

DECISION RECORD
Yates Petroleum Corporation, Applications for Permit to Drill (APDs)
Buckin Bronc Federal Com #3H and Natasha Federal Com #4H
Categorical Exclusion 3 (CX3), WY-070-390CX3-14-158 and -159
Bureau of Land Management, Buffalo Field Office, Wyoming

DECISION. The BLM approves the applications for permit to drill (APDs) from Yates Petroleum Corporation (Yates) to horizontally drill 2 oil and gas wells, on separate pads, and construct their associated infrastructure as described in the consolidated CX3 analysis, WY-070-390CX3-14-158 and -159, 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 (FEISs), 1985, 2003.
- Buffalo Resource Management Plan (RMP) 1985, Amendments 2001, 2003, 2011.

Consultation. This decision considered:

- BLM Washington Office Instruction Memorandum No. 2009-078, Processing Oil and Gas Application for Permit to Drill for Directional Drilling into Federal Mineral Estate from Multiple-Well Pads on Non-Federal Surface and Mineral Locations, 2009.
- Wyoming BLM State Director Review, SDR No. WY-2011-010, EOG Resources, Inc. v. Pinedale Field Office, 2011.

A summary of the details of the approval follows. The CX3 analysis includes the project description, plus site-specific mitigation measures. Mitigation measures will include the conditions of approval (COAs) in Appendix A and Appendix B of the CX3 analysis.

Approvals. BLM approves the following 2 APDs and associated infrastructure:

#	Well Name & #	Qtr	Sec	Twp	Rng	Lease	CX Number
1	Buckin Bronc Federal Com #3H	NENW	29	43N	73W	WYW138127 WYW134882	WY-070-390CX3-14-158
2	Natasha Federal Com #3H	SESW	17	43N	73W	WYW004064 WYW143949 WYW134882	WY-070-390CX3-14-159

Limitations. See the COAs.

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.

COMMENT OR NEW INFORMATION SUMMARY. BLM posted the APDs for 30 days and received no public comments. Since BLM received these APDs it also received clarified policies on migratory bird conservation and on using the Greater Sage-Grouse (GSG) Density and Disturbance Calculation Tool.

DECISION RATIONALE. The approval of this project is because:

1. Mitigation measures and COAs, analyzed in the CX3, in environmental impact statements or environmental analysis to which the CX3 tiers or incorporates by reference, will reduce environmental impacts while meeting the project's need.
2. The approved project conditioned by its design features and COAs, will not result in any undue or unnecessary environmental degradation. The impact of this development cumulatively contributes to the potential for local 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 Buckin Bronc Federal Com. #3H and Natasha Federal Com. #4H 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, in their POD, shall:
 - Comply with all applicable federal, state, and local laws and regulations.
 - 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 because it has no 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 lease(s) 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. Yates certified there is a surface use access agreement with the landowners it posted a bond.
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: _____



Date: _____

4/11/14

Categorical Exclusion 3 (CX3), WY-070-390CX3-14-158 and -159
Section 390, Energy Policy Act of 2005
Yates Petroleum Corporation, Applications for Permit to Drill (APDs)
Buckin Bronc Federal Com. #3H and Natasha Federal Com. #4H
Bureau of Land Management, Buffalo Field Office, Wyoming

Description of the Proposed Action.

Yates Petroleum Corporation (Yates) proposes to horizontally drill 2 oil and gas wells and construct associated infrastructure at 2 separate locations as follows:

Table 1.1. Proposed Wells

#	Well Name & #	Qtr	Sec	Twp	Rng	Lease	CX #
1	Buckin Bronc Federal Com #3H	NENW	29	43N	73W	WYW138127 WYW134882	WY-070-390CX3-14-158
2	Natasha Federal Com #3H	SESW	17	43N	73W	WYW004064 WYW143949 WYW134882	WY-070-390CX3-14-159

Yates' Buckin Bronc Federal Com #3H (Buckin Bronc) and Natasha Federal Com #3H (Natasha) are proposed exploratory wells, to be horizontally drilled to the Turner formation, leased by Yates, at a depth of 10,661 and 10,693 feet total vertical depth (TVD), respectively. The proposed locations are about 10 miles south-west of Wright, Wyoming, in Campbell County. The BLM's jurisdiction for both the Buckin Bronc and Natasha is limited, due to the pads being on fee surface, overlying fee minerals, then horizontally draining federal minerals from 5 leases (the federal action), combined, see Table 1.1.

