevent contents from reserve pits from seeping into surrounding soils, contaminating local ground water, reducing soil productivity and compromising reclamation success.

17. If construction/development occurs between April 15 and November 15, the operator will be required to water or surface access roads from RBC Rd 85 east to all active locations to reduce airborne dust and damage to roadside vegetation communities.
18. The operator shall provide written notification of the proposed activities to the owner(s) of any water monitoring wells within a 1,000 foot radius of each of the five proposed well pad locations. This notification must be submitted to the owner(s) prior to the commencement of surface disturbing activities on the lease, and a copy of the document(s) shall also be forwarded to the BLM White River Field Office in Meeker, Colorado.
19. To prove ownership of any aquifer contamination or influence, a fluorescent dye other than Rhodamin WT shall be added to all drilling fluids used through the Green River Formation. This requirement may be waived if written permission is obtained prior to the onset of drilling operations from the owner(s) of any water monitoring wells within a 1,000 foot radius of the proposed well pads. A copy of this written waiver from the water well owner(s) shall also be forwarded to the BLM White River Field Office in Meeker, Colorado.
20. All permanent (onsite for six [6] months or longer) structures, facilities and equipment placed onsite shall be painted Munsell Soil Color Chart Juniper Green or equivalent within six months of installation.

The following mitigation also applies to the Proposed Action:

21. 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.
22. 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.
23. 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.

24. If any paleontological resources are discovered as a result of operations under this authorization, the operator or any of his agents must stop work immediately at that site, immediately contact the BLM Paleontology Coordinator, and make every effort to protect the site from further impacts, including looting, erosion, or other human or natural damage. Work may not resume at that location until approved by the AO. The BLM or designated paleontologist will evaluate the discovery and take action to protect or remove the resource within 10 working days. Within 10 days, the operator will be allowed to continue construction through the site, or will be given the choice of either (a) following the Paleontology Coordinator's instructions for stabilizing the fossil resource in place and avoiding further disturbance to the fossil resource, or (b) following the Paleontology Coordinator's instructions for mitigating impacts to the fossil resource prior to continuing construction through the project area.
25. 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.
26. 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.
27. 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.
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	<i>Pascopyrum smithii</i>	4
Whitmar	Bluebunch Wheatgrass	<i>Pseudoroegneria spicata</i> ssp. <i>inermis</i>	3.5
Rimrock	Indian Ricegrass	<i>Achnatherum hymenoides</i>	3
	Needle and Thread Grass	<i>Hesperostipa comata</i> ssp. <i>comata</i>	2.5

Maple Grove	Lewis Flax	<i>Linum lewisii</i>	1
	Scarlet Globemallow	<i>Sphaeralcea coccinea</i>	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:

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

31. 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 11/12/2013. External scoping was conducted by posting this

project on the WRFO's on-line National Environmental Policy Act (NEPA) register on 11/15/2013.

RATIONALE:

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with Section 390 of the Energy Policy Act. Drilling additional wells from an existing well pad location allows for further development of the oil and gas resource with reduced surface disturbance compared to new locations.

ADMINISTRATIVE REMEDIES:

State Director Review

Under regulations addressed in 43 CFR 3165.3(b), any adversely affected party that contests a decision of the Authorized Officer may request an administrative review, before the State Director, either with or without oral presentation. Such request, including all supporting documentation, shall be filed in writing with the BLM Colorado State Office at 2850 Youngfield Street, Lakewood, Colorado 80215 within 20 business days of the date such decision was received or considered to have been received. Upon request and showing of good cause, an extension may be granted by the State Director. Such review shall include all factors or circumstances relevant to the particular case.

Appeal

Any party who is adversely affected by the decision of the State Director after State Director review, under 43 CFR 3165.3(b), of a decision may appeal that decision to the Interior Board of Land Appeals pursuant to the regulations set out in 43 CRF Part 4.

SIGNATURE OF AUTHORIZED OFFICIAL:



Field Manager

DATE SIGNED:

01/06/14

