

**DECISION RECORD**

**Lance Oil and Gas Company, Inc., Mojave Federal 4277-25 Plan of Development (POD)  
Categorical Exclusion 3 (CX3), WY-070-390CX3-12-167,  
WY-070-390CX3-12-168, WY-070-390CX3-12-169  
BUREAU OF LAND MANAGEMENT, BUFFALO FIELD OFFICE**

**DECISION.** The BLM approves the applications for permit to drill (APDs) from Lance Oil and Gas Company, Inc., (Lance) to drill 3 oil and gas wells and construct their associated infrastructure as described in the CX3 worksheet, WY-070-390CX3-12-167, WY-070-390CX3-12-18, and WY-070-390CX3-12-169 which BLM incorporates here by reference.

**Compliance.** This decision complies with:

- Federal Land Policy and Management Act of 1976 (FLPMA) (43 USC 1701); Interior Order 3310.
- National Environmental Policy Act of 1969 (NEPA) (42 USC 4321).
- National Historic Preservation Act of 1966 (16 USC 470).
- Buffalo and Powder River Basin (PRB) Final Environmental Impact Statements (FEISs), 1985, 2003.
- Buffalo Resource Management Plan (RMP) 1985, Amendments 2001, 2003, 2011.

**A summary of the details of the approval follows.** The consolidated CX worksheet, WY-070-390CX3-12-167 to -169 includes the project description, including site-specific mitigation measures which BLM incorporates by reference into that worksheet from earlier analysis. The proposed wells are approximately 30 miles west southwest of Wright, Johnson County, Wyoming. The Mojave Federal 4277-25 POD proposal has 3 APDs to develop and produce oil from the Frontier, Niobrara, and Shannon formations of the PRB. Lance proposes drilling the horizontal wells from one well pad.

**Approvals:** BLM approves the following 3 APDs and associated infrastructure and uses:

#	Well Name/ Well #	QTR	Sec	TWP	RNG	Lease	CX Number
1	Mojave Fed 4277-25-31H	SESE	25	42N	77W	WYW155355	WY-070-390CX3-12-167
2	Mojave Fed 4277-25-31AH	SESE	25	42N	77W	WYW155355	WY-070-390CX3-12-168
3	Mojave Fed 4277-25-31BH	SWSE	25	42N	77W	WYW155355	WY-070-390CX3-12-169

**THE FINDING OF NO SIGNIFICANT IMPACT (FONSI).** Congress, the Department of Interior, and BLM affirmed there was no significant impact of a like-structured project when they created this CX3 worksheet process and its limiting parameters. The EAs the CX3 worksheet tiers to also had a finding of no significant impact beyond those in the PRB FEIS. Thus a FONSI and an EIS is not required.

**COMMENT OR NEW INFORMATION SUMMARY.** Since implementation of this CX3 proposal BFO received a new a new sage-grouse policy, a population viability analysis, and maintained that policy into the Buffalo RMP.

**DECISION RATIONALE.** The approval of this project is because:

1. Mitigation measures and conditions of approval (COAs), analyzed in the CX3 worksheet, in EISs or EAs to which the CX3 worksheet tiers or incorporates by reference, will reduce environmental impacts while meeting the project’s need. BLM adopts the analysis and condition of approval for burrowing owl conservation from the similarly situated sagebrush and short grass prairie found in the Thunder Basin National Grassland Land and RMP, 2002, 2006, pp. 1-13 to 1-22; the supporting FEIS, 2002, and its Records of Decision, 2002, p. D-15, 2006. This is the least restrictive COA for burrowing owl conservation benefiting the owl and this project.



**Categorical Exclusion 3 (CX3), WY-070-390CX3-12-167,  
WY-070-390CX3-12-168, WY-070-390CX3-12-169  
Section 390, Energy Policy Act of 2005  
Lance Oil and Gas Company Inc., Mojave Federal 4277-25 Plan of Development (POD)  
BUREAU OF LAND MANAGEMENT, BUFFALO FIELD OFFICE**

**Description of the Proposed Action.**

Lance Oil and Gas Company, Inc., (Lance) requests BLM’s approval of their application for permit to drill (APD) for the Mojave Federal 4277-25 POD’s 3 horizontal oil wells. Lance proposes drilling, exploring, and developing the horizontal oil wells from 1 well pad on a non-federal surface overlying a federal lease, WYW155355, in Section 25 of Township 42 North, Range 77 West. The primary objective is drilling to the Frontier formation at 12,279 feet, the Niobrara Formation at 11,819 feet, and the Shannon Formation at 10,419 feet, total vertical distance (TVD).