BLM's need for this project is supporting the management goals of the Buffalo Resource Management Plan (RMP) determining whether, and if so, under what conditions to balance natural resource conservation with allowing the operator to exercise conditional lease rights to develop fluid minerals by drilling the 2 horizontal wells, as described in their APDs, surface use, and drilling plans, all incorporated here by reference. 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 project area is in the Powder River Basin (PRB) area (Wyoming Geographic Landforms Map). Elevations in the area are from 5,000 to 5,250 feet above sea level. Topography is comprised of gently rolling hills consisting of mixed sagebrush-grasslands. Lower elevations are associated with K Bar Draw, just north of the project area. K Bar Draw is a tributary of the Belle Fourche River. The semi-arid area averages 13.1 inches of precipitation annually. The 57-year mean maximum and minimum temperatures in July and January were 89.9 degrees and 11.8 degrees Fahrenheit, respectively. The proposed wells and infrastructure are on private surface owned by the Drake Family Trust.

Yates submitted the APDs for these wells on April 11, 2013 and to the BLM. BLM conducted onsite inspections on June 14, 2013. The on-sites evaluated the proposals and modified them to mitigate environmental impacts. The BLM sent the post-onsite deficiency letter to Yates on January 23, 2014. BLM received revised APDs on February 5, 2014 for adjustments made at the on-sites and to correct various deficiencies.

Drilling, Construction & Production design features include:

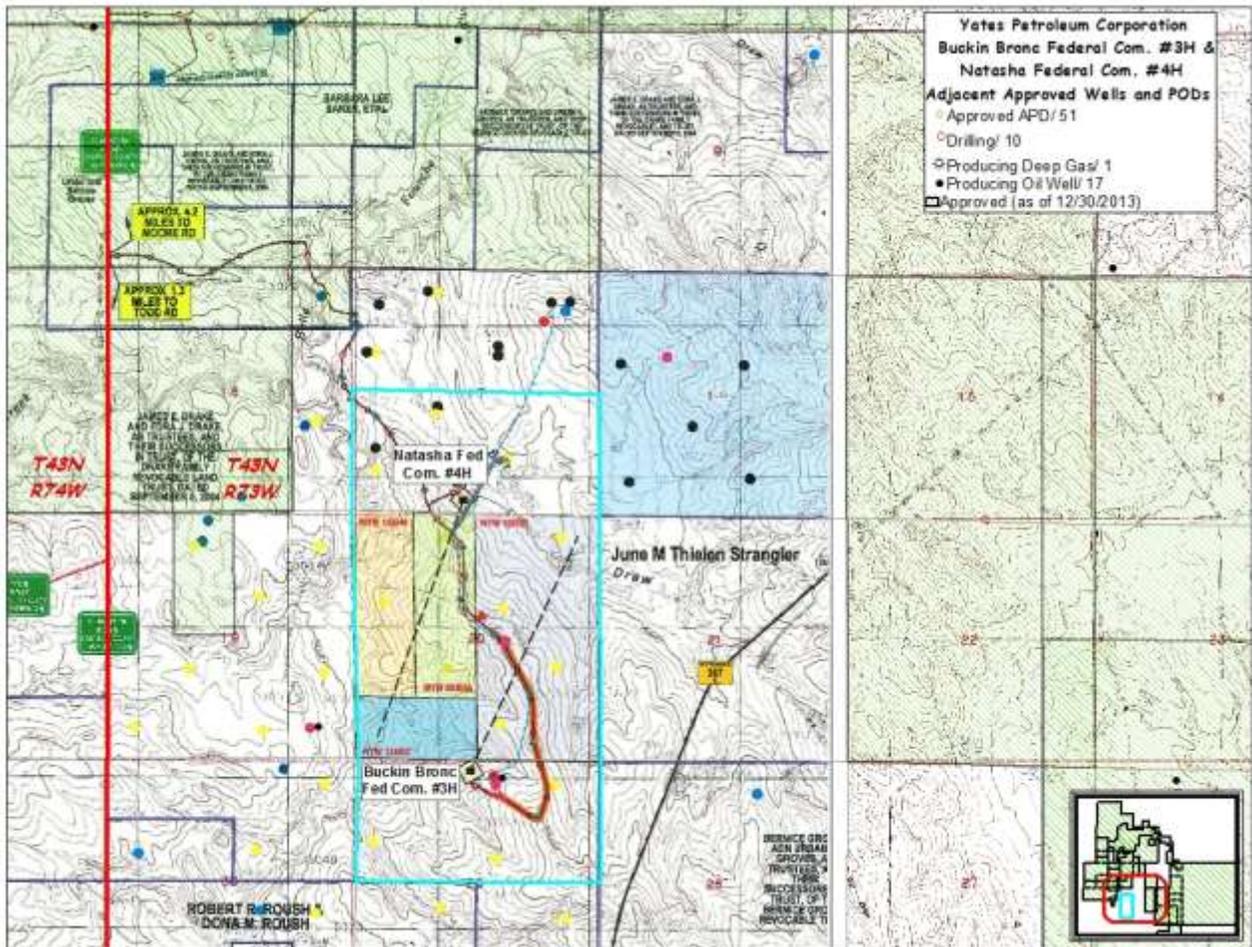
- Yates anticipates completing drilling and construction as soon as possible upon permit completion. Weather may cause delays, but delays rarely last multiple weeks. Timing limitations in the form of

