DECISION RECORD
Categorical Exclusion 1 (CX1), WY-070-390CX1-12-220 through WY-070-390CX1-12-225
Section 390, Energy Policy Act of 2005
Sheridan Production Co., LLC, SLPU (Savageton Lower Parkman Unit) Project
Bureau of Land Management, Buffalo Field Office, Wyoming

DECISION. The BLM approves the proposal from Sheridan Production Co. (SPC) for the drilling of 6 oil wells located as follows:

#	Well Name	Well #	QTR/Lot	Sec	TWP	RNG	Lease #	CX #1 Number
1	SLPU	42-17H	Lot 8	17	45	74	WYW144504	WY-070-390CX1-12-220
2	SLPU	44-17H	Lot 16	17	45	74	WYW144504	WY-070-390CX1-12-221
3	SLPU	24-20H	Lot 14	20	45	74	WYW128085	WY-070-390CX1-12-222
4	SLPU	42-20H	Lot 8	20	45	74	WYW138435	WY-070-390CX1-12-223
5	SLPU	42-24H	SENE	24	46	75	WYW144526	WY-070-390CX1-12-224
6	SLPU	44-24H	Lot 15	24	46	75	WYW133611	WY-070-390CX1-12-225

The operator plans to drill and produce additional wells in the future in the SLPU (Savageton Lower Parkman Unit) Project, as reference in the CX1 worksheet, WY-070-390CX1-12-220 through WY-070-390CX1-12-225 which BLM incorporates here by reference.

Compliance. This decision complies with:
- 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 (PRB) Final Environmental Impact Statement (FEIS), 1985, 2003.
- Buffalo Resource Management Plan (RMP) 1985, Amendments 2001, 2003, 2011.

A summary of the details of the approval follows. The CX1 worksheet, WY-070-390CX1-12-220 through WY-070-390CX1-12-225 includes the project description, including site-specific mitigation measures. Mitigation measures will include the conditions of approval (COAs) in Appendix A.

THE FINDING OF NO SIGNIFICANT IMPACT (FONSI). The US Congress, Department of Interior, and BLM affirmed there was no significant impact of a like-structured project when they created this CX1 and its limiting parameters. Thus a FONSI and an EIS is not required.

DECISION RATIONALE. The approval of this project is because:
1. The project will not adversely affect public safety and does not involve any unique or unknown risks.
2. The project will not result in a violation of any federal or known state or local law, statute or ordinance, or other requirement imposed for the protection of the environment.
3. The approved project conditioned by its design features and COAs, will not result in any undue or unnecessary environmental degradation. The PRB FEIS analyzed and predicted that the PRB oil and gas development would have significant impacts to the region's Greater Sage-Grouse (GSG) population. The impact of this development cumulatively contributes to the potential for local 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 six (6) APDs complies with the Energy Policy Act of 2005, Section 390, 43 CFR 1610.5, 40 CFR 1508.4, and 43 CFR 46.215.

4. 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 CX1, Energy Policy Act of 2005, and subsequent policy.
5. The selected alternative will help meet the nation's energy need, revenues, and stimulate local economies by maintaining workforces.
6. The project is clearly lacking in wilderness characteristics because it is amidst mineral development.
7. This decision does not foreclose the lessee or operator to propose a new or supplementary plan for developing the federal oil and gas lease(s) in this project area, including submission of additional APDs to drain minerals in accord with lease rights and law.

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: _____ Date: 11/14/12

Categorical Exclusion 1 (CX1), WY-070-390CX1-12-220 through WY-070-390CX1-12-225
Section 390, Energy Policy Act of 2005
Sheridan Production Co., LLC, SLPU (Savageton Lower Parkman Unit) Project
Bureau of Land Management, Buffalo Field Office, Wyoming

Description of the Proposal

Sheridan Production Co., LLC (SPC) requests the BLM to approve the SLPU (Savageton Lower Parkman Unit) project. SPC proposes to drill, complete, and equip 6 horizontal oil wells to the Lower Parkman formation at an average depth of 7,781 feet of total vertical depth. The project area is approximately 34 miles south of Gillette, Campbell County, Wyoming. The need for this project is to determine whether, how, and under what conditions to support the Buffalo Resource Management Plan's (RMP) goals, objectives, and management actions (2003 Amendment) with allowing the exercise of the operator's conditional lease rights to develop fluid minerals on federal leases. APD information is an integral part of this EA, which BLM incorporates here by reference (CFR 1502.21). Conditional fluid mineral development supports the RMP and the Mineral Leasing Act of 1920, the Federal Land Policy Management Act (FLPMA), and other laws and regulations.

The proposal would be subject to conditions of approval (COAs) for drilling of a well on private surface land over and draining federal minerals in the Buffalo Field Office (BFO) jurisdiction (split estate). For more detail on project area access, design features, and construction practices of the proposed action, refer to individual surface use plans (SUP) in the administrative record. BLM reviewed the plans to minimize environmental impacts to both surface and subsurface resources. Also see the administrative record for maps showing the proposed access road, existing roads and well location, and supporting infrastructure. The SLPU unit contains existing fee, state, and federal mineral development. SPC plans to add additional wells to the unit in the future.