Lance will drill the 3 wells (Mojave Fed 25-31H, 25-31AH, and 25-31BH) on 1 pad. The total disturbance, including the road construction, will be approximately 14 acres (pad; 12.01 acres, road; 1.98 acres) (about 4.7 acres per APD). There are 1.8 miles of existing improved roads. During interim reclamation the pad will be reduced to approximately 4.45 acres, reclaiming approximately 7.56 acres (leaving a project-life surface disturbance of about 2.2 acres per APD). The fluid mineral leasing programs fall under the authority of the Mineral Leasing Act of 1920, the Federal Land Policy Management Act (FLPMA), and other laws and regulations.

The BLM’s need for this project is to meet the management objectives of the Buffalo Resource Management Plan (RMP), 1985, 2001, 2003, and 2011. BLM must determine how and under what conditions to balance natural resource conservation with allowing the operator to exercise lease rights to develop fluid minerals, as described in their APD, surface use plan, and drilling plan, incorporated here by reference. Moore Land Company, LLC., is the surface owner.

**Table 1.1. Proposed Wells**

#	Well Name/ Well #	QTR	Sec	TWP	RNG	Lease	CX Number
1	Mojave Fed 4277-25-31H	SESE	25	42N	77W	WYW155355	WY-070-390CX3-12-167
2	Mojave Fed 4277-25-31AH	SESE	25	42N	77W	WYW155355	WY-070-390CX3-12-168
3	Mojave Fed 4277-25-31BH	SWSE	25	42N	77W	WYW155355	WY-070-390CX3-12-169

Lance submitted the Mojave Fed 4277-25-31H as a notice of staking (NOS) on October 27, 2011 to the BLM. The onsite was conducted on January 23, 2012 and the NOS was converted to an application for permit to drill (APD), on April 5, 2012. At the onsite, Lance proposed 2 additional wells on the same well pad: the Mojave Fed 4277-25-31AH and Mojave Fed 4277-25-31BH. The onsites evaluated the proposal for all 3 wells and modified it to mitigate environmental impacts. The BLM sent a post-onsite deficiency letter to Lance on April 19, 2012. Lance submitted responses to deficiencies on May 16, 2012 and after subsequent correspondence, the BLM considered the deficiencies complete on July 2, 2012.

**Drilling, Construction & Production features:**

**Well Pad**

- Lance plans on horizontal drilling of 3 federal conventional oil wells, which will be drilled in the Frontier, Niobrara, and Shannon formations, to depths of approximately 12,279 feet, 11,819 feet, 10,419 feet, respectively, from 1 well pad.
- Well pad disturbance during construction and drilling will be approximately 12.01 acres. Once the well is completed, any area of the well pad not needed for production will be reclaimed for interim

reclamation. Well pad reclamation will consist of reclaiming 7.56 acres, reducing the well pad to 4.45 acres during interim reclamation.

- Due to a large pad with potential for erosion into the adjacent drainage, Lance committed to site specific soil stabilization of the location. Reference the submitted SUP for specific plan.
- Lance anticipates drilling and construction in 2 years. Drilling and construction is year-round in the PRB. Weather may cause delays, but delays rarely last multiple weeks. Timing limitations in the form of COAs and/or agreements with surface owners may impose longer temporal restrictions.
- No off-site ancillary facilities are planned for this project. No staging areas, man camps/housing facilities are anticipated to be used off-site. Working trailers and sleeping trailers will be placed on the well pad during the drilling and completion of the well.
- Lance plans to use a semi-closed loop system, with cuttings collection pits, located in the cut of the well pad.
- If the well becomes a producer, production facilities will be located at the well site and will include a pumping unit, storage tanks, buildings, oil-water separator (heater-treater). There will be no pits at this producing oil well location.
- Dikes will be constructed completely around production facilities, i.e. production tanks, water tanks, and heater treater. The dikes will be constructed of corrugated steel, approximately 3 feet high, and hold capacity of the largest tank plus 10%. The load-out line will be outside of the dike area. A drip barrel or "Getty-Box" will be installed under the end of all load-out lines.