conditions of approval (COAs) and/or agreements with surface owners may impose longer temporal restrictions. Yates anticipates the drilling duration will be 60 days and 90 days for completion.

- Construction of two separate pads with dimensions each of 400 feet x 400 feet, improvements to an existing crowned and ditched (C&D) road 5,600 feet long x 75 feet wide and 950 feet x 65 feet of new C&D road that will tie into the existing private improved all-weather road.
- Hydraulic fracturing (HF) operations are planned as a 'plug & perf' operation done in stages. Approximately 40,000 total barrels of water will be used for both drilling and completion activities, per well.
- Freshwater for drilling and completion will be obtained from one or more sources described below. Water will be hauled by tanker truck and/or pumped through approximately 21,400 feet of surface lines (poly pipe with a 3-4 inch OD) and stored on location.
- There will be a reserve pit at these oil well locations during drilling and completion.
- Water for drilling will be stored in the reserve pit and water for HF will be stored in temporary tanks.
- 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).
- Produced water from well production will be placed in a permanent storage tank located on the well pad. Liquid hydrocarbons produced during completion will be placed in a temporary storage tank then piped to the permanent production tanks located on the well pad for processing.
- A portable generator may be used (diesel, propane, or natural gas powered) to provide temporary electrical power. If needed, the generator would be located on the well pad and within a lined structure able to contain 110% of its liquid fuel capacity in case of a spill. Diesel powered generators have 500 to 1000 gallons capacity that are typically fueled weekly.
- 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.
- 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.
- Galvanized steel containment will be constructed completely around production facilities, i.e. production tanks, water tanks, and heater treater. The containment walls will be imbedded in compacted subsoil and designed to hold 110% of the capacity of the largest tank.
- Approximately 3,950 feet of power will be buried, for both projects. Power will be corridor where feasible with the existing and proposed crowned and ditched road if the well becomes a producer. Power will be provided by 3rd party contactor. Overhead power does exist in the project area.
- Well pad disturbance during construction and drilling will be approximately 7.0 acres per pad.
- Typically 170 500-bbl fracturing tanks are spotted, taking 2 weeks to fill, prior to pumping the stimulation. All fracturing water, including excess, is present before starting.
- 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.

