

**DECISION RECORD**  
**EOG Resources, Inc., Project 808, Application for Permit to Drill (APD) Crossbow 53-18H**  
**Determination of NEPA Adequacy (DNA), WY-070-DNA12-40**  
**Bureau of Land Management, Buffalo Field Office, WY**

**DECISION**

BLM approves EOG Resources Inc.'s (EOG) 1 oil or gas application for permit to drill (APD) of the attached DNA worksheet, WY-070-DNA12-40, incorporated here by reference, which tiers to Project 808, (see environmental assessment, WY-070-EA11-284). The proposed APD is the result of collaboration between the BLM and EOG. The proposed APD in the DNA worksheet also received analysis in the EA as a notice of staking. The EA's analysis and finding found no significant impacts on the human environment, beyond those described in the Powder River Basin Final Environmental Impact Statement (PRB FEIS), so an EIS is not required.

Details of the approval are summarized below.

**Well Site**

BLM approves the following 1 APD and support structure:

	<b>APD</b>	<b>Pad #</b>	<b>Township</b>	<b>Range</b>	<b>QTR Section</b>	<b>Lease</b>
1	Crossbow 53-18H	2	41N	71W	SESE Sec 18	WYW108556

**Operator Committed Measures**

EOG incorporated several measures to alleviate resource impacts into their Master Surface Use Plan (MSUP) submitted on March 15, 2010. EOG incorporated several measures to alleviate resource impacts in their drilling plan. Refer to the MSUP and drilling plan (its addendum and protections for the Fox Hills Formation) for details of operator committed measures.

**Site-Specific Mitigation Measures**

EOG and BLM applied site-specific conditions of approvals (COAs) to this project, in addition to the programmatic and standard COAs identified in the PRB FEIS to mitigate the site-specific impacts described in the Environmental Effects section of the EA. For a description of all site-specific COAs associated with this approval, see Section 4 in the EA, WY-070-EA11-284, and the COAs for this DNA.

**Compliance with Laws, Regulations, Land Use Plans, and Policies**

This approval complies with all federal laws, regulations, and policies. This includes, but is not limited to, the Federal Land Policy and Management Act, the National Historic Preservation Act, the Threatened and Endangered Species Act, the Migratory Bird Treaty Act, the Clean Water Act, the Clean Air Act, and the National Environmental Policy Act. The DNA worksheet conforms with the Powder River Basin Oil and Gas Project Environmental Impact Statement and Proposed Plan Amendment (PRB FEIS), Record of Decision and Resource Management Plan Amendments for the Powder River Basin Oil and Gas Project (PRB FEIS ROD), and the Approved Resource Management Plan (RMP) for the Public Lands Administered by the BLM, Buffalo Field Office (BFO), (1985, 2001, 2003, and 2011). This approval is subject to adherence with all of the operating plans, design features, and mitigation measures in the Master Surface Use Plan of Operations, Drilling Plan (addendum and protections for the Fox Hills Formation), Water Management Plan, and information in the individual APD. This approval is also subject to operator compliance with all mitigation and monitoring requirements.

**The Finding of No Significant Impact (FONSI)** analyzed alternative B of EA, WY-070-EA11-284, its FONSI, and the FONSI for the DNA worksheet (WY-070- DNA12-40) found no significant impact on the human environment beyond those in the PRB FEIS, thus, an EIS or EA are not required.

## RATIONALE

BLM's approval authorizing the APD and DNA worksheet is based on:

1. The Operator, in their project, committed to:
  - a. Comply with all applicable federal, state, and local laws and regulations.
  - b. Obtain the necessary permits from other agencies for the drilling, completion and production of these wells including water rights appropriations, and relevant air quality permits.
2. Implementation of committed mitigation measures contained in the SUP and Drilling Plan (addendum and protections for the Fox Hills Formation), in addition to the conditions of approval (COAs) associated with the EA, WY-070-EA11-284, in order to ensure there will be no significant impact.
3. The Operator certified it has a surface use agreement with the landowner, or bonded. Standard split estate jurisdiction rules apply with private surface overlying federal mineral lease (federal lands).
4. The selected alternative will not result in any undue or unnecessary environmental degradation.
5. It is in the public interest to approve these wells, as this development will help meet the nation's energy needs, and will help to stimulate local economies by maintaining workforce stability.
6. Mitigation measures were selected to alleviate environmental impacts and meet the project's need. Mitigation is discussed in the environmental effects section of the EA referenced above. For a description of all site-specific COAs associated with this approval, see the COAs. This APD area is clearly lacking wilderness characteristics as there is no federal surface.

**ADMINISTRATIVE REVIEW AND APPEAL:** This decision is subject to administrative review in accordance with 43 CFR 3165. Any request for administrative review of this decision 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, P.O. Box 1828, Cheyenne, Wyoming 82003, no later than 20 business days after this Decision Record 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.

