DECISION RECORD
Categorical Exclusion 3 (CX3), WY-070-390CX3-14-276 and WY-070-390CX3-14-300 to 314
Applications for Permit to Drill (APDs), Section 390, Energy Policy Act of 2005
Peak Powder River Resources, LLC., Roush 1 Plan of Development (POD)
Bureau of Land Management, Buffalo Field Office, Wyoming

DECISION. The BLM approves 16 applications for permit to drill (APDs) from Peak Powder River Resources' (Peak's) Roush Fed 1 POD (hereinafter Roush 1 POD) to drill horizontally oil and gas wells and construct their associated infrastructure as described in the consolidated CX3 analysis, WY-070-390CX3-14-276 to -14-300 to -314, all incorporated here by reference.

Compliance. This decision complies with or supports:

- Federal Land Policy and Management Act of 1976 (FLPMA) (43 USC 1701); DOI Order 3310.
- National Environmental Policy Act of 1969 (NEPA) (42 USC 4321).
- National Historic Preservation Act of 1966 (16 USC 470).
- Endangered Species Act of 1974 (16 USC 1531).
- Buffalo and Powder River Basin Final Environmental Impact Statement (FEISs), 1985, 2003 (2011).
- Buffalo Resource Management Plan (RMP) 1985, Amendments 2001, 2003, 2011.

A summary of the details of the approval follows. The CX3 analysis, WY-070-390CX3-14-276 to -14-300 to -314 includes the project description, including site-specific mitigation measures which are incorporated by reference into that NEPA analysis from earlier analysis.

Approvals. BLM approves the following 16 APDs and associated infrastructure:

#	Well Name & #	Qtr	Sec	Twp/Rng	CX #
Roush 1-1 Pad. Lease Numbers: WYW139649, WYW137628					
1	Roush Federal 1-1MH	NENE	1	42N 74W	WYW-070-390CX3-14-276
2	Roush Federal 1-1NH	NENE			WYW-070-390CX3-14-300
3	Roush Federal 1-1PH	NENE			WYW-070-390CX3-14-301
4	Roush Federal 1-1TH	NENE			WYW-070-390CX3-14-302
Roush 2-1 Pad. Lease Number: WYW139649					
5	Roush Federal 2-1MH	SWSW	1	42N 74W	WYW-070-390CX3-14-303
6	Roush Federal 2-1NH	SWSW			WYW-070-390CX3-14-304
7	Roush Federal 2-1PH	SWSW			WYW-070-390CX3-14-305
8	Roush Federal 2-1TH	SWSW			WYW-070-390CX3-14-306
Roush 1-2 Pad. Lease Numbers: WYW139669, WYW140789					
9	Roush Federal 1-2 MH	NENE	2	42N 74W	WYW-070-390CX3-14-307
10	Roush Federal 1-2NH	NENE			WYW-070-390CX3-14-308
11	Roush Federal 1-2PH	NENE			WYW-070-390CX3-14-309
12	Roush Federal 1-2TH	NENE			WYW-070-390CX3-14-310
Iberlin 2-2 Pad. Lease Number: WYW140789					
13	Iberlin Federal 2-2MH	NENW	2	42N 74W	WYW-070-390CX3-14-311
14	Iberlin Federal 2-2NH	NENW			WYW-070-390CX3-14-312
15	Iberlin Federal 2-2PH	NENW			WYW-070-390CX3-14-313
16	Iberlin Federal 2-2TH	NENW			WYW-070-390CX3-14-314

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 and

its limiting parameters. Thus a FONSI and an EIS is not required. This consolidated CX3 analysis tiers to and incorporates by reference the Baker EA, WY-070-EA14-224 and its FONSI, which found no significant impact to the human environment.

Limitations. See the conditions of approval (COAs).

COMMENT OR NEW INFORMATION SUMMARY. BLM posted the APDs for 30 days and received no comments. Since receipt of these APDs, BFO received a clarified policy on NEPA processing.