The area consists of flat to gentle rolling topography with small ephemeral drainages. There is existing conventional oil and CBNG development in and adjacent to the project area. Operations will occur in the following locations as proposed in Table 1.1 below:

Table 1.1. Proposed Wells

#	Well Name	Well #	QTR/Lot	Sec	TWP	RNG	SH Lease #	CX #1 Number
1	SLPU	42-17H	Lot 8	17	45	74	WYW144504	WY-070-390CX1-12-220
2	SLPU	44-17H	Lot 16	17	45	74	WYW144504	WY-070-390CX1-12-221
3	SLPU	24-20H	Lot 14	20	45	74	WYW128085	WY-070-390CX1-12-222
4	SLPU	42-20H	Lot 8	20	45	74	WYW138435	WY-070-390CX1-12-223
5	SLPU	42-24H	SENE	24	46	75	WYW144526	WY-070-390CX1-12-224
6	SLPU	44-24H	Lot 15	24	46	75	WYW133611	WY-070-390CX1-12-225

Surface owners (split estate): Jim Hall, Roy Rassbach, Darel Geer, and Robert Geer

BLM received notices of staking (NOSs) on March 15, 2012.

Onsites evaluated the proposal and modified it as necessary to mitigate environmental impacts. Field onsites were on April 17, 2012. In attendance for BLM were Debby Green, NRS, and Scott Jawors, wildlife biologist. SPC was represented by Consultant Mike Brown, H&B Petroleum Consultants. Surface owners in attending were Roy Rassbach, Gerry Rassbach, Darel Geer, and Lex Geer.

SPC converted the NOSs to applications for permit to drill (APDs) on June 13, 2012. The BLM sent a post-onsite deficiency letter to SPC on July 12, 2012. BLM received SPC's revisions on August 24, 2012.

Operations would include the following performed by SPC and/or their contractors:

- Construction of 6 engineered drilling pads with dimensions of approximately 345 by 285 feet accounting for 2.25 acres of disturbance per well pad during the drilling and completion phases.
- A road network consisting of existing improved roads and proposed improved access roads to each well location to comply with BLM road standards.
- Maintenance of access roads and drainage control structures (culverts, drainage dips, ditches) to prevent soil erosion and accommodate safe, year-round traffic.
- An existing above ground power line network with proposed buried power to each well location.
- A buried pipeline (gas, electric, produced water) as depicted in Surface Use Plans.
- A wheel trencher used to construct the pipeline right-of-way. Initial disturbance will be 20 feet wide; after interim reclamation, disturbance width will be 10 feet wide.
- Drilling, testing and completion of the well. If determined to be economically viable, the well would be put into production. Production facilities would be placed on the each site, including a pump jack, separation equipment, and storage tanks. The facilities and site would be operated and maintained for the life of the well. Proposed production facilities will include on the well locations: 3-400bbl crude Tanks; 1-200bbl production water tank; and 1 6 x 20 heater-treater.
- Water for drilling and completion will come from the city of Gillette, Wyoming, and brought to site by truck using existing and proposed access roads to haul water to each location. Approximately 10,000bbls of water will be used for drilling and completion at each site and stored in tanks. Drilling of wells will be with oil based mud; there is no hydraulic fracturing proposed for these wells.
- When production is established a sundry notice will be submitted with a production facility diagram.
- Reclamation of unneeded, previously disturbed areas will consist of backfilling and contouring the reserve pit area; back-sloping and contouring all cut and fill slopes; and reseeded per plans for reclamation of surface.
- The reserve pit is designed to prevent the collection of surface runoff and constructed with a minimum of ½ the total depth below the original ground surface on the lowest point within the pit. The pit will be lined with a 12-mil polyethylene liner to prevent leakage of fluids.
- Produced water will be placed in the reserve pit for a period not to exceed 90 days after initial production. During this 90 day period, in accordance with NTL-2B, an application for approval of a permanent disposal method and location, along with the required water analysis shall be submitted to the Authorized officer for approval.
- Water from the reserve pit may be used for drilling of additional wells. The water will be trucked along access roads as approved for each well. A sundry notice will be submitted to BLM describing the location and route to the location to which pit fluids will be transported for use.
- If well is not found to be economically viable, all areas disturbed during construction would be reclaimed to the pre-disturbance condition, and the well bore would be plugged per State of Wyoming and BLM policy and regulations.
- Design feature for “bird cone’ placement on heater-treater to avoid bird/bat mortality.
- Temporary living accommodation on well pad during drilling and completion operations as addressed in the Surface Use Plan narrative.
- SPC certified that all affected landowners within ½ mile are being offered a water well agreement.

Table 1.2. Disturbance by Individual SLPU Well:

#	Facility	Lease #	Total Disturbance per Well
1.	SLPU 42-17H	WYW144504	3.14 acres
2.	SLPU 44-17H	WYW144504	2.92 acres
3.	SLPU 24-20H	WYW128085	4.07 acres
4.	SLPU 42-20H	WYW138435	2.92 acres
5.	SLPU 42-24H	WYW144526	3.03 acres
6.	SLPU 44-24H	WYW133611	2.85 acres

The total new surface disturbance for this action consists of approximately 18.93 acres.

