

**Bureau of Land Management, Roswell Field Office
Categorical Exclusion Checklist, NEPA # DOI-BLM-NM-P010-2010-022-CX**

Resources	Not Present on Site	No Impacts	May Be Impacts	Mitigation Included	BLM Reviewer	Date
Watershed			X	X	/s/ Michael McGee	12/15/09
Water Quality - Surface			X	X		
Water Quality - Ground			X	X	/s/ Michael McGee	12/15/09
Cultural	X				/s/Rebecca L. Hill 10-R-007A	9Dec2009
Rights-of-Way					/s/Sanderford	12/2/2009
Invasive, Non-native Species			X	X	/s/ Helen Miller	12/16/2009
Threatened or Endangered Species	X				/s/ Dbagao	12/9/09
Special Status Species		X				
Wastes, Hazardous or Solid			X	X	/s/Glen Garnand	12/16/09
Public Health and Safety			X	X		

Categorical Exclusion Documentation
DOI-BLM-NM-P010-2010-022-CX

A. Background

Roswell Field Office

Lease/Serial/Case File No.: NM-123867

Proposed Action Title/Type: 6" Buried Pipeline and associated appurtenances to transport gas.

Location of Proposed Action:

T. 15 S., R. 30 E., NMPM., Chaves County, New Mexico
Section 28, NW $\frac{1}{4}$ NW $\frac{1}{4}$;
Section 29, N $\frac{1}{2}$ NE $\frac{1}{4}$.

Description of Proposed Action: DCP Midstream proposes to install one (1) 6-inch buried poly pipe, meter runs, block valves, tie-over's, and appurtenances the purpose for the pipeline is to transport natural gas from Mack Energy's Sam Federal CDP well to an existing gathering system. The project will traverse across public lands for a length of 2709.30 feet by 30 feet wide and will impact 1.86 acres more or less. The right-of-way grant will be issued for a 30 year period with the option to renew.

B. Land Use Plan Conformance

Land Use Plan Name: 1997 Roswell Resource Management Plan
Amended by the 2008 Special Status Species RMPA

The proposed action is in conformance with the Roswell Resource Management Plan as amended, even though it is not specifically provided for, because it is clearly consistent with the following RMP decision(s) (objectives, terms, and conditions): Record of Decision Page 21 "Goal: Manage the public lands . . .to respond to public demand for land use authorization . . ."

C. Compliance with NEPA:

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, No. E-12 - "Grants of right-of-way wholly within the boundaries of other compatibly developed rights-of-way." This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed, and none of the extraordinary circumstances described in 516 DM2 apply. See the attached list of extraordinary circumstances.

D: Signature

_____/s/ Angel Mayes_____
Angel Mayes
Assistant Field Manager – Lands and Minerals

February 23, 2010
Date

Before any non-Energy Act CX is used, a sufficient review must be conducted to determine if any of the following extraordinary circumstances apply (516 DM 2, Appendix 2). If any of the extraordinary circumstances are applicable to the action being considered, either an EA or an EIS must be prepared for the action. The Departmental Manual states that extraordinary circumstances exist for individual actions within CXs which may:

1. Have significant impacts on public health or safety. *No, the areas of impact are very small and relatively remote.*
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas. *No, these concerns are fully addressed by the stipulations attached at Exhibit B.*
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)]. *No, the public supports responsible development in existing oil and gas areas.*
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks. *No, Agency policy and the stipulations have effectively identified and eliminated impacts from the proposed action.*
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects. *No, the granted right-of-way creates no new disturbance.*
6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects. *No, the areas of impact are very small and relatively remote, cumulative impacts have been appropriately addressed in relevant LUP documents.*
7. Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the bureau or office. *No, these concerns are fully addressed by the stipulations attached at Exhibit B.*
8. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species. *No, these concerns are fully addressed by the stipulations attached at Exhibit B.*
9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment. *No, these concerns are fully addressed by the stipulations attached at Exhibit B.*
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898). *No, the areas of impact are remote.*

11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007). *No Tribal lands or sites are impacted by the proposed project.*

12. Contribute to the introduction, continued existence, or spread of noxious weeds or nonnative invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112). *No, these concerns are fully addressed by the stipulations attached at Exhibit B.*

DECISION:

It is my decision to implement the proposed action as described. Further NEPA analysis is not required since the project as proposed is categorically excluded from that requirement.

This proposed action is in compliance with the 1997 Roswell Resource Management Plan, as amended. This proposed action also has been reviewed to determine if the proposed action conforms to the land-use planning terms and conditions required by 43 CFR 1610.5. This action does not conflict with existing county land-use planning or zoning.

Administrative Review and Appeal: Under BLM regulations, this Decision Record (DR) is subject to administrative review in accordance with 43 CFR 3165. Any request for administrative review of this DR must include information required under 43 CFR 3165.3(b) (State Director Review), including all supporting documentation. Such a request must be filed in writing with the State Director, Bureau of Land Management, 301 Dinosaur Trail, Santa Fe, NM 87508, no later than 20 business days after this DR is received or considered to have been received.

Any party who is adversely affected by the State Director's decision may appeal that decision to the Interior Board of Land Appeals, as provided in 43 CFR 3165.4.

Angel Mayes
Assistant Field Manager – Lands and Minerals

Date