DECISION RATIONALE. The approval of this project is because:

1. Mitigation measures and COAs, analyzed in the CX3, in NEPA analyses to which the CX3 tiers or incorporates by reference, will reduce environmental impacts while meeting the BLM's need. The approved project, conditioned by its design features and COAs, will not result in any undue or unnecessary environmental degradation.
2. The impact of this development cumulatively contributes to the potential for local greater sage grouse (GSG) extirpation yet its effect is acceptable because it is outside priority habitats and is within the parameters of the PRB FEIS/ROD and current BLM and Wyoming GSG conservation strategies. There are no conflicts anticipated or demonstrated with current uses in the area. This decision approving the APDs complies with the Energy Policy Act of 2005, Section 390, 43 CFR 1610.5, 40 CFR 1508.4, and 43 CFR 46.215.
3. Approval of this project conforms to the terms and the conditions of the 1985 Buffalo RMP (BLM 1985) and subsequent update (BLM 2001) and amendments (BLM 2003, 2011). This project complies with the breadth and constraints of CX3, Energy Policy Act of 2005, and subsequent policy.
4. The selected alternative will help meet the nation's energy need, revenues, and stimulate local economies by maintaining workforces.
5. The operator committed in their POD to the following:
   - Comply with all applicable federal, state, and local laws and regulations.
   - Identify all wells within the 1 mile radius, either by list or on the map and offer water well agreements to the owners of record for permitted water wells within 0.5 mile of a federal producing well in the POD (PRB FEIS ROD, p. 7).
6. The project is clearly lacking in wilderness characteristics as it lacks federal surface.
7. This decision does not foreclose the lessee or operator to propose a new or supplementary plan for developing the federal oil and gas leases in this project area, including submission of additional APDs to drain minerals in accord with lease rights and law. This decision does not foreclose the lessee or operator to propose using external pumping units via a sundry application process.
8. Peak certified there is a surface access agreement with the landowners.
9. This approval is subject to adherence with all of the operating plans, design features, and mitigation measures contained in the master surface use plan of operations, drilling plan, water management plan, and information in individual APDs.

ADMINISTRATIVE APPEAL: This decision is subject to administrative appeal in accord with 43 CFR 3165. Request for administrative appeal 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: /s/ Duane W. Spencer Date: 7/30/14

Categorical Exclusion 3 (CX3), WY-070-390CX3-14-276 and WY-070-390CX3-14-300 to 314
Applications for Permit to Drill (APDs), Section 390, Energy Policy Act of 2005
Peak Powder River Resources, LLC., Roush 1 Plan of Development (POD)
Bureau of Land Management, Buffalo Field Office, Wyoming

Description of the Proposed Action.
Peak Powder River Resources (Peak) submitted the Roush Fed 1 POD (hereinafter, Roush 1 POD) with 16 applications for permit to drill (APDs). BLM incorporates the APDs here by reference; see the administrative record (AR). Peak proposes drilling the horizontal oil and gas wells and constructing supporting infrastructure at the locations in Table 1. Peak would drill the wells from a non-federal surface into underlying federal minerals on lease numbers, below, resulting in standard split jurisdiction. The proposal is to explore for, and possibly develop oil and gas from the Mowry, Niobrara, Parkman, and Turner Formations, at depths found in the AR.

Table 1. Proposed Wells

#	Well Name & #	Qtr	Sec	Twp/Rng	CX #
Roush 1-1 Pad. Lease Numbers: WYW139649, WYW137628					
1	Roush Federal 1-1MH	NENE	1	42N 74W	WYW-070-390CX3-14-276
2	Roush Federal 1-1NH	NENE			WYW-070-390CX3-14-300
3	Roush Federal 1-1PH	NENE			WYW-070-390CX3-14-301
4	Roush Federal 1-1TH	NENE			WYW-070-390CX3-14-302
Roush 2-1 Pad. Lease Number: WYW139649					
5	Roush Federal 2-1MH	SWSW	1	42N 74W	WYW-070-390CX3-14-303
6	Roush Federal 2-1NH	SWSW			WYW-070-390CX3-14-304
7	Roush Federal 2-1PH	SWSW			WYW-070-390CX3-14-305
8	Roush Federal 2-1TH	SWSW			WYW-070-390CX3-14-306
Roush 1-2 Pad. Lease Numbers: WYW139669, WYW140789					
9	Roush Federal 1-2 MH	NENE	2	42N 74W	WYW-070-390CX3-14-307
10	Roush Federal 1-2NH	NENE			WYW-070-390CX3-14-308
11	Roush Federal 1-2PH	NENE			WYW-070-390CX3-14-309
12	Roush Federal 1-2TH	NENE			WYW-070-390CX3-14-310
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13	Iberlin Federal 2-2MH	NENW	2	42N 74W	WYW-070-390CX3-14-311
14	Iberlin Federal 2-2NH	NENW			WYW-070-390CX3-14-312
15	Iberlin Federal 2-2PH	NENW			WYW-070-390CX3-14-313
16	Iberlin Federal 2-2TH	NENW			WYW-070-390CX3-14-314