Plan Conformance. The proposal conforms to the terms and the conditions of the Buffalo Resource Management Plan (RMP), 1985, amended 2001, 2003, and 2011. The project area is clearly lacking wilderness characteristics as it is in the midst of CBNG development. The Energy Policy Act of 2005 subjects oil or gas exploration or development to a rebuttable presumption that the use of a categorical exclusion applies under the National Environmental Policy Act (NEPA). Thus BLM must use an Energy Policy Act CX unless BLM can prove such CX is inapplicable. This CX worksheet is a form of NEPA compliance categorically excluded from the analysis occurring in an EA or EIS. BLM H-1790, p. 17. BLM finds that the conditions and environmental effects from the senior EA and PRB FEIS remain valid.

The applicable categorical exclusion from the Energy Policy Act of 2005 is exclusion number (b)(1) which is *individual surface disturbances of less than 5 acres so long as the total surface disturbance on the lease is not greater than 150 acres and site-specific analysis in a document prepared pursuant to NEPA has been previously completed.*

There are 3 requirements for a Section 390 CX1 (BLM NEPA Handbook, Appendix. 2):

1) *The project must disturb less than 5 acres on the site. If more than 1 action is proposed for a lease (for example 2 or more wells), each activity is counted separately, and each may disturb up to 5 acres. Similarly, the 5-acre limit applies separately to each activity requiring discrete BLM action, such as each APD, even though for processing efficiency purposes the operator submits for BLM review a large master development plan addressing many wells.*

Table 1.3. Disturbance by Individual SLPU Well:

SLPU 42-17H: **Lease WYW144504**

Facility	Number or Miles	Factor	Disturbance
Engineered Pad	1 (345’ x 285’)	98,325 sq. ft.	2.25 acres
Improved Access Road	871’ x 25’	21,775 sq. ft.	0.49 acres
Buried Pipeline (gas, water, electric)	871’ x 20’	17,420 sq. ft.	0.40 acres
Overhead Power	0	0	0 acres
Total Surface Disturbance 42-17H			**3.14 acres**

SLPU 44-17H: **Lease WYW144504**

Facility	Number or Miles	Factor	Disturbance
Engineered Pad	1 (345’ x 285’)	98,325 sq. ft.	2.25 acres
Improved Access Road	553’ x 25’	13,825 sq. ft.	0.32 acres
Buried Pipeline (gas, water, electric)	772’ x 20’	15,440 sq. ft.	0.35 acres
Overhead Power	0	0	0 acres
Total Surface Disturbance 44-17H			**2.92 acres**

SLPU 24-20H: **Lease WYW128085**

Facility	Number or Miles	Factor	Disturbance
Engineered Pad	1 (345’ x 285’)	98,325 sq. ft.	2.25 acres
Improved Access Roads	257’ x 25’	6,425 sq. ft.	0.15 acres
Buried Pipeline (gas, water)	2,394’ x 20’	47,880 sq. ft.	1.10 acres
Buried Power	1,246’ x 20’	24,920 sq. ft.	0.57 acres
Total Surface Disturbance 24-20H			**4.07 acres**

SLPU 42-20H **Lease WYW138435**

Facility	Number or Miles	Factor	Disturbance
Engineered Pad	1 (345’ x 285’)	98,325 sq. ft.	2.25 acres
Improved Access Roads	635’ 25’	15,875 sq. ft.	0.36 acres
Buried Pipeline (gas, water, electric)	672’ x 20’	13,440 sq. ft.	0.31 acres
Overhead Power	0	0	0 acres
Total Surface Disturbance 42-20H			**2.92 acres**

SLPU 42-24H **Lease WYW144526**

Facility	Number or Miles	Factor	Disturbance
Engineered Pad	1 (345’ x 285’)	98,325 sq. ft.	2.25 acres
Improved Access Roads	621’ x 25’	15,525 sq. ft.	0.35 acres
Buried Pipeline (gas, water, electric)	951’ x 20’	19,020 sq. ft.	0.44 acres
Overhead Power	0	0	0 acres
Total Surface Disturbance 42-24H			**3.03 acres**

SLPU 44-24H **Lease WYW133611**

Facility	Number or Miles	Factor	Disturbance
Engineered Pad	1 (345’ x 285’)	98,325 sq. ft.	2.25 acres
Improved Access Roads	293’ x 25’	7,325 sq. ft.	0.17 acres
Buried Pipeline (gas, water)	293’ x 20’	5,860 sq. ft.	0.13 acres
Buried Power	658‘ x 20’	13,160 sq. ft.	0.30 acres
Total Surface Disturbance 44-22H			**2.85 acres**

Table 1.4. Disturbance Summary for 6 SLPU Wells:

Facility	Number or Miles	Factor	Disturbance
Engineered Pad – 6 SLPU total	6 (345’ x 285’)	6 x 2.25	13.50 acres
Improved Access Roads	3,230’ x 25’	80,750 sq. ft.	1.84 acres
Buried Pipeline (gas, water, electric)	5,953’ x 20’	119,060 sq. ft.	2.73 acres
Buried Power	1,904’ x 20’	3,808 sq. ft.	0.86 acres
Total Surface Disturbance – 6 SLPU wells			**18.93 acres**

2) *The current unreclaimed surface disturbance readily visible on the entire leasehold must not be greater than 150 acres, including this proposed project. This includes previous disturbances supporting lease development. The 150-acre limit applies separately to each federal lease supporting the development.*

Table 1.5. Total Disturbance per Lease Including Proposed Disturbance in T45N R74W

Lease #	Total acreage on lease	Proposed Well	Existing Disturbance	Proposed Disturbance	Total Disturbance Per Lease
WYW144504	242.01 acres	SLPU 42-17H SLPU 44-17H	3.15 acres	**3.14 acres** **2.92 acres**	**9.21 acres**
WYW128085	81.01 acres	SLPU 24-20H	3.90 acres	**4.07 acres**	**7.97 acres**
WYW138435	364.72 acres	SLPU 42-20H	12.49 acres	**2.92 acres**	**15.41 acres**

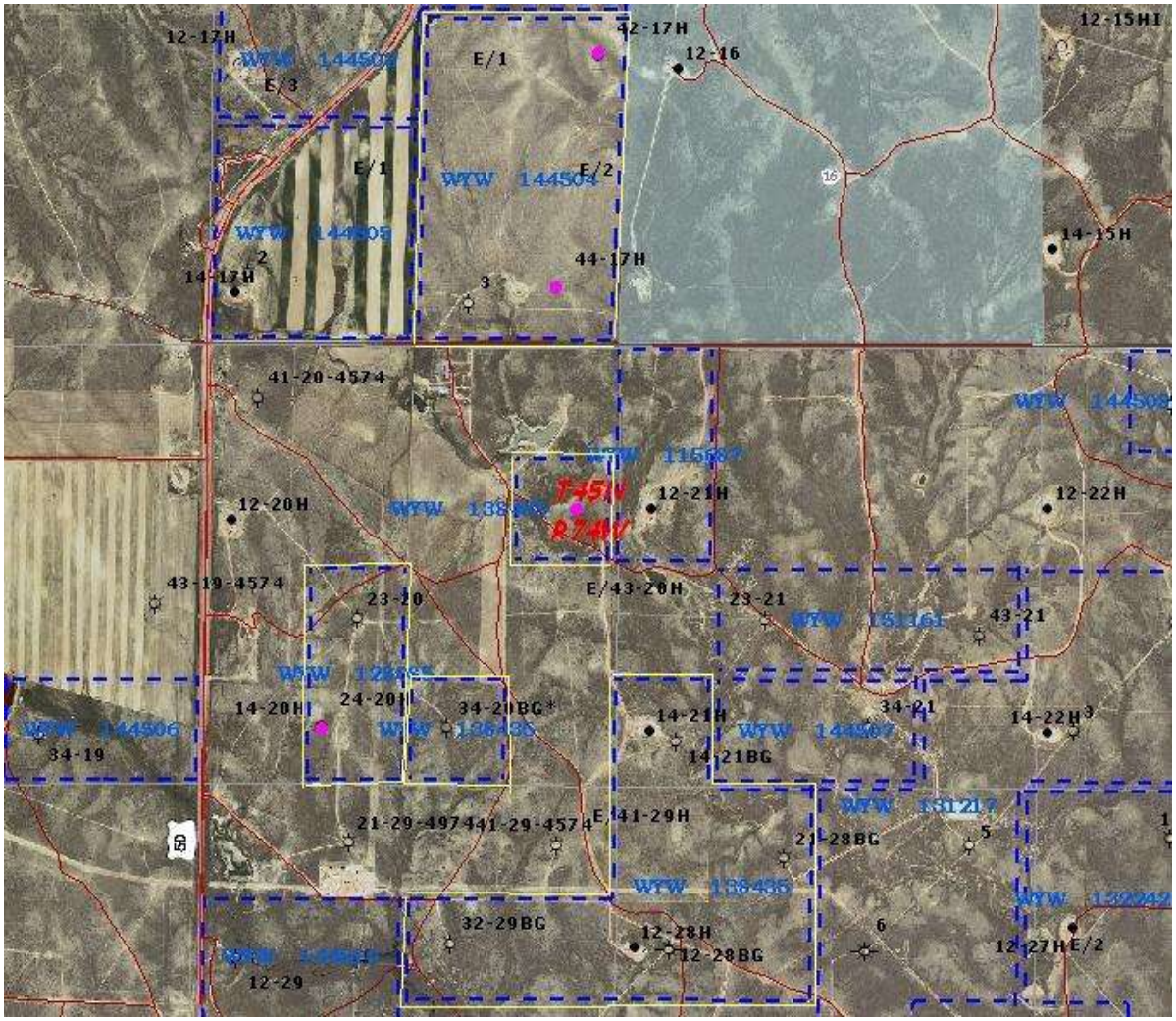

Figure 1.1. Leases in T45N R74W Current Development (blue) and Proposed Well Sites (pink).