The following narrative explains why the operator requests approximately 7.0 acres for the bladed and level pad site. Multi-stage horizontal completions require all equipment and materials to be present before beginning operations. Necessary space must be available to work safely around all the equipment. These proposed well pad surface disturbances are within the PRB FEIS analysis parameters; see description and analysis in Crazy Cat East EA, WY-070-EA13-028, incorporated here by reference, along with its analysis of hydraulic fracturing (HF), its effects on water, and traffic.

Figure 1.1. Buckin Bronc Federal Com. #3H & Natasha Federal Com. #4H, adjacent to recently Approved POD Boundaries



For a detailed description of design features and construction practices associated with this proposal, 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 proposed action is 37.88 acres. Once the well is completed, any area of the well pad not needed for production will be reclaimed for interim reclamation, typically up to 50 feet in width along the edges.

Off Well Pad

Fresh water for drilling and completion may be obtained from one or more permitted sources. The water will be hauled by tanker truck and/or pumped through surface line(s). The water line(s) will be approximately 21,400 feet long and corridor infrastructure where possible:

- Lined fee pit located in the SW1/4 Section 9-43-73.
- Lined pit located in the SW1/4 Section 36-44-74.
- Lined fee pit located in the NW1/4 Section 7-43-73.
- Drake No. 1 in SE1/4 Section 6-43-73.
- Enl. Edra #2 in NE1/4 Section 17-43-73.

Table 1.2. Disturbance Summary Buckin Bronc Fed Com. #3H & Natasha Fed Com. #4H:

Facility	Number or Miles	Factor	Disturbance
Engineered Pad, within fenced area	2 @ 400 ft x 400 ft	varies	14.0 acres
Existing C&D Road, Improved for Buckin Bronc	5,600 ft.	65 ft.	8.36 acres
Proposed C&D Road Natasha: no corridor	950 ft.	65 ft.	1.42 acres
With or Without existing infrastructure Natasha: water/ electric	500 ft.	45 ft.	0.52 acres
Natasha: buried electric	2,700 ft.	30 ft.	1.86 acres
Buckin Bronc: buried electric, corridor	750 ft.	75 ft.	1.29 acres
Proposed Buried Waterline (with or without existing infrastructure)	(10,100 ft.)		
Natasha	4,700 ft.	45 ft.	10.43 acres
Buckin Bronc	5,400 ft.	45 ft.	
Proposed Temporary Surface Waterline (Drilling Water)	(21,400 ft.)		
Natasha	14,600 ft.	NA	NA
Buckin Bronc	6,800 ft.		
Total Surface Disturbance			37.88 acres

Additional permitted water sources may also come from the following, note that cementing water will only be obtained from a commercial or municipal source:

- Water Co. LLC water load out facility in Gillette, WY (cementing).
- A municipal source (cementing).

Yates proposes to install 10,100 feet of buried waterline from these wells. Portions of the waterline will be within the utility corridor proposed, then continued northerly from the Natasha well to the Enl. Edra #2. There is an existing buried utility corridor to a Yates coalbed natural gas (CBNG) well, within the proposed well pad for the Natasha well. These lines will be abandoned with the exception of approximately 700 feet of electric line to be used to supply power to the oil well.

Ballard Petroleum Holdings, LLC, operates an existing well, Drake Federal 31-29TH, approximately 600 feet southeast of the Buckin Bronc location. Both wells will use the existing access road. Ballard has agreed to the proposed surface and buried water lines, which crosses the edge of their well pad.

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 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, 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 Buckin Bronc Federal Com. #3H and Natasha Federal Com. #4H APDs and area are clearly lacking in wilderness characteristics as the area lacks federal surface. 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). BLM determined that over 115 townships from Montana to the Converse County border comprise the PRB developed field and this proposal is in that field.

The proposed Buckin Bronc and Natasha project area is overlapping or in the 4 mile analysis area of the recent NEPA analyses in Table 1.3, which include an area of approximately 21,760 acres, see also Figure 1.1. This information shows the reader that BLM conducted analysis.