The proposed horizontal oil and gas wells are in the Roush 1 POD boundaries, which includes an area of approximately 1943 acres. The project area is 14 miles west of Wright, Campbell County, Wyoming. Project elevations are from 5,142 feet to 5,205 feet. The topography has gently sloped draws rising to mixed sagebrush and grassland uplands. Ephemeral tributaries of Belle Fourche River drain the project area. The area climate is semi-arid, averaging 10-14 inches of precipitation annually, about 60% of which occurs between April and September. Surface owners are Mark Iberlin and Robert Roush; see AR.

The BLM's need for this project is to determine whether, and if so, and under what conditions to support the Buffalo Resource Management Plan's (RMP) goals, objectives, and management actions with permitting the operator's exercising of conditional lease rights to develop federal fluid minerals. APD information is an integral part of this EA, which BLM incorporates here by reference. Conditional fluid mineral development supports the RMP, the Mineral Leasing Act of 1920, the Federal Land Policy Management Act (FLPMA), and other laws and regulations.

Peak submitted notices of staking (NOSs) on November 8, 2013, to the BLM. Peak and BLM completed onsite inspections on January 21, 2014. The onsites evaluated the proposals and modified them to mitigate environmental impacts. BLM received Peak's APDs on March 21, 2014. The BLM sent a post-onsite deficiency letter to Peak on April 2, 2014. Peak responded to the deficiencies on April 10, 2014. After subsequent correspondence, the BLM considered the APDs complete on April 28, 2014.

Full effects of the proposal are in the Roush 1 POD surface use plan, Roush 1 POD CX3, WY-070-390CX3-14-276 and 14-300 to 14-314, Baker 8H EA, WY-070-EA14-224, and BLM Conditions of Approval (COAs) for Conventional Application for Permit to Drill, Appendix A.

Drilling, Construction & Production design features include:

Access Roads and Utilities

- A road network will consist of existing improved all-weather roads; existing primitive (2-track) roads to be upgraded to all-weather improved roads; and a proposed improved well access road. Roads will be maintained in a condition the same as, or better than before operations began. Disturbances are listed in Table 2.2.
- Proposed roads will be built with a 20 foot running surface with a maximum grade of about 7%.
- A detailed description of turnouts, culverts, low water crossings, cattle guards, and engineered designs are listed in the surface use plan (SUP) and Map B (within the APD package, AR).
- Existing and proposed above ground power lines will be used if the wells become producers. Power will be provided by third party contactor. Lengths and disturbances are listed in Table 2.2.
- Average daily traffic (ADT) is outlined in Table 2.
- Drilling and completion water will be hauled onto the locations by trucks and placed in Poseidon tanks.

Well Locations

- Cut and fill slopes of the well pads will be constructed with a range of slopes from 2:1 to 5.4:1 and reduced as much as possible during interim reclamation.
- Well pad disturbances are listed in Table 3.
- Four wells are proposed on each pad, for a total of 16 wells. If the wells become producers the following facilities will be placed on the well pads (per well); 1 electric pumping unit, 1 electric gas lift compressor, a treater and separator, 1 400 bbl water tank and 4 400 bbl oil tanks, a combustor, a production flare, and a gas meter.
- Poseidon tanks will be used for water storage during drilling and completion operations.
- The wells will be drilling using a semi-closed loop system. Cuttings will be contained in lined cuttings pits, constructed on the well locations.
- All well pads will be fenced around the extent of the disturbance and will be set back, to allow adequate space for equipment to operate, during construction and reclamation activities.
- 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.