Table 1.6. Total Disturbance per Lease Including Proposed Disturbance in T46N R75W

Lease #	Total acreage on lease	Proposed Well	Existing Disturbance	Proposed Disturbance	Disturbance Per Lease
WYW144526	160.34 acres	SLPU 42-24H	7.31 acres	**3.03 acres**	**10.34 acres**
WYW133611	468.33 acres	SLPU 44-24H	11.03 acres	**2.85 acres**	**13.88 acres**

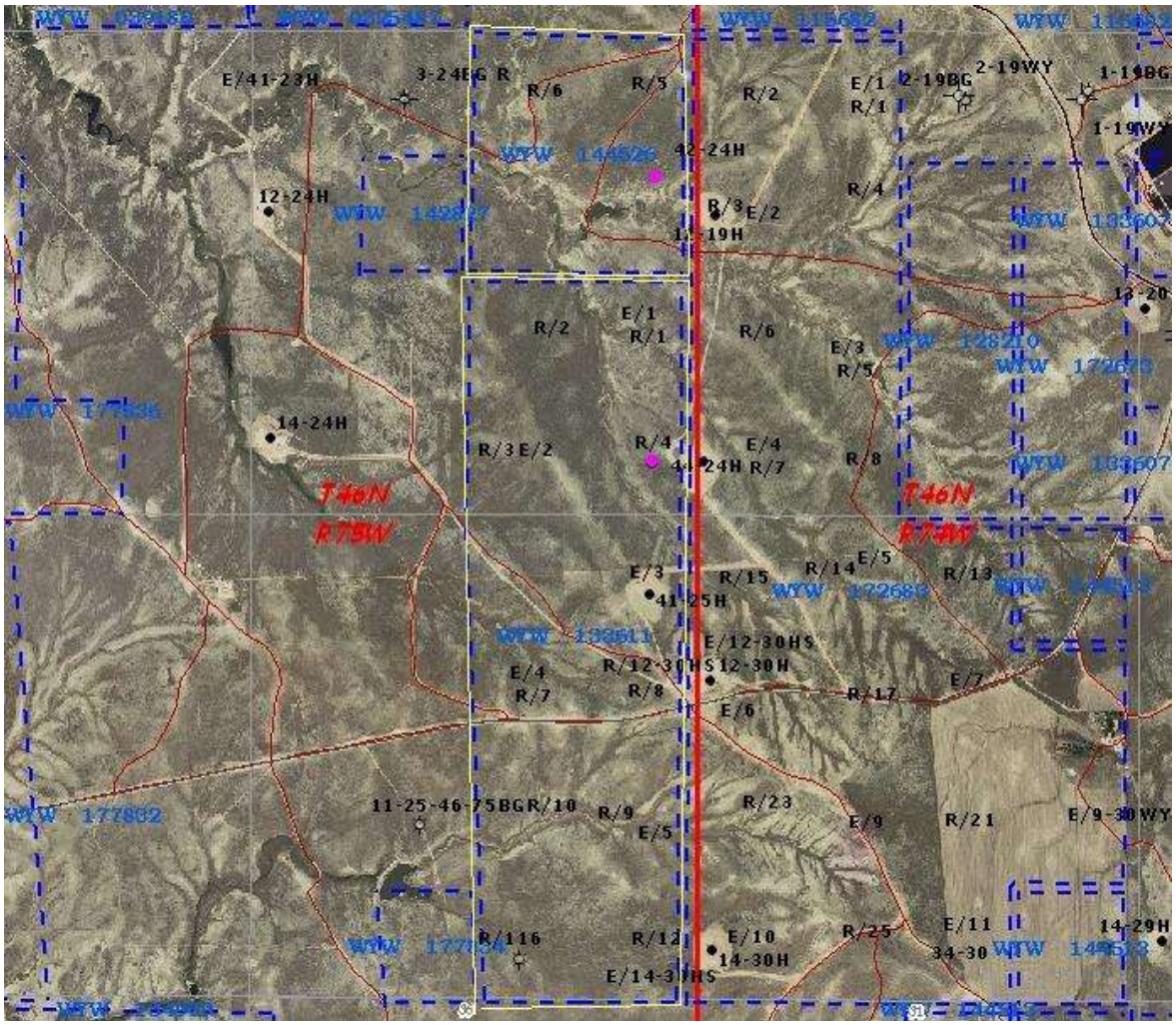

Figure 1.2. Leases in T46N R75W Current Development (blue) and Proposed Well Sites (pink).