#### **Access Roads and Water Supply**

- A road network that will consist of existing improved all-weather roads; existing primitive (2-track) roads to be upgraded to all-weather improved roads; and a proposed BLM approved template road with engineered sections. A road maintenance agreement will be ratified on shared roads to maintain existing roads in a condition the same as or better than before operations began.
- The general road design will consist of a 24 foot subgrade, with a 20 foot running surface. Ditches will be on average 10 feet wide, from the edge of the running surface, laid back to 3:1 slopes. The average total ditch to ditch disturbance will be approximately 45 feet.
- Lance will use pump trucks to haul water for drilling and completion of the wells. Supply water will be stored in approximately 170 (500 bbl) water tanks, to be stored on location, taking two weeks to fill, prior to pumping the stimulation. Water needed for drilling and completion of the 3 wells will come from the Mojave Load Out Station 1, a CBM water source. Located in Sections 33 and 34, Township 44 North, Range 77 West, and in Sections 3 and 4, Township 43 North, Range 77 West.
- Lance anticipates that up to 10,000 bbls of water will be required to drilling each well. In addition Lance anticipates 80,000 bbls of water to complete each well, which will take approximately 700 tanker round-trips for each well. The vast majority of this traffic will occur on either year-round paved surface Wyoming Highways 50 or 387 – with the last few miles occurring on oil and gas field roads.
- Flowback equipment and tanks are spotted 2-3 days before pumping. Sand silos are spotted and filled 2-3 days prior to pumping.
- Next pump trucks and chemical mixing equipment arrives and, when ready, operations continue for 36-48 hours or 3-5 days depending on the type of stimulation stage isolation (i.e. packers/sleeves or plug/perf respectively).
- Sand is continuously brought on site in semi-truck loads during pumping. It is necessary to have a safe turning radius available for these trucks. Pumping water may require heating in the winter months.
- Permanent production facilities may be on location prior to beginning completions.
- The location will be at maximum capacity for 3-10 days depending on the stimulation isolation type and execution success.
- Open-top tanks containing hydrocarbons will be netted or screened.
- Open-top pipes will be screened or equipped with avian exclusion devices.

All locations require extensive earthwork for creating sufficient area to complete the well. Lance will then reduce the initial well site with interim reclamation. Individual well designs are in the individual APDs. While this pad is larger than most to date they are more similar than different in that the pad hosts multiple wells; their construction surface disturbance footprint is larger than their operational footprint; their construction footprint is quickly followed with interim reclamation; and the totality of the pads contribution to surface disturbance in the upper Powder River remains well within the totality of the surface disturbance envisioned and analyzed in the PRB FEIS. The proposed size is necessary to safely accommodate the equipment necessary for an effective well completion.

**Off Well Pad**

If commercial gases are present, gathering lines will be evaluated at that time. Lance will install a buried 3 to 6 inch high-density polyethylene (HDPE) gas gathering pipeline of at least 125 psi rating from the producing well to transport natural gas from the well to a gas gathering trunkline and on to a compressor facility. Gas gathering trunklines will typically consist of 6 to 24 inch HDPE buried lines of at least 125 psi rating.

**Plan Conformance, Compliance, and Justification with the Energy Policy Act of 2005.**

The Energy Policy Act of 2005, Section 390(a) subjects oil or gas exploration or development to a rebuttable presumption that the use of a categorical exclusion under the National Environmental Policy Act (NEPA) applies. Thus BLM must use an Energy Policy Act, Section 390(b), CX unless BLM rebuts the presumption. This CX worksheet is NEPA compliance categorically excluded from an EA or EIS or their analysis; it is not an exclusion from all analysis. (40 CFR 1508.4 and BLM H-1790, p. 17.) The proposal conforms with the terms and conditions of the approved Resource Management Plan (RMP) for the public lands administered by the BLM, BFO, 1985, the PRB FEIS, 2003, and the Record of Decision (ROD) and Resource Management Amendments for the Powder River Oil and Gas Project, Amendments of 2001, 2011 as required by 43 CFR 1610.5, 40 CFR 1508.4, and 43 CFR 46.215. The Mojave Federal 4277-25 POD and area are clearly lacking in wilderness characteristics as they are amidst extensive natural gas development. BLM finds that the conditions and environmental effects found in the senior EA and PRB FEIS remain valid.