Drilling and Completion Operations

- Drilling and construction is year-round in the region. 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. The operator anticipates that estimated drilling duration per well will be 30 days.
- Hydraulic fracturing (HF) operations are planned as a 'plug and perf' operation done in stages. The process is anticipated require approximately 20 days to complete. All water used for HF will come from municipal water supplies from Gillette, Wyoming. All fresh water will be contained in Poseidon tanks and no surface pits will be used to hold this water. No additional well pad disturbance is

anticipated for HF operations. Completion flowback water will be held in tanks on location and trucked offsite to a disposal facility permitted by Wyoming Department of Environmental Quality (WDEQ).

- 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.

Table 2. Average Daily Traffic

Activity	Duration	Large Trucks	Personal Pickups
Rig Move	5 Days (per well)	30	15
Drilling	2-4 weeks (per well)	15	10
Completion	1-3 weeks (per well)	6	6
Production	Life of wells	1-2	1

Table 3. Disturbance Summary Roush 1 POD:

Facility	Number or Miles	Factor	Disturbance	Interim Disturbance
Engineered Pads	4 Pads	Varies	27.98 acres	16.27
Proposed Access Roads	8,614 ft x 65 ft	559,910 ft^2	12.85 acres	3.96
Proposed Overhead Power-3rd Party	7,971 ft x 15 ft	119,565 ft^2	2.74 acres	2.74
Turnouts	3 @ 200 ft x 10 ft	6,000 ft^2	0.14 acres	0
Total Surface Disturbance			**43.71 acres**	**16.27 acres**

All locations require extensive earthwork for creating sufficient area to complete the well. Peak will then reduce the initial well site with interim reclamation. Individual well designs are in the individual APDs. While these 4 pads are larger than most to date they are more similar than different in that the 4 pads host 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. For a detailed description of design features and construction practices associated with the proposed project, refer to the surface use plan (SUP) and drilling plan included with the APD. Also see the subject APD for maps showing the proposed well location and associated facilities described above. Total surface disturbance for the proposal is 43.71 acres.

Off Well Pad (Subject to producing wells, applications, and subsequent NEPA analyses)

Peak 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. Peak will install a buried 2 to 6 inch corrosion resistant water gathering pipeline of at least 150 psi rating from the well to transport water to a water gathering trunkline and to an approved water disposal well in the area. Water gathering trunklines will typically consist of 6 to 12 inch corrosion resistant buried lines of at least 150 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 consolidated CX analysis 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 (2011), 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 Roush 1 POD and area are clearly lacking in wilderness characteristics as they lack federal surface. BLM finds that the conditions and environmental effects found in the senior NEPA analyses 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). BLM earlier identified over 115 townships from the Montana to Converse County borders that comprise the PRB fluid mineral developed field and this proposal is in the developed field. Table 4 lists existing/approved NEPA analyses that are overlapping to the Roush 1 project area. This information shows that BLM conducted analysis and BLM incorporates these here by reference.