3) *There must be a site-specific NEPA analysis (not just leasing) covering the proposal area. This NEPA document may be an exploration or development EA/EIS; it may be part of a specific master development plan, a multi-well EA/EIS, or an individual permit approval EA/EIS. The NEPA document must have analyzed the type of activity or project being considered; yet it need not have addressed the specific permit or application being considered.*

The project area has historic conventional oil and gas exploration and production, and recent coalbed natural gas (GBNG) development. The project area is within or adjacent to the boundaries of 7 oil or gas wells and 9 CBNG plans of development (PODs) – whose NEPA analysis is all incorporated here by reference, along with the horizontal drilling and hydraulic fracturing descriptions and analysis in Hornbuckle EA, WY-060-EA11-181. The proposal is in the foreseeable development scenario that was analyzed in the tiered NEPA documents required to use a CX1.

Table 1.7. Adjacent or Overlapping Fluid Mineral Development with NEPA Analysis

POD Name	Environmental Assessment #	Wells Approved	Type	Decision Date
Innes Fed #14-24H	WY-070-EA06-196	1	Oil	4/07/2006
Innes Fed 12-30HS	WY-070-08-154	1	Oil	9/29/2009

POD Name	Environmental Assessment #	Wells Approved	Type	Decision Date
Innes Fed 14-30HS	WY-070-08-154	1	Oil	9/29/2009
McBeth Fed 31-18	WY-070-EA08-154	1	Oil	9/29/2009
McBeth Trust 14-19H;	WY-070-EA06-052	1	Oil	11/17/2005
Rassback Trust 12-4H	WY-070-EA06-052	1	Oil	11/17/2005
McBeth Trust 12-19H	WY-070-EA06-052	1	Oil	11/17/2005
Savageton 1 POD	WY 070-EA04-342	22	CBNG	11/24/2004
Savageton II POD	WY 070-EA05-214	13	CBNG	7/15/2005
Savageton 3 POD	WY 070-EA06-192	3	CBNG	2/8/2008
House Creek 1 (HC1)	WY 070-EA03-070	36	CBNG	8/29/2003
House Creek O POD	WY 070-EA06-320	13	CBNG	9/21/2006
House Creek Q POD	WY 070-EA08-187	21	CBNG	4/16/2008
Gauge POD	WY 070-EA09-75	88	CBNG	9/11/2009
Vineyard POD	WY 070-EA04-263	28	CBNG	7/3/2004
Bucko POD	WY 070-EA04-165	30	CBNG	7/16/2004