Field Manager: *John D.* Date: 12/7/11

**FINDING OF NO SIGNIFICANT IMPACT**  
**Determination of NEPA Adequacy (DNA), WY-070-DNA12-40**  
**EOG Resources, Inc. (EOG) Project 808, Crossbow 53-18H**

**FINDING OF NO SIGNIFICANT IMPACT**

On the basis of the information in DNA, WY-070-DNA11-284, and other information available to me, I find that: (1) the implementation of the proposed action as described in the DNA worksheet will not have significant environmental impacts beyond those already addressed in Powder River Basin Final Environmental Impact Statement (PRB FEIS) and environmental analysis, WY-070-EA11-284, to which the EA tiers and the conditions and effects in the senior document remain valid; (2) the DNA worksheet conforms with the Buffalo Field Office Resource Management Plan (1985, 2001, 2003, 2011); and (3) the DNA worksheet does not constitute a major federal action having a significant effect on the human environment. Therefore, an environmental impact statement is not required. This finding is based on my consideration of the Council on Environmental Quality's criteria for significance (40 CFR 1508.27), regard to the context and to the intensity of the impacts described in the EA and DNA Worksheet, and DOI Order 3310.

**CONTEXT**

Mineral development is a long-standing land use in the PRB. Over 42% of the nation's coal comes from the PRB. The PRB FEIS reasonably foreseeable development analyzed the development of 51,000 gas wells and 3,200 oil wells. The additional oil well development in the DNA is insignificant in the national, regional, and local context. The conditions and environmental effects in the EA and PRB FEIS are valid.

**INTENSITY**

The implementation of the DNA project will result in beneficial effects in the forms of energy and revenue production however; there will also be adverse effects to the environment. Design features and mitigation measures included in the EA (WY-070-EA11-284) and DNA prevent significant adverse environmental effects. The preferred alternative does not pose a significant risk to public health and safety. The geographic area of the project does not contain unique characteristics identified in the 1985 RMP, 2011 PRB FEIS, or other legislative or regulatory processes. BLM used relevant scientific literature and professional expertise in preparing the DNA. The scientific community is reasonably consistent with their conclusions on environmental effects relative to oil and gas development. Research findings on the nature of the environmental effects are not highly controversial, highly uncertain, or involve unique or unknown risks. Oil well development of the nature proposed with this project and similar projects was predicted and analyzed in the PRB FEIS; the selected project does not establish a precedent for future actions with significant effects. There are no cultural or historical resources present that will be adversely affected by the selected alternative. No species listed under the Endangered Species Act or their designated critical habitat will be adversely affected. The selected alternative will not have any anticipated effects that would threaten a violation of federal, state, or local law or requirements imposed for the protection of the environment. The APD area is clearly lacking wilderness characteristics as there is no federal surface.

**ADMINISTRATIVE REVIEW AND APPEAL.** This finding is subject to administrative review in accordance with 43 CFR 3165. Any request for administrative review of this finding 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, P.O. Box 1828, Cheyenne, Wyoming 82003, no later than 20 business days after this finding is received or considered to have been received. Any party who is adversely affected by the State Director's finding may appeal that finding to the Interior Board of Land Appeals, as per 43 CFR 3165.4.

Field Manager: J. Howard Date: 12/7/11

**Determination of NEPA Adequacy (DNA) Worksheet**  
**U.S. Department of the Interior**  
**Bureau of Land Management, Buffalo Field Office, WY**

OFFICE: BLM, Buffalo Field Office (BFO), 1425 Fort Street, Buffalo, WY 82834

CASE FILE/PROJECT NUMBERS: EOG Project 808 EA, WY-070-DNA12-40

PROPOSED ACTION TITLE: EOG Project 808 Crossbow 53-18H

LOCATION/LLEGAL DESCRIPTION: T41N R71W SESE Sec 18

APPLICANT: EOG Resources, Inc. (EOG)

**A. Description of the Proposed Activity and Any Applicable Mitigation Measures**

The proposed action is 1 application for permit to drill (APD). EOG Resources, Inc. (EOG) proposes to explore for and develop oil and natural gas reserves underlying 2 federal oil and gas leases, WYW-108556 and WYW-142771, owned by EOG in southern Campbell County, Wyoming. EOG proposes to drill, complete, produce, and eventually reclaim bores to the Turner (primary) and Mowry Formations. Associated infrastructure would include access roads, gathering lines, and possible future power lines required for access to the well pad and transport of oil and gas from the well sites. EOG anticipates the life of a productive well to be up to 40 years. Federal lands split jurisdiction rules apply for the surface is non-federal overlying federal mineral lease.

The 808 Project Area and this APD are in an existing coalbed methane production area on lands owned by private landowners, and the State of Wyoming administered surface lands. Mineral ownership is a combination of federal, State of Wyoming, and private. The BLM has previously completed NEPA documents and issued FONSI's covering 37 wells on 10 pads in the project area for EOG. The Wyoming Oil and Gas Conservation Commission approved APDs for wells in the project area on fee and State leases. Some of the previously approved wells are drilled, completed, and are in production. Others are planned for drilling and completion in 2011 and 2012.