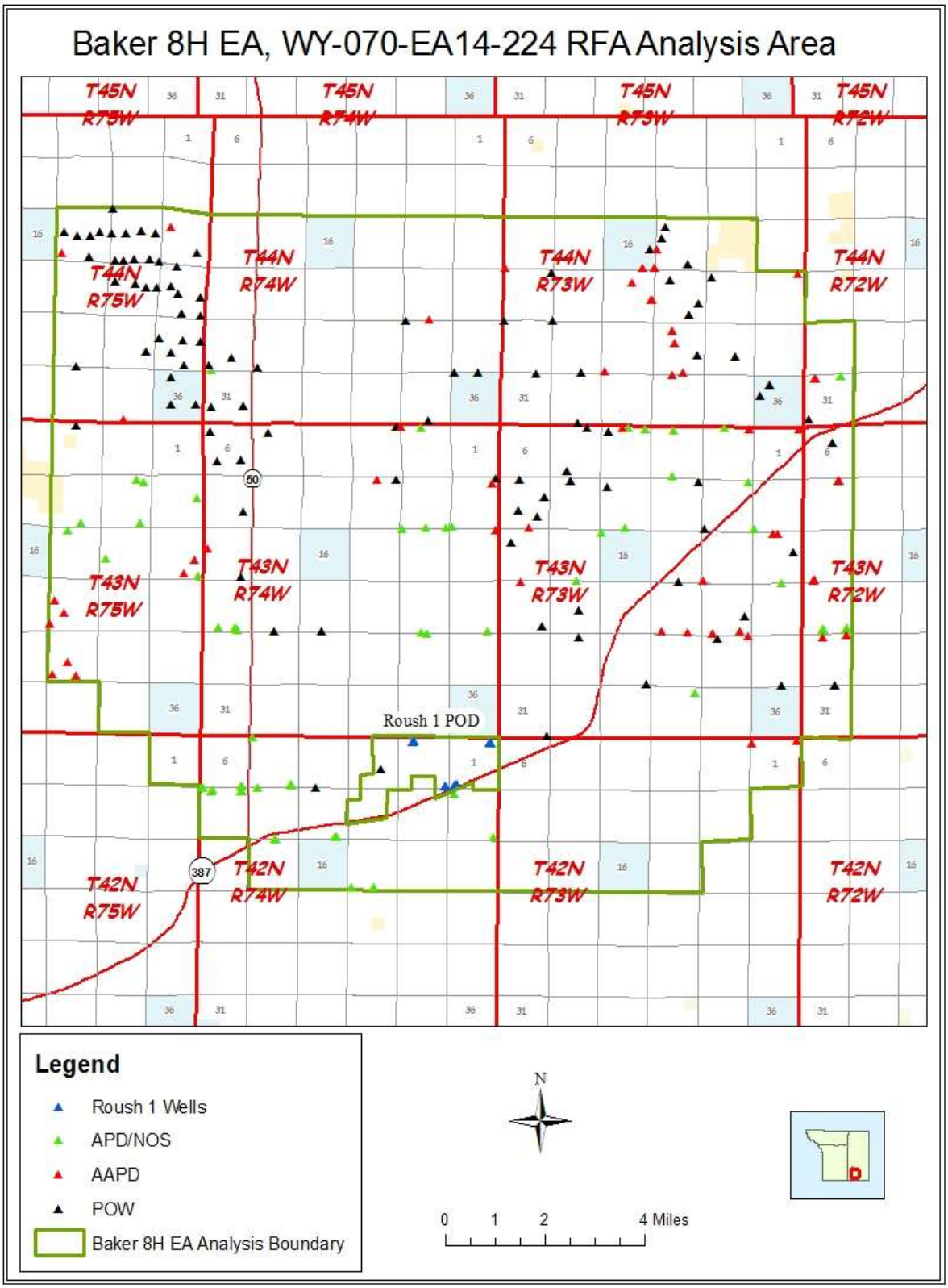
Table 4. Overlapping NEPA Analyses by Decision Date

#	POD / Well Name	NEPA Analysis #	#/Type Well/# Drilled	Decision
1	Baker 8H, Fourmile 20H, Jeanne 5H, Starlight 30H, Strangler 1H*	WY-070-EA14-224	5/Oil/1 (RFA 95 wells/0 drilled)	5/2014
2	Cosner Wright 2	WY-070-EA14-191	18/Oil/6	2/2014
3	Iberlin 1-9H & 1-9TH	WY-070-EA13-224	2/Oil/2	8/2013
4	Porsche 3H and 4H	WY-070-EA14-85	2/Oil/0	2/2014
5	Challenger	WY-070-390CX3-14-101 to 105	5/Oil/0	4/2014
6	Raging Bull	WY-070-EA12-207	1/Oil/0	9/2012

See also: SDR WY-2013-005, particularly noting pp. 2-3, incorporating the entirety here by reference.
* Referenced here in this CX3 as the Baker 8H EA, WY-070-EA14-224.

