

**Decision on Action and Application for Categorical Exclusion 3**  
**Section 390, Energy Policy Act of 2005**  
**CARU 41-1-5076GW Federal POD, Williams Production Company LLC**  
**WY-070-390-CX3-11-145**  
**Bureau of Land Management, Buffalo Field Office**

**Description of the Proposed Action**

Williams Production RMT Production Company (Williams or operator) proposes to develop 1 expired coalbed natural gas (CBNG well) (expired via the 2-year application to drill (APD) process). A portion of the proposed well's infrastructure will be tied to the Carr Draw V Add I Federal plan of development (POD) EA, WY-070-06-306, approved on September 29, 2006. The Notice of Staking (NOS) was submitted on December 3, 2010. The conditions of approval (COAs) were shared with the operator on February 17, 2011. The APD for the 1 well was submitted on December 21, 2010. It is located as follows:

CX Number	Well Name	Well #	Qtr	Sec	TWP	RNG	Lease #
WY-070-390-CX3-11-145	CARU 41-1-5076GW	41-1	NE/NE	1	50N	76W	WYW146290

**Table 1- Summary of Disturbance for Well:**

Facility	Number or Miles	Factor	Disturbance
Nonconstructed Pad	1	120x180 ft = 0.5 acre	0.50 acres
2-Track Roads	0.24 miles	40'	1.15 acres
No Corridor	0		
With Corridor	0.24 miles		
Pipelines/ Buried Power Cable	0	40'	Within access road corridor (40 ft)
No Corridor	0.24 miles		
With Corridor			
<b>Total Surface Disturbance</b>	0.24 miles		1.65 acres

**Plan Conformance**

The proposed action conforms with the terms and conditions of the Approved Resource Management Plan (RMP) for the public lands administered by the Bureau of Land Management, Buffalo Field Office (BFO), April 2001, the PRB FEIS, January 2003, and the Record of Decision and Resource Management Amendments for the Powder River Oil and Gas Project, April 2003, as required by 43 CFR 1610.5 The CARU 41-1-5076GW 1 APD and area are clearly lacking in wilderness characteristics as it is in the midst of extensive CBNG development with miles of mechanically maintained improved roads, (see DOI Order 3310). This proposal is a form of NEPA compliance without the analysis that occurs in an EA or EIS. BLM H-1790, p. 17. This proposal is categorically excluded from further NEPA analysis. Id.

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. Each proposed well will be within developed oil and gas federal units/fields that have existing and/or approved state, fee and federal wells and associated infrastructure.*

There are three requirements to use a Section 390 Categorical Exclusion 3:

- 1) Each proposed APD is within a developed coal bed natural gas field unit that is actively producing. The following is a list of existing/approved wells, specifically the projects for the wells and their associated infrastructure, by POD and EA that are within the proposed CARU 41-1-5076GW APD:

<b>Approved POD</b>	<b>NEPA Document</b>	<b>Approval Date</b>
Carr Draw V Add I Federal	WY-070-06-306	9/29/06

- 2) There must be one existing NEPA document (and the RMP) containing the reasonably foreseeable development scenario for this action. Here is 1 existing NEPA document that reasonably foresaw development to spud additional wells to fill in 80 acre well-spacing. A review of these documents determined those EAs considered potential environmental effects associated with the proposed activity at a site specific level. In addition, all approved EAs tier into the Powder River Basin (PRB) EIS of March of 2003. The PRB EIS analyzed foreseeable development in the PRB. The foreseeable development included drilling a CBNG well on 80 acre spacing resulting in approximately 50,000 CBNG wells in the PRB. The CARU 41-1-5076GW APD falls within the foreseeable development scenario of 80 acre well spacing that was analyzed in the tiered EAs listed above.
- 3) Spudding of the proposed APD must occur within 5 years of the approval of the tiered EA. The BFO approved the above tiered-to EA for CARU 41-1-5076GW within the 5 year timeframe.

There are no new major direct, indirect, or cumulative environmental effects resulting from the approval of the CARU 41-1-5076GW APD. The Carr Draw V Add I Federal POD EA analyzed these applicable environmental effects - for there is extensive use and sharing of existing infrastructure through the drilling of these new proposed wells. The BFO reviewed these EAs and found that the EAs considered potential environmental effects associated with the proposed activity at a site specific level.

Each individual well must be spudded by September 30, 2011. If the individual well is not spudded by September 30, 2011 the individual APD approval will expire and the operator is to cease all operations related to preparing to drill that individual well.

### **Plan of Operations**

The proposal is designed in conformance with all BLM standards and incorporates appropriate best management practices, required and designed mitigation measures determined to reduce the effects on the environment. A surface use plan of operations describing all proposed surface-disturbing activities was reviewed and is approved pursuant to Section 17 of the Mineral Leasing Act, as amended.