Table 1.3.* Overlapping NEPA Analyses by Decision Date

#	Project Name	NEPA Analysis #	#/Type Wells/# Drilled	Mo/Yr
1	Cosner-Wright 2	WY-070-EA14-191	18/Oil/3	2/2014
2	Chime 1H	WY-070-390CX3-13-306	1/Oil/0	12/2013
3	Green Federal 9H & 10H	WY-070-390CX3-13-176 & 14-047	2/Oil/0	12/2013
4	Little Buffalo 2	WY-070-390CX3-14-125 to 130	6/Oil/2	11/2013
5	Pastry, Rocky, Thrush et al	WY-070-390CX3-13-247 to 249	2**/Oil/1	9/2013
6	Wright:-Thrush/Green/Bunn	WY-070-390CX3-13-46 to -48	3**/Oil/1	6/2013
7	Bonita Fed, Rocky Butte et al	WY-070-390CX3-13-41 & -75	2**/Oil/1	3/2013
8	Groves Com 51H	WY-070-390CX3-12-253	1/Oil/1	10/2012
9	Valerie	WY-070-EA12-68	9/Oil/1	3/2012

See also: SDR WY-2013-005, particularly noting pp. 2-3, incorporating the entirety here by reference.

*Approved within 5 years and in the 4 miles analysis area of the Buckin Bronc & Natasha APDs (as of 3/21/2014).

**Approved as part of a consolidated analysis so BLM only included the wells in the APD(s) 4 mile analysis area.

Well Status within these PODs: 10 Drilling, 1 Deep Producing Gas, 17 Producing Oil (as of 3/21/2014).

- 2) Reasonably foreseeable activity is found in the Cosner-Wright 2 POD Environmental Assessment (EA), WY-070-EA14-191, 2014. This locality includes but is not limited to the approved Cosner-Wright 2 POD and will fill-in to 640 acre spacing. BLM also notes from Table 1.3., above, that of the 44 analyzed APDs, only 10 are drilled; thus 34 undrilled, analyzed APDs contribute to the available reasonably foreseeable activity for this CX3 analysis. The reasonably foreseeable activity (RFA) for this analysis area includes 34 sections, oil/gas exploration on 640 acre spacing and possible 320 acre spacing for horizontal wells and 80 acre spacing for vertical wells. (This does not preclude the RFA 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 well and includes only those federal projects approved within 5 years, as of March 2014. The reasonably foreseeable activity included in this analysis could consist of multiple wells on an existing pads or tying into existing supporting infrastructure; tank batteries, pipelines, power lines, and transportation networks.
- 3) The tiered NEPA documents were finalized within 5 years of spudding (drilling) the proposed well. The Buckin Bronc Federal Com. #3H and Natasha Federal Com. #4H CX3 tiers to the NEPA analyses in the Cosner-Wright 2 (WY-070-EA14-191) and Valerie (WY-070-EA12-68) EA's.

In summary, the analyses in Tables 1.3., analyzed in detail the anticipated direct, indirect, residual, and cumulative effects that would result from the approval of these APD's and their associated support structure in the Buckin Bronc Federal Com. #3H and Natasha Federal Com. #4H wells is similar to both

the qualitative and quantitative analysis in the above 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 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. 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 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 PRB FEIS ROD, Appendix A.

Soils/ Vegetation.

Impacts anticipated occurring and mitigation considered with the implementation of the proposed action will be similar to those analyzed in the following EA’s which are adjacent or overlapping to the Rocky Butte Federal Com. #31H and are incorporated here by reference:

1. Cosner-Wright 2, WY-070-EA14-191, Section 3.2 and 4.2.
2. Valerie POD, WY-070-EA12-68, Section 3.3.1 to 3.3.3 and 4.3 to 4.3.2.3.

Wetlands/ Riparian.

No wetlands/ riparian areas are in the project area.

Invasive Species.

Impacts anticipated occurring and mitigation considered with the implementation of the proposed action will be similar to those analyzed in the following EA’s which are adjacent or overlapping to the Rocky Butte Federal Com. #31H and are incorporated here by reference:

1. Cosner-Wright 2, WY-070-EA14-191, Section 3.4 and 4.4.
2. Valerie POD, WY-070-EA12-68, Section 3.2.1 to 3.4.

Water Resources.