2) Reasonably foreseeable activity (RFA) is found in the Baker 8H Environmental Assessment (EA), WY-070-EA14-224, 2014, p. 6 and Table 2.3. BLM also notes from the Baker 8H EA analysis that of the 95 analyzed reasonably foreseeable wells, none are drilled; thus 95 undrilled, analyzed reasonably foreseeable wells contribute to the available RFA for this CX3 analysis. Approximately 60 days have passed from the time of the Baker 8H analysis and this Roush 1 POD CX3 analysis, contributing to the lack of additional drilling in the current scenario. The RFA for this analysis area includes oil/gas exploration on 640 acre, and possible 320 acre spacing for horizontal wells and 80 acre spacing for vertical wells. (This does not preclude the spacing analysis in the PRB FEIS further reducing the surface disturbance per well.) The project analysis area is the area within 4 miles of the proposed wells and includes only those federal projects approved within 5 years, as of July 2014.

   The APDs in the Roush 1 POD were specifically included in the reasonably foreseeable activity scenario in the Baker 8H EA, WY-070-EA14-224, p. 6 and Table 2.3, though minor shifting of locations occurred and does not change the earlier analysis.


Baker 8H EA, WY-070-EA14-224 RFA Analysis Area
T45N R75W
T45N R74W
T45N R73W
T45N R72W
T44N R75W
T44N R74W
T44N R73W
T44N R72W
T43N R75W
T43N R74W
T43N R73W
T43N R72W
T42N R75W
T42N R74W
T42N R73W
T42N R72W
Roush 1 POD
50
387
Legend
Roush 1 Wells
APD/NOS
AAPD
POW
Baker 8H EA Analysis Boundary
N
0 1 2 4 Miles

3) The tiered NEPA document was finalized or supplemented within 5 years of spudding (drilling) the proposed well. This Roush 1 POD CX3 tiers to the NEPA analyses in the Baker 8H EA WY-070-EA14-224. BLM also here incorporates by reference the NEPA analysis in Table 4, above.

In summary, the analyses in Table 4, 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 the Roush 1 POD is similar to both the qualitative and quantitative analysis in the Table 3 tiered-to and incorporated NEPA analyses. The BLM reviewed the analyses and found that the analyses considered potential environmental effects associated with the proposal at a site specific level. The Roush 1 POD APDs' 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. The proposal's acres of surface disturbances are within the analysis parameters of the PRB FEIS.

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 analysis 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 PRB FEIS ROD, Appendix A.

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 23 registered stock and domestic water wells within 1 mile of the proposed wells in the project area with depths ranging from 120 to 800 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 casings at 2,500 feet, 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. The depths to the Fox Hills Formation are listed in Table 5. The Fox Hills, the deepest penetrated fresh water zone in the PRB lies well above the target formation. The operator will verify that there is competent cement across the aquifer, from 100 feet above to 100 feet below the Fox Hills Formation. This will ensure that ground water will not be adversely impacted by well drilling and completion operations.

Table 5. Depth to Fox Hills Formation from the 4 Well Pads

Well Pad and #	Depth to Fox Hills Formation Total Vertical Distance (TVD)
Roush Federal 1-1 Pad	6,723 Feet
Roush Federal 2-1 Pad	6,837 Feet
Roush Federal 1-2 Pad	6,833 Feet
Iberlin Federal 2-2 Pad	6,893 Feet

At the time of permitting, the volume of water that will be produced in association with these federal minerals is unknown. The operator will have to produce a well 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 3 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.

Soils/ Vegetation.
Soils, ecological sites, and vegetation found at the Roush 1 POD wells are similar to those occurring in Baker 8H EA, WY-070-EA14-224. Impacts anticipated occurring and mitigation considered with the implementation of the proposals will be similar to those analyzed in the following EAs which are adjacent or overlapping to these proposals, are substantially similar, and are incorporated here by reference: Baker 8H EA, WY-070-EA14-224, Sections 3.2 and 4.2.