The applicable categorical exclusion from the Energy Policy Act of 2005, Section 390, is exclusion number (b)(3) which is *drilling an oil or gas well within a developed field for which an approved land use plan or any environmental document prepared pursuant to NEPA analyzed such drilling as a reasonably foreseeable activity, so long as such plan or document was approved within 5 years prior to the date of spudding the well.*

BLM has 3 requirements to use a Section 390 CX3, (BLM H-1790, Appendix 2, #3, p. 143):

- 1) The proposed APD is in a developed oil or gas field (any field with a completed confirmation well). Table 1.2 is a list of existing/approved PODs that are within or adjacent to the Mojave Federal 4277-25 POD project area. This information shows the reader that BLM conducted analysis.

**Table 1.2. Adjacent or Overlapping Fluid Mineral POD Development NEPA, Accounting for Reasonably Foreseeable Development, and Finalized Within Anticipated Spud Date of this Project**

#	POD / Well Name	NEPA Document #	# / Type Wells	Decision Date
1	Diamond Run	WY-070-EA07-216	15 CBNG	9/28/2007
2	W Pine Tree U-Brook Trout	WY-070-EA08-129	23 CBNG	9/17/2008
3	Grayling	WY-070-EA10-332	80 CBNG	3/1/2011

- 2) There is an existing NEPA document (and the RMP) containing reasonably foreseeable development scenario for this action. There are several existing NEPA documents that reasonably foresaw development to spud additional wells to fill in 80 acre well-spacing. BLM reviewed these documents

and determined they considered the potential environmental effects associated with the proposed activity at a site specific level. In addition, all approved EAs tier into the PRB FEIS. The PRB EIS analyzed foreseeable development in the PRB. The PRB foreseeable development included 3,200 oil wells and drilling CBNG wells on 80 acre-spacing resulting in about 51,000 CBNG wells and over 3,000 oil wells. The Mojave Federal 4277-25 POD wells are in the foreseeable development scenario of 80 acre well-spacing that was analyzed in EAs in Table 1.2 and in the PRB FEIS's Appendix A.

- 3) The tiered NEPA document was finalized or supplemented within 5 years of spudding (drilling) the proposed well.

The Mojave Federal 4277-25 POD CX3 tiers to the approved EAs listed in Table 1.2.

In summary the EAs in Table 1.2 analyzed in detail the anticipated direct, indirect, residual, and cumulative effects that would result from the approval of these APDs and associated support structure in Mojave Federal 4277-25 POD wells are similar to both the qualitative and quantitative analysis in the above mentioned EAs. The BFO reviewed the EAs and found that the EAs considered potential environmental effects associated with the proposal at a site specific level. The APD's surface use and drilling plans are incorporated here by reference and show adequate protection of surface lands and ground water, including the Fox Hills formation, located at 7,323 total vertical depth (TVD).

#### **Plan of Operations.**

The proposal conforms to all Bureau standards and incorporates appropriate best management practices, required and designed mitigation measures determined to reduce the effects on the environment. BLM reviewed and approved a surface use plan of operations describing all proposed surface-disturbing activities pursuant to Section 17 of the Mineral Leasing Act, as amended. This CX3 worksheet also incorporates and analyzes the implementation of committed mitigation measures contained in the SUP, drilling plan, in addition to the Standard COAs found in the Buffalo PRB FEIS ROD, Appendix A.