EOG submitted this well as Notice of Staking (NOS) at the time the analysis WY-070-EA11-284 and subsequently converted the NOS to an application permit to drill (APD). The conditions and environmental effect found in the EA are substantially unchanged and remain valid.

A 30 day posting is required prior to approval. The APD was posted for the required 30 days and now can be approved.

For complete details of surface disturbance see EOG Project 808 POD MUSP (pages 1 through 13) and section 3 and 4 of the associated EA (WY-070-EA11-284).

**B. Conformance with the Land Use Plan (LUP) and Consistency with Related Subordinate Implementation Plans**

The proposed action is in conformance with the applicable LUPs because it is specifically provided for in the following LUP decisions:

LUP: Buffalo Resource Management Plan (RMP), 1985; amended in 2001, 2003, & 2011. DOI order 3310.

The Buffalo RMP, 1985, and as amended in 2001 provides to "Continue to lease and allow development

of federal oil and gas in the Buffalo Resource Area” (MM-7: 1985 Buffalo RMP Record Of Decision (ROD) at p.16, 2001 RMP update at p. 9).

The 2003 supplement to the Buffalo RMP provided goals and objectives for “future management of oil and gas operations....within the Buffalo...RMP areas” 2003. (PRB Final Environmental Impact Statement (FEIS) ROD p. 6).

**C. Identify applicable National Environmental Policy Act (NEPA) documents and other related documents that cover the proposed action.**

List by name and date all applicable NEPA documents that cover the proposed action.

- EOG Project 785, WY-070-EA10-238 approved October 18, 2010.
- EOG Project 808, WY-070-EA11-284, approved September 21, 2011.
- Final Environmental Impact Statement (FEIS) . . . for the Powder River Basin Oil and Gas Project, BFO 2003

**D. NEPA Adequacy Criteria**

- 1. Is the new proposed activity a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document(s)? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document(s)? If there are differences, can you explain why they are not substantial?**

Yes, the action is similar to the actions proposed in the approved project and the Crossbow 53-18H well fall within disturbed areas which were approved for use in EOG Project 808.

The Crossbow 53-18H well was analyzed in the EOG Project 808, WY-070-EA11-284.

EOG submitted this well as Notice of Staking (NOS) at the time the analysis WY-070-EA11-284 and subsequently converted the NOS to an application permit to drill (APD). The conditions and environmental effect found in the EA are substantially unchanged and remain valid.

A 30 day posting is required prior to approval. The APD was posted for the required 30 days and now can be approved.

- 2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the new proposed action, given current environmental concerns, interests, and resource values?**

Yes, the Crossbow 53-18H well’s ranges of alternatives was analyzed in the EOG Project 808, WY-070-EA11-284, and similarly in EOG Project 785, WY-070-EA10-238.

- 3. Is the existing analysis valid in light of any new information or circumstances (such as, rangeland health standard assessment, recent endangered species listings, updated lists of BLM-sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new proposed action?**

Yes, the EA for EOG Project 808 (WY-070-EA11-284) analyzed foreseeable activity, particularly the notice of stakings that were active at the time the EA’s analysis. Any new information or circumstances did not substantially change the analysis of the new proposed action. The EA’s and

APD's master surface use plan and drilling plan are incorporated here by reference and show adequate protection of surface lands and ground water. This includes EOG's Addendum to Drill Plan, July 14, 2011 and the protections for the Fox Hills Formation. BLM recommends approval of EOG's requests for variances as recognized industry practices in the PRB.

4. **Are the direct, indirect, and cumulative effects that would result from implementation of the new proposed action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?**

Yes, direct, indirect, and cumulative impacts are unchanged from those identified/analyzed in the existing NEPA documentation.

5. **Is the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action?**

Yes, the public involvement and interagency review associated with the EOG Project 808 EA and this DNA worksheet are adequate for the current proposed action. BLM received no public comments from posting the APD for 30 days.

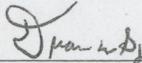
**E. Persons/Agencies/BLM Staff Consulted**

Name	Title	Organization
Jennifer Yu	Senior Regulatory Assistant	EOG Resources, Inc.
Heather Smith	NEPA Coordinator	EOG Resources, Inc.
Lee Isenberger	Surface Owner	Isenberger Land, LLC.
Meleah Corey	Natural Resource Specialist, Project Lead	BLM
Scott Jawors	Wildlife Biologist	BLM
Jennifer Morton	Wildlife Biologist	BLM
Clint Crago	Archeologist	BLM
Buck Damone	Archeologist	BLM
Casey Freise	Natural Resource Specialist	BLM
John Kelley	NEPA Coordinator	BLM

Note: Refer to the EOG Project 808, WY-070-EA11-284, for a complete list of the team members participating in the preparation of the original environmental analysis or planning documents.

**Conclusion** (If you found that one or more of these criteria is not met, you will not be able to check this box.)

Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the NEPA documentation fully covers the proposed action and constitutes BLM's compliance with the requirements of the NEPA.

  
 Buffalo Field Manager:

12/7/11  
 Date

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