Table 6. Soils and Ecological Sites in the Roush 1 Analysis Area. (MU: map unit; SYM: symbol)

Area SYM	MUSYM	Eco Site Name	Map Unit Name	Acres	Percent
WY605	113	Loamy (Ly) 10-14 NP	Bidman-Ulm loams	37.5	2.0
	116	Loamy (Ly) 10-14 NP	Cambria-Kishona-Zigweid loams	135.1	7.0
	126	Loamy (Ly) 10-14 NP	Cushman-Theedle loams	42.7	2.2
	144	Loamy (Ly) 10-14 NP	Forkwood loam	26.8	1.4
	145	Loamy (Ly) 10-14 NP	Forkwood-Cambria loams	38.3	2.0
	146	Loamy (Ly) 10-14 NP	Forkwood-Cushman loams	149.7	7.7
	148	Loamy (Ly) 10-14 NP	Forkwood-Ulm loams	97.4	5.0
	154	Clayey (CY) 10-14 NP	Heldt clay loam	68.9	3.5
	156	Sandy (Sy) 10-14 NP	Hiland fine sandy loam	81.1	4.2
	198	Loamy (Ly) 15-17 NP	Recluse loam	2.8	0.1
	205	Clayey (CY) 10-14 NP	Samday-Savageton clay loams slopes	71.6	3.7
	208	Clayey (CY) 10-14 NP	Savageton-Silhouette clay loams slopes	3.9	0.2
	214	Loamy (Ly) 10-14 NP	Theedle-Kishona loams	663.1	34.1
	215	Loamy (Ly) 10-14 NP	Theedle-Kishona loams	68.9	3.6
	216	Loamy (Ly) 10-14 NP	Theedle-Kishona-Shingle loams	53.6	2.7
	217	Loamy (Ly) 10-14 NP	Theedle-Shingle loams	200.5	10.3
	227	Clayey (CY) 10-14 NP	Ulm clay loam	152.5	7.8
	229	Clayey (CY) 10-14 NP	Ulm-Renohill clay loams	24.8	1.3
	236	Sandy (Sy) 10-14 NP	Vonalee-Terro fine sandy loams	24.2	1.2
Totals				**1943.4**	**100**

Other Leasable and Locatable Minerals.
There are a total of 49 individual mining claims located in the same area as these 16 proposed oil wells. The Fort Union and the Wasatch Formations are the most important uranium-bearing formations in the PRB and are less than 800 feet deep. Uranium recovery has surface disturbance for the construction of surface facilities, roads, well fields, utilities, and pipelines, and include top soil removal, land grading, and interim reclamation. The Roush 1-1 pad is within the boundary of the Reno Creek uranium mine. Presently there is no active uranium development in this immediate area. Direct and indirect effects, cumulative effects, mitigation measures, and residual effects are found in the Iberlin 1-9H and Iberlin 1-9TH EA, WY-070-EA13-224, pp. 28-29, incorporated here by reference – and BLM anticipates similar effects for this proposal.

Invasive Species.
Impacts anticipated occurring and mitigation considered with the implementation of the proposals will be similar to those analyzed in this EA which is adjacent or overlapping to these proposals, have substantially similar characteristics, and are incorporated here by reference: Baker 8H, WY-070-EA14-224 Section 3.5 and 4.5.

Wildlife
BLM reviewed the proposals and determined that the proposed APDs, combined with the COAs (and design features), are: 1) consistent with the FEIS and its supplements, the RMP and the above tiered EAs; and, 2) consistent with the programmatic biological opinion (ES-6-WY-02-F006), from the PRB FEIS,

Appendix K. The affected environment and environmental effects for wildlife are discussed in, and anticipated to be similar to, the documents listed in Table 3 above. Rationale for species not discussed here is found in the Administrative Record.

Raptors

Impacts to raptors from surface disturbing and disruptive activities associated with development of conventional oil wells were analyzed in the Congaree EA, WY-070-EA10-19, and is incorporated here by reference due to having similar habitats. Activities associated with development of the proposed wells, Table 1, are anticipated to be similar in nature, with the following additional site-specific information. Most raptor species nest in a variety of habitats including (but not limited to): native and non-native grasslands, agricultural lands, live and dead trees, cliff faces, rock outcrops, and tree cavities. Suitable nesting habitat is present in the project area. Raptor species known or suspected to occur in the area include golden eagle, northern harrier, Swainson's hawk, American kestrel, short-eared owl, great horned owl, red-tailed hawk, western burrowing owl (SSS), ferruginous hawk (SSS), and rough-legged hawk (winter resident). According to the BLM raptor database, and ICF surveys, there is 1 documented raptor nest of importance within 0.5 miles of the proposed well pads, which is not documented as being active. This nest is in Table 7, below. The proposal area is currently experiencing elevated levels of anthropogenic activity due to the presence of existing oil and gas developments. In addition to this, the implementation of the proposal would have additive impacts to raptors, especially where no biological buffering is present and/or where multiple proposed wells and their associated infrastructure would be within 0.5 miles of documented nesting habitats. The presence of existing activities and future developments in the area may act synergistically and compound the negative impacts to raptors. This is interdependent on the species, nest histories, timing of activities and location of existing and future oil and gas infrastructures.