#### **Wildlife**

A BLM wildlife biologist reviewed the proposed APDs. The wildlife biologist determined that the proposed APDs, combined with the COAs (and design features), are: (1) consistent with the FEIS (WY-070-02-065) and its supplements, the RMP and the above tiered EAs; and (2) consistent with the programmatic biological opinion (ES-6-WY-07-F012), which is an update from the PRB FEIS, Appendix K. The biologist performed onsite visits to the project area on January 23, 2012. The proposed well and infrastructure are a result of attempts by Lance and the BLM to reduce impacts to raptor nests occurring in JJ Draw, and incorporates recommendations provided to the BLM by the U.S. Fish and Wildlife Service (FWS). The affected environment and environmental consequences for wildlife are discussed in, and anticipated to be similar to the POD EAs listed in Table 1.2 above.

#### *Greater Sage-grouse (sage-grouse)*

In March, 2010, the FWS warranted that the sage-grouse justified listing across its range, but precluded listing due to higher priorities (FWS 2010). The sage-grouse is now a candidate for listing under the Endangered Species Act. In March, 2012, WY BLM released the report, "Viability analyses for conservation of sage-grouse populations: Buffalo Field Office, Wyoming," indicating that a viable population of sage-grouse remains in the PRB, but the combined impacts of multiple stressors, including West Nile virus (WNV) and energy development, threaten that viability (Taylor et al 2012). The information in the report identified that the effects of energy development are detectable at a larger spatial scale than had been analyzed in the Grayling POD, referenced above. Additional information regarding the population viability analysis, and its influence on cumulative effects from energy development is found in the affected environment and environmental effects sections (Section 3.7.12 and 4.8.2 – Candidate Species – Greater Sage-grouse (Sage-grouse)) of the Mufasa Fed 11-31H Well EA, WY-070-

EA12-062, incorporated here by reference. Given that the Mojave POD is located on a single well pad, with approved CBNG development directly adjacent to the east, north, and west, this new information does not substantially change the analysis included in the POD EAs listed in Table 1.2.

The Mojave POD wells are not within mapped and modeled suitable nesting habitat for sage-grouse. The well pad is in a grassy area, with only a few scattered sage-brush plants. There are no known sage-grouse leks within 4 miles of the project. Big Horn Environmental Consultants (BHEC) conducted surveys for new leks in spring of 2011. No new leks were located (BHEC 2012).

#### *Mountain Plover and Western Burrowing Owls*

One active prairie dog colony is within 0.25 miles of the proposed well pad in NWNE Section 36 T42N R77W, totaling 42 acres. No mountain plovers were located during surveys (BHEC 2012). Even though the vegetation in the town is generally shorter than 4 inches, the topography in the area (>5% slope and a knob adjacent to the well pad and town) likely precludes mountain plover from nesting within 0.25 miles of the proposed Mojave wells. The colony, however, is still suitable nesting habitat for burrowing owls. The BLM will require a survey and timing limitation during the owl's breeding season by adopting the analysis from the Thunder Basin National Grassland FEIS and incorporating it by reference as the least restrictive manner of mitigating impacts to the burrowing owl and its similar habitat. The timing limitation will do nothing to mitigate loss of nesting habitat. Wells, pipelines, and roads that are built near prairie dog colonies may reduce the quality of adjacent habitats for burrowing owls, regardless of the timing of their construction.

#### *Migratory Birds*

Lance proposes using heater treaters during the production phase of the Mojave wells. Those facilities without exclusionary devices pose a mortality risk. Heater-treaters, and similar facilities having vertical open-topped stacks or pipes, can attract birds. Once birds crawl into the stack, escape can become difficult and the bird may become trapped (U.S. v. Apollo Energies Inc., 611 F.3d 679 (10th Cir. 2010); see also, Colorado Oil and Gas Commission, Migratory Bird Policy, accessed February 13, 2012). The BLM will consider a COA to ensure that migratory birds are excluded from all facilities that pose a mortality risk, including, but not limited to, heater treaters, flare stacks, and secondary containment where escape may be difficult or hydrocarbons or toxic substances are present. If Lance does not properly maintain all exclusionary devices implemented for the project, birds may remain at risk of direct mortality. The BLM biologist recommended to Lance that the project construction and drilling should take place outside the breeding season for migratory birds. Lance has made a commitment take preventative measures to prevent the death or injury of migratory birds.

