

**Decision on Action and Application for Categorical Exclusion  
For Activities Associated with Oil and Gas Development  
Section 390, Energy Policy Act of 2005**

Router POD Addition  
Bolster CS 25  
Yates Petroleum Corporation  
CX08-3-057  
Bureau of Land Management  
Buffalo Field Office

**Description of the Proposed Action**

Yates Petroleum Corporation proposes to drill and complete the Bolster CS Federal #25 CBNG well located NWSE, section 18, T49N., R77W over federal lease WYW134246. This APD replaces an APD previously submitted September 29, 2004 cancelled by BLM on October 20, 2005 when the BFO received WOGCC's denial to develop the Bolster 8 well July 14, 2005.

**Well List**

Well Name	Well #	QTR	Sec	TWP	RNG	Lease
ROUTER ADD BOLSTER CS	25	NWSE	18	49N	77W	WYW134246

The Bolster CS Federal #25 is proposed over the private surface of Ginger Peet who the operator did not have a surface use agreement with at the time of the Router POD approval. Since that time Yates Petroleum and Ginger Peet have settled on a surface use agreement and Yates states that a copy of the Router Surface Use Plan has been provided to the surface owner.

Yates Petroleum has submitted an amendment to the original Router POD in incorporate the additional Bolster CS Federal #25 well location, access road and related infrastructure. The amendment includes the following:

Engineered well pad design: 0.56 acres

Improved access road with utility corridor: 0.25 miles @ 60 feet wide=1.82 acres

The total surface disturbance for this action consists of: 2.38 acres

Yates Petroleum Corporation states in its requests conformance with the approved Router POD Surface Use Plan (EA-WY-070-05-267), June 15, 2005.

**Changes Agreed to at the Onsite**

This is a tight location over rough ground with 6-8% side slope; no pad is proposed. BLM recommends a pad be engineered to maximize the available space and ensure a safe work area. A grassy flat located approximately 600 feet east of the location will be utilized as a truck turnaround allowing them to back onto the location. The turnaround will be reseeded immediately following well completion. The centerline of the access road will be shifted to provide a 20 foot vegetative buffer for erosion features and edges of drainages as identified during the onsite. The culvert crossing located NWSE section 18, T49N/T77W will be changed to be a low water/culvert combination crossing utilizing a minimum of two 18 inch culverts. The access will begin at the 5 Bolster location and cross to the west side of the small drainage where a low water or culvert crossing will be added. The access will continue along the west side of this drainage and above its bottom intersecting the low water/culvert combination crossing at the large drainage below.

## **Plan Conformance**

The proposed action is in conformance with the terms and the conditions of the Approved Resource Management Plan for the Public Lands Administered by the Bureau of Land Management, Buffalo Field Office (BFO), April 2001 and the PRB FEIS, as required by 43 CFR 1610.5

## **Plan of Operations**

The proposal is designed in conformance with all bureau 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 has been reviewed and is approved pursuant to Section 17 of the Mineral Leasing Act, as amended.

## **Compliance with the Energy Policy Act of 2005**

The proposed activity has been determined to be statutorily categorically excluded from NEPA documentation in accordance with Section 390 of the National Energy Policy Act of 2005.

The applicable Categorical Exclusion reference in Section 390 of the Energy Policy Act of 2005 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.*

The Router POD Environmental Assessment WY-070-05-267, June 15, 2005 has been reviewed and has been determined to consider potential environmental effects associated with the proposed activity at a site specific level however additional mitigation measure may apply with this action.]

The Router POD Environmental Assessment WY-070-05-267 was approved on June 15, 2005 and identifies the full development of the Router POD as reasonably foreseeable.

## **Persons and Agencies Consulted**

### **Cultural Resources:**

#### **New Inventory:**

Class III cultural resource inventory was conducted for the project prior to on-the-ground work (BFO # 70070149). ACR Consultants conducted a Class III cultural resource inventory following the Archeology and Historic Preservation, Secretary of the Interior's Standards and Guidelines (48CFR190) for the project. BJ Earle, BLM Archaeologist, reviewed the report for technical adequacy and compliance with Bureau of Land Management (BLM) standards, and determined it to be adequate. The project area was monitored on 3/11/2008.

There are no cultural sites within the APE of the proposed project. Following the Wyoming State Protocol Section VI (A)(1) the Bureau of Land Management notified the Wyoming State Historic Preservation Officer (SHPO) on 3/20/2008 that no historic properties exist within the APE. The project area is mapped as Tertiary Wasatch, with a Paleontological sensitivity rating of 3, a moderate ranking. Paleontological remains have been found in the area, but no specimens were observed during monitoring.

No resources of interest to Native American cultural groups or Traditional Cultural Properties are known to occur in the project area.

The wildlife biologist has 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.

#### **Decision and Rationale on Action**

I have decided to implement the following action:

Conditions of Approval (COAs):

Yates Petroleum Corporation will adhere to all COAs included in the Router POD Environmental Assessment WY-070-05-267, June 15, 2005.

The above COAs and/or terms and conditions provide justification for this decision and may not be segregated from project implementation without further NEPA review. In addition, I have reviewed the plan conformance statement and have determined that the proposed activity is in conformance with the applicable land use plan(s). Further, I have reviewed the proposal to ensure the appropriate exclusion category as described in Section 390 of the Energy Policy Act of 2005 has been correctly applied. It is my determination that no further environmental analysis is required.

The above described action must be completed by **April 18, 2013**

#### **Implementation Date: April 18, 2008**

This project will be implemented on or after the below date.

---

Chris E. Hanson  
Field Manager

---

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  
Jim Verplancke  
Natural Resource Specialist  
BLM - Buffalo Field Office  
1425 Fort Street, Buffalo, WY 82834  
Office: (307)684-1057