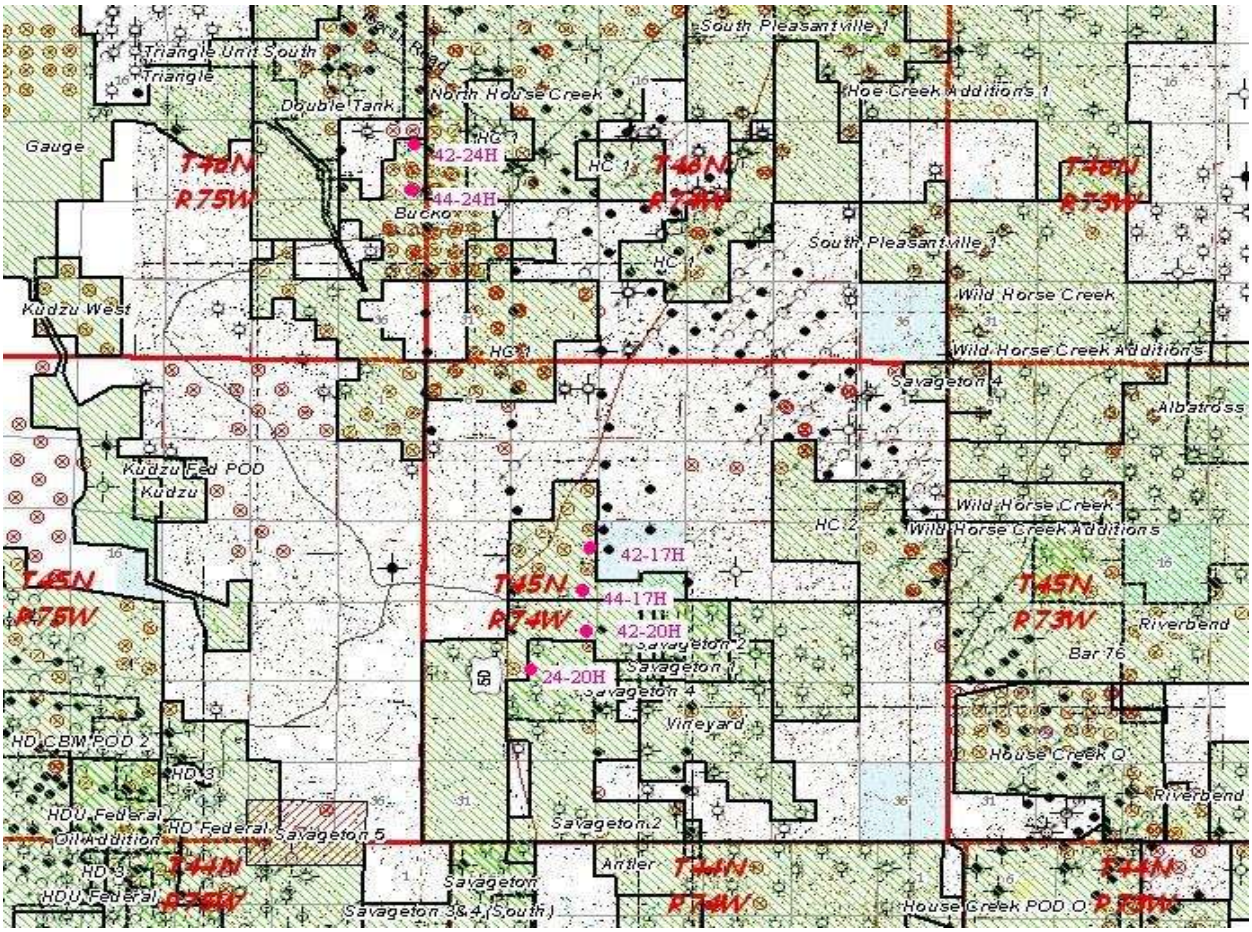

Figure 1.3. Adjacent or Overlapping Fluid Mineral Development in T45N R74W and T47NR75W

Plan of Operations

The proposal design conforms to all Bureau standards and incorporates appropriate best management practices, required and design mitigation measures determined to reduce the effects on the environment.

BFO reviewed a surface use plan (SUP) of operations which described all proposed surface-disturbing activities and approves the SUP pursuant to Section 17 of the Mineral Leasing Act, as amended.

Water Resources

The historical use for groundwater in this area was for stock water or domestic purposes. A search of the WSEO Ground Water Rights Database showed 4 registered stock and domestic water wells within 1 mile of the proposed wells in the project area with depths from 430 to 490 feet. For additional information on groundwater, refer to the PRB FEIS (2003), Affected Environment, 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. The Parkman B Sandstone is the only formation to be completed or expected to produce oil, gas, or fresh water. The surface fresh water sands and the Fort Union Coals will be protected by setting 9-5/8 inch casing at 1.600 feet and circulating cement back to surface.

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 the wells 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.

Cultural Resources

Class III cultural resource inventories were performed for the SLPU 24-20H, 42-17H, 42-20H, 42-24H, and 44-17H wells prior to on-the-ground project work (BFO project #s 70120029, 70120033, 70120040, 70120041, 70120059). SLPU 44-24H well was covered by previous inventory #70040031. Class III cultural resource inventories 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* were provided to BFO by SPC. Clinton Crago, BLM Archaeologist, reviewed the report for technical adequacy and compliance with BLM standards, and determined them to be adequate. No cultural resources are located in the project area.

No historic properties will be impacted by the proposed project. Following the Wyoming State Protocol Section VI(A)(1) the BLM electronically notified the Wyoming State Historic Preservation Officer (SHPO) on September 17, 2012 that no historic properties exist in the area of potential effect. If any cultural values [sites, artifacts, human remains (Appendix L PRB FEIS & 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).

Wildlife Resources

Several resources were consulted to identify wildlife species that may occur in the proposed project area. Resources that were consulted include the wildlife database compiled and managed by the BLM Buffalo Field Office (BFO) wildlife biologists, the PRB FEIS, the Wyoming Game and Fish Department (WGFD) big game and Greater Sage-Grouse (GSG) maps, and the Wyoming Natural Diversity Database

(WYNDD). A BLM biologist conducted a field visit on April 17, 2012. During the visit, the biologist evaluated potential impacts to wildlife resources, and provided project modification recommendations. Wildlife species common to the habitat types present are identified in the PRB FEIS, p. 3-114.

The BLM determined that the proposed APDs, combined with the COAs are: (1) consistent with the FEIS (WY-070-02-065) and its supplements, to include biological opinion (ES-6-WY-02-F006), the RMP and its Amendments, and the above tiered EAs; and (2) consistent with the effects analyzed in the site specific Endangered Species Act section 7 consultation and does not change the determinations in that consultation. Effects to wildlife are anticipated to be similar to those analyzed in the Environmental Assessment (EA # WY-070-09-154) for the following conventional wells; Innes 12-30, 14-30 and McBeth 31-18 (Impacts anticipated occurring toward the nesting pairs of raptors and mitigation will be similar to those analyzed in the EA # WY-070-09-154; Direct and Indirect Effects (pp.9) and Cumulative Effects (p.18). Impacts anticipated occurring toward greater sage-grouse habitat and mitigation will be similar to those analyzed in the EA # WY-070-09-154; Direct and Indirect Effects (pp.11-13) and Cumulative Effects (p.22-23)).