#### *Raptors*

The Mojave wells and infrastructure occur within 0.5 miles of 9 raptor nests. The access road to the well pad is located approximately 530 feet from nest 4888 and 700 feet from nest 12766. Nest 4888 was reported in poor condition, and verified by the BLM biologist during the onsite. The history of the nest shows that both red-tailed hawks and great horned owls have been flushed from the tree during surveys, however, the nest has not been reported active in the last 5 years. Nest 12766 was reported inactive and in fair condition. The nest was discovered in 2011, and has only 1 year of survey data.

Increased heavy truck traffic resulting from the approval of the project may make these nests unsuitable for all raptor species other than those that have a higher tolerance to human activities such as great horned owls. Lance had originally planned to access the well pad by building a road through the drainage, and under the trees where nest 1983 and 4729 are located. Nest 1983 was active in 2008 with red-tailed hawks. After discussions with the BLM, Lance agreed to move the access to the new location (accessing from the north) in order to protect these nests. Nests 1983 and 4729 are still approximately 0.20 miles

from the edge of the well pad. Production equipment on the pad is likely to be in the line of sight of the nests.

To reduce the risk of decreased productivity or nest failure, the BLM BFO requires a timing limitation during the breeding season for all surface disturbing activities within 0.5 miles of active raptor nests. Timing restrictions do not apply to production or maintenance. Even with a timing limitation, raptors may abandon nests due to disturbance from sensitivity to well or infrastructure placement, hauling product, and alteration in foraging habitats.

### **Water Resources.**

The historical use for groundwater in this area was for stock or domestic water. A search of the WSEO Ground Water Rights Database showed 3 registered stock and domestic water wells within 1 mile of the proposed wells in the project area with depths ranging from 200 to 1000 feet. For additional information on groundwater, refer to the PRB FEIS, pp. 3-1 to 3-36.

Adherence to the drilling COAs, the setting of casing at appropriate depths, following safe remedial procedures in the event of casing failure, and using proper cementing procedures should protect any fresh water aquifers above the target coal zone. This will ensure that ground water will not be adversely impacted by well drilling and completion operations.

At the time of permitting, the quality and volume of water that will be produced in association with these federal minerals is unknown. The operator will have to produce the well(s) for a time to be able to estimate the water production. In order to comply with the requirements of Onshore Oil and Gas Order #7, Disposal of Produced Water, the operator will submit a Sundry to the BLM within 90 days of first production which includes a representative water analysis as well as the proposal for water management.

Historically, the quality of water produced in association with conventional oil and gas has been such that surface discharge would not be possible without treatment. Initial water production is quite low in most cases. There are three common alternatives for water management: Re-injection, deep disposal or disposal into pits. All alternatives would be protective of groundwater resources when performed in compliance with state and federal regulations.

### **Cultural.**

A class III cultural resource inventory was conducted in the project area prior to on-the-ground project work (BFO project no. 70120005). Lance provided a class III cultural resource inventory following the Archeology and Historic Preservation, Secretary of the Interior's Standards and Guidelines (48CFR190) and the *Wyoming State Historic Preservation Office Format, Guidelines, and Standards for Class II and III Reports* to BFO. Seth Lambert, BLM Archaeologist, reviewed the report for technical adequacy and compliance with BLM standards, and determined it to be adequate. The proposal will not impact historic properties. Following the Wyoming State Protocol Section VI(A)(1) the BLM electronically notified the Wyoming State Historic Preservation Officer (SHPO) on May 20, 2012, that no historic properties exist in the area of potential effects. If any cultural values [sites, artifacts, human remains (Appendix L PRB FEIS and ROD)] are observed during operation of this permit they will be left intact and the Buffalo Field Manager notified. Further discovery procedures are in the Standard COA (General)(A)(2).