Table 7. Raptor Nests within 0.5 miles of the Proposed Wells.

BLM Nest ID #	Species	Active last 3 Years Yes/No	2013 Nest Status
12687	Ferruginous Hawk	No	Inactive

Site Specific Analysis for the Proposed Wells:

Roush 1-1 Pad- The proposed location is within 0.5 miles of nest # 12687 (0.35mi.) and is out of line of sight the nest. A COA for nesting raptors would be applied due to proximity to nest # 12687. The implementation of a timing limiting stipulation during the nesting period in conjunction with the presence of adequate biological buffering would allow for only minimal impacts to occur to nesting raptors that may potentially inhabit the area.

Migratory Birds

Impacts to migratory birds from surface disturbing and disruptive activities associated with development of oil and gas wells were analyzed in the Sahara EA, WY-070-EA13-072, incorporated here by reference, due to similar habitats. Activities associated with development of the proposed wells, Table 1.1, are anticipated to be similar in nature, with the following additional site-specific information. Site-specific analyses for wells and infrastructure that will directly impact migratory birds via habitat removal will be discussed below.

Site Specific Analysis for the Proposed Wells:

Iberlin 2-2 Pad - Suitable habitat for migratory birds (sagebrush obligates) is present on the proposed well pad location and would be directly impacted by vegetation removal. Mitigation will be applied to prevent direct mortalities of nesting passerines that may be result during pad construction if habitat removal occurs during the nesting period.

Cultural.
A Class III cultural resource inventory was performed for the Roush 1 POD prior to on-the-ground project work (BFO project no. 70140062). 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* was provided to BFO by Peak (operator). Seth Lambert, BLM Archaeologist, reviewed the report for technical adequacy and compliance with BLM standards, and determined it to be adequate. The following resources are in or near the project area.

Cultural Resources Located In or Near the Project Area

Site Number	Site Type	Eligibility
48CA4868	Historic	NE

No historic properties will be impacted by the proposed project. Following the Wyoming State Protocol Section VI(A)(1) the BLM notified the Wyoming State Historic Preservation Officer (SHPO) on July 18, 2014 that no historic properties exist in the area of potential effect (APE). If any cultural values [sites, artifacts, human remains (Appendix L PRB FEIS and ROD)] are observed during operation of this lease/permit/right-of-way, they will be left intact and the Buffalo Field Manager notified. Further discovery procedures are explained in the Standard COA (General)(A)(1).

List of Preparers: Persons and Agencies Consulted (BFO unless otherwise noted)

Position/Organization	Name	Position/Organization	Name
NRS/Team Lead	Dustin Hill	Archaeologist	Seth Lambert
Supr NRS	Casey Freise	Wildlife Biologist	Chris Sheets
Petroleum Engineer	Will Robbie	Geologist	Kerry Aggen
LIE	Christine Tellock	Supr NRS	Kathy Brus
Assistant Field Manager	Chris Durham	Assistant Field Manager	Clark Bennett
NEPA Coordinator	John Kelley		

Decision and Rationale on the Proposal.
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 Peak's Roush 1 POD CX3 APDs and infrastructure conform to the applicable land use plan, 43 CFR 1610.5, 40 CFR 1508.4, and 43 CFR 46.215. I reviewed the proposal to ensure the appropriate exclusion category as described in Section 390 of the Energy Policy Act of 2005 is correct. I determined that there is no requirement for further environmental analysis.

/s/ Duane W. Spencer — 7/30/14
Field Manager — Date

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