Greater Sage-Grouse (GSG)

The PRB FEIS addressed the affected environment for GSG, pp. 3-194 to 3-199. The GSG's regulatory and biologic status changed since issuance of the FEIS:

1. 2005-2007: The PRB FEIS predicted that a ¼ mile year-round controlled surface use lek buffer, and timing limitations restricting surface disturbance within 2 miles of leks, would be sufficient for protection of GSG populations. Several recent studies and literature reviews indicate that the restrictions' spatial scale, and timing limitations, may not be large enough to alleviate impacts to GSG (Holleran 2005, Walker et al 2007, Taylor et al 2012).
2. January, 2005: U.S. Fish and Wildlife Service (FWS) warranted that the GSG was inappropriate for listing under the Endangered Species Act.
3. December, 2007: The U.S. District Court remanded the "not warranted" decision, finding a flawed decision-making process and ordered the FWS to conduct a new Status Review; Western Watersheds Project v. FWS, 535 F. Supp. 2d 1173 (D. Idaho 2007).
4. August, 2008: The WY BLM implemented management of identified connectivity habitats in support of the population management objectives set by the State of Wyoming (Wyoming Governor's Executive Order (EO) 2011-5), in accordance with the BLM Wyoming Instruction Memorandums (IM), most recently, IM- WY-2012-019.
5. January 2008: The State Wildlife Agencies' Ad Hoc Committee for Consideration of Oil and Gas Development Effects to Nesting Habitat recommended land managers consider impacts on leks within 4 miles of oil and gas developments.
6. September, 2009: In its Recommendations for Development of Oil and Gas Resources within Important Wildlife Habitats, WGFD categorized impacts to GSG by number of well pad locations per square mile within 2 miles of a lek.
7. November, 2010: FWS warranted that the GSG justified listing across its range, but precluded listing due to higher priorities (FWS 2010). The GSG is a listing candidate.
8. March, 2012: WY BLM released the report, "Viability analyses for conservation of GSG populations: Buffalo Field Office, Wyoming," indicating that a viable population of GSG 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 20012).

The PRB FEIS predicted that the PRB oil and gas development would have significant impacts to the GSG population. The impact from the 6 proposed wells (as listed in Table 1.1, Proposed Wells) development may cumulatively contribute to the potential for local 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.

The effects on the soil, vegetation, and watershed components will be minimal with the application of mitigation measures, of the Surface Use Plan of Operation.

The Scenic Integrity Objective (SIO) for the project area is low. The effect of the project on scenery management and attaining the Grassland Plan scenery objective will be negligible. No above ground power lines will be built, and constructed well site will appear subordinate in the landscape. Facilities and landscape modifications are visible but are reasonably mitigated to blend and harmonize with natural features. Reclamation will restore the area to a reasonable level of its pre-development condition.

During the onsite inspection, GSG sign was observed within the proposed well pad locations for the 44-24 and 42-24H locations. The habitat is favorable for GSG nesting and brood rearing.

The effects on the soil, vegetation, and watershed components will be minimal with the application of mitigation measures, of the surface use plan of operation and conditions of approval (COAs).

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

Position/Organization	Name	Position/Organization	Name
NRS/Team Lead	Debby Green	Archaeologist	Clint Crago
Supervisory NRS	Casey Freise	Wildlife Biologist	Scott Jawors
Petroleum Engineer	Matthew Warren	Geologist	Warren Garrett
LIE	Karen Klaahsen	USFWS Biologist	Pauline Schuette
Soils	Arnie Irwin	Supervisory NRS	Bill Ostheimer
Hydrologist	Kathy Brus	Associate Field Manager	Chris Durham
Associate Field Manager	Clark Bennett	NEPA Coordinator	John Kelley

Decision and Rationale on the Proposal

I approve the following APDs using the rationale from the above CX1 worksheet and the COAs attached as Appendix A:

#	Well Name	Well #	QTR/Lot	Sec	TWP	RNG	Lease #	CX #1 Number
1	SLPU	42-17H	Lot 8	17	45	74	WYW144504	WY-070-390CX1-12-220
2	SLPU	44-17H	Lot 16	17	45	74	WYW144504	WY-070-390CX1-12-221
3	SLPU	24-20H	Lot 14	20	45	74	WYW128085	WY-070-390CX1-12-222
4	SLPU	42-20H	Lot 8	20	45	74	WYW138435	WY-070-390CX1-12-223
5	SLPU	42-24H	SENE	24	46	75	WYW144526	WY-070-390CX1-12-224
6	SLPU	44-24H	Lot 15	24	46	75	WYW133611	WY-070-390CX1-12-225

The project will not adversely affect public safety and does not involve any unique or unknown risks.

The project will not result in a violation of any federal, or known state or local law, statute or ordinance, or other requirement imposed for the protection of the environment.

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 SLPU CX1 proposal 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.

Field Manager

11/14/12
Date

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

References:

Taylor, R. L., D. E. Naugle, L. S. Mills. 2012. Viability analyses for conservation of sage-grouse populations: Buffalo Field Office, Wyoming. Final Report. February 27, 2012. University of Montana, Missoula, MT.

U.S. Department of the Interior, Fish and Wildlife Service (FWS). 2010. Endangered and Threatened Wildlife and Plants; 12-Month Findings for Petitions to List the Greater Sage-Grouse (*Centrocercus urophasianus*) as Threatened or Endangered. 50 CFR Part 17.

WGFD. 2009. Minimum Recommendations for Development of Oil and Gas Resources within Crucial and Important Wildlife Habitats on BLM Lands. WGFD. Cheyenne, WY.