Some of the project area analyzed in this EA occurs on deep alluvial deposits. Alluvial deposits typically have a high potential for buried cultural resources, which are nearly impossible to locate during a Class III inventory (Ebert & Kohler 1988:123; Eckerle 2005:43). When a project is constructed in an area with a high potential for buried cultural material, archaeological monitoring is often included as a condition of approval. Construction monitoring is performed by a qualified archeologist working in unison with construction crews. If buried cultural resources are located by the archeologist, construction is halted and

the BLM consults with the State Historic Preservation Office (SHPO) on mitigation or avoidance. Due to the presence of alluvial and/or Aeolian deposits identified by the NRCS soil survey (NRCS n.d.), and areas of High to Very High Sensitivity Zones per the PUMP III Model (Eckerle 2005), the operator will be required to have an archeologist monitor all earth moving activities associated with certain construction, as described in the site specific COAs.

**References.**

Big Horn Environmental Consultants (BHEC). 2012. Mojave Fed 4277-25-31H Wildlife Survey and Habitat Report

Ebert, James I., and Timothy A. Kohler

1988. The Theoretical Basis of Archaeological Predictive Modeling and a Consideration of Appropriate Data-Collection Methods, in *Quantifying the Present and Predicting the Past: Theory, Method, and Application of Archaeological Predictive Modeling*, edited by W. James Judge and Lynne Sebastian, pp 97-171. U.S. Department of the Interior, Bureau of Land Management Service Center, Denver, CO.

Eckerle, William

2005. Experimental: Archaeological Burial Model for Powder River and Tongue River Hydrological Basins, Wyoming. In *Adaptive Management and Planning Models for Cultural Resource in Oil and Gas Fields in New Mexico and Wyoming*, by Eric Ingbar, Lynne Sebastian, Jeffrey Altschul, Mary Hopkins, William Eckerle, Peggy Robinson, Judson Finley, Stephen A. Hall, William E. Hayden, Chris M. Rohe, Tim Seaman, Sasha Taddie, and Scott Thompson, pp. 39-102. Prepared for the Department of Energy, National Energy Technology Laboratory by Gnomon, Inc. Electronic document, <http://www.gnomon.com/DOEPumpIII/FinalCombinedReport.pdf>, accessed August and September 2010.

NRCS Web Soil Survey

n.d. Electronic document, <http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>.

**Incorporated by Reference.**

Buffalo Resource Management Plan (RMP), 1985, and amendments of 2001, 2003, and 2011.

Buffalo Final Environmental Impact Statement (FEIS), 1985 and Powder River Basin FEIS, 2003.

Thunder Basin National Grassland Land and RMP, 2002, 2006, pp. 1-13 to 1-22; the supporting FEIS, 2002, and its Records of Decision, 2002, p. D-15, 2006 – for all only as pertains to the burrowing owl.

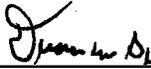
#	POD / Well Name	NEPA Document #	# / Type Wells	Decision Date
1	W Pine Tree U-Kokanee	WY-070-EA06-114	31 CBNG	6/2007
2 <sup>a</sup>	Mufasa Fed 11-31H Well	WY-070-EA12-062	1 Oil	3/2012
3	Valerie POD	WY-070-EA12-68	9 Oil	3/2012
4	Spruce 1 POD	WY-070-CX3-12-95 & -107	2 Oil	5/2012
5 <sup>b</sup>	Samson’s Hornbuckle Field	WY-060-EA11-1181	48 Oil Well Pads	8/2011

a. Those sections describing and analyzing hydraulic fracturing, its supporting analysis, and the Greater Sage-grouse Section 3.7.12 and 4.8.2.

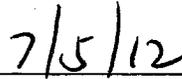
b. Those sections describing and analyzing hydraulic fracturing and its supporting analysis to include but not limited to traffic, water, and air quality.

**Decision and Rationale on Action.**

The COAs provide mitigation and further the justification for this decision and may not be segregated from project implementation without further NEPA review. I reviewed the plan conformance statement and determined that the proposed Mojave 4277-25 POD CX3 APD and infrastructure conform to the applicable land use plans. I reviewed the proposal to ensure the appropriate exclusion category as described in Section 390 of the Energy Policy Act of 2005 is correct. It is my determination that there is no requirement for further environmental analysis.



Field Manager



Signature Date

Contact Person, Dustin Hill, Natural Resource Specialist, Buffalo Field Office, 1425 Fort Street, Buffalo WY 82834, 307-684-1100