### **Water Resources:**

All pertinent water management plan (WMP) information for this previously approved well can be found within the approved Carr Draw V Add I POD and associated WMP. As part of the original approved Carr Draw V Add I POD, this well is already incorporated into subsequent sundries such as CD/SRU/SPU/Waterline Sundry and the Somerville/Barber Creek Waterline Sundries network.

### **Cultural**

#### **Previous inventory:**

A previously reviewed and accepted Class III cultural resource inventory (BFO # 70060150) adequately covered the proposed project area. No cultural resources are in the area of potential effect. On December 29, 2010, Clint Crago, BLM Archaeologist, electronically notified the Wyoming State Historic Preservation Office (SHPO) following section VI (A) (1) of the Wyoming State Protocol, of a finding of no effect for the proposed project.

**Wildlife:**

The wildlife biologist reviewed the proposal and determined that the project is consistent with the Final Environmental Impact Statement (WY-070-02-065) and programmatic biological opinion (ES-6-WY-07-F012) from the Powder River Basin Oil and Gas Project.

**Persons and Agencies Consulted**

<b>Name</b>	<b>Company/Agency</b>	<b>Title</b>
Don Brewer	BLM	Wildlife Biologist
Clint Crago	BLM	Archaeologist
Norma Cope	BLM	Realty
Matthew Warren	BLM	PE
Christine Tellock	BLM	LIE
Kerry Aggen	BLM	Geologist
Patrick Barker	Western Land Service	Project Manager
Jenifer Gilbert	Williams	Permitting Tech

**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. In addition, I reviewed the plan conformance statement and determined that the proposed CARU 41-1-5076GW APD and infrastructure are in conformance with the applicable land use plans. Further, I reviewed the proposal to ensure the appropriate exclusion category as described in Section 390 of the Energy Policy Act of 2005 is correct. The proposed APD is categorically excluded from further documentation under NEPA in accordance with Department of Interior (DOI) 516 DM2, BLM IM 2010-118. This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed APD was reviewed, and none of the extraordinary circumstances described in DOI 516 DM2 apply. It is my determination that there is no requirement for further environmental analysis.

BFO will implement the following COAs:

1. The operator will comply with all the COA's identified in the original Carr Draw V Addition I POD and subsequent sundries for this POD.
2. The well color will be covert green for the entire CARU 41-1-5076GW Federal POD.
3. The following well location (CARU 41-1-5076GW) and access road/corridor in the project area have been identified to have limited reclamation potential that will require disturbed areas to be stabilized (stabilization efforts may include mulching, matting, soil amendments, etc.) in a manner which eliminates accelerated erosion until a self-perpetuating native plant community has stabilized the site in accordance with the Wyoming Reclamation Policy. Stabilization efforts shall be finished within 30 days of the initiation of construction activities.
4. The operator will seed on the contour to a depth of no more than 0.5 inch. To maintain quality and purity, certified seed with a minimum germination rate of 80% and a minimum purity of 90% will be used. On BLM surface or in lieu of a different specific mix desired by the surface owner, use the following:

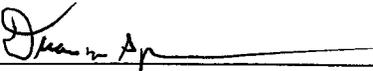
**10-14" Precipitation Zone  
Shallow Loamy Ecological Site Seed Mix**

Species	% in Mix	Lbs PLS*
<i>Thickspike Wheatgrass</i> (Elymus lanceolatus ssp. lanceolatus)	50	6.0
<i>Bluebunch wheatgrass</i> (Pseudoroegneria spicata ssp. Spicata)	35	4.2
<i>Prairie coneflower</i> (Ratibida columnifera)	5	0.6
<i>White or purple prairie clover</i> (Dalea candidum, purpureum)	5	0.6
<i>Rocky Mountain beeplant</i> (Cleome serrulata) /or <i>American vetch</i> (Vicia americana)	5	0.6
<b>Totals</b>	<b>100%</b>	<b>12 lbs/acre</b>

\*PLS = pure live seed. Northern Plains adapted species  
Double this rate if broadcast seeding

**Implementation Date and Expiration to Spud**

This project will be implemented on or after the below signature date.  
Each individual well must be spudded by September 29, 2011. If the individual well is not spudded by September 29, 2011 the individual APD approval will expire and the operator is to cease all operations related to preparing to drill that individual well.

  
\_\_\_\_\_  
Duane W. Spencer  
Field Manager

2/18/11  
\_\_\_\_\_  
Date

**Administrative Review or Appeal Opportunities**

This decision is subject to administrative review in accordance with 43 CFR 3165. Any request for administrative review of this decision must include information required under 43 CFR 3165.3(b) (State Director Review), including all supporting documentation. Such a request must be filed in writing with the State Director, Bureau of Land Management, P.O. Box 1828, Cheyenne, Wyoming 82003, no later than 20 business days after this Decision Record is received or considered to have been received.

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

**Contact Person**

For additional information concerning this decision, contact  
Andy Perez  
Natural Resource Specialist,  
Buffalo Field Office,  
1425 Fort Street, Buffalo, WY 82834  
(307) 684-1166