The historical use for groundwater in this area was for stock water. A search of the WSEO Ground Water Rights Database showed 1 registered stock water well within 1-mile of the proposed wells in the project area, the depth was not reported. For more information, 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. The operator will run surface casing to 2,300 feet, total vertical depth to protect shallow aquifers.

Table 1.4. Casing Set and Cementing Depths in relation to the Fox Hills

Well Name/ Well #	Total Depth of Surface Casing (feet)	Total Depth of Intermediate Casing (feet)	Depth to Fox Hills (feet)
Buckin Bronc Federal Com. #3H	2,300	11,332	6,607
Natasha Federal Com. #4H	2,300	11,168	6,475

The Fox Hills, the deepest penetrated fresh water zone in the PRB lies well above the target formation. Table 1.4., shows the depth where casing will be set and cemented in place. The operator will verify that there is competent cement across the zone, 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.

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 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 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.

Wildlife.

A BLM wildlife biologist reviewed the proposed APDs and determined that they, 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), which is an update from the PRB FEIS, Appendix K. The affected environment and environmental effects for wildlife are discussed in, and anticipated to be similar to, the Cosner-Wright 2 POD EA, WY-070-EA14-191.

Raptors and Greater Sage-Grouse (GSG)

Neither the Buckin Bronc 3H or the Natasha 4H wells are within the protection buffers of known raptor nests or GSG leks. Mitigation is not recommended for either. 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 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 2012). The information in the report identified that the effects of energy development are detectable at a larger spatial scale than analyzed in the documents listed in Table 1.3, 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 Buckin Bronc 3H and Natasha 4H are single wells located adjacent to a previously approved wells, this new information does not substantially change the analysis included in the Cosner-Wright 2 POD EA.

Migratory Birds

The proposed Buckin Bronc 3H and Natasha 4H wells are both in migratory bird habitat. Nesting season for Brewer's sparrows (a BLM SSS) typically occurs mid-May to mid-July. Some young fledge in late July. Sage thrashers (BLM sensitive species) may lay a second clutch of eggs as late as mid-July. Lark sparrows in northern latitudes lay eggs from early May to mid-July (information on breeding habits available on the Birds of North America Online website: <http://bna.birds.cornell.edu/bna>). BLM biologists have observed active Brewer's sparrow nests containing eggs during the last week of June. Only a percentage of known nests are active any given year, so the protections for migratory birds from June 30 to July 31 will depend on how many raptor and mountain plover nests are active.

To reduce the likelihood of a “take” under the MBTA, the BLM biologist recommends that pad construction (vegetation removal) occur outside of the breeding season for the greatest quantity of BLM sensitive passerines (May 1- July 31) where suitable nesting habitat for sagebrush obligates is present. This restriction would apply to habitat removal, unless a pre-construction nest search (within approximately 10 days of construction planned May 1-July 31) is completed. If surveys will be conducted, the operator will coordinate with BLM biologists to determine protocol. The nest search will consist of in areas where vegetation will be removed or destroyed. The BLM recommends that the Buckin Bronc 3H and Natasha 4H well pads and associated infrastructure have timing limitations applied for well pad construction during the nesting season for sagebrush obligate passerines (May 1 to July 31).

Effects to migratory birds from surface disturbing and disruptive activities associated with development of the 2 proposed wells are similar to the wells previously analyzed in the consolidated CX3s analysis covering Bonita Federal Com. 11H-WY-070-390CX3-13-41, et al., on pp. 6-9; incorporated here by reference. The BLM determined that the proposal is in compliance with Instruction Memorandum No. WY-2013-005 Interim Management Guidance for Migratory Bird Conservation Policy on Wyoming Bureau of Land Management (BLM) Administered Public Lands Including the Federal Mineral Estate.

Cultural.

A Class III cultural resource inventory was performed for the Buckin Bronc #3H and Natasha #4H wells prior to on-the-ground project work (BFO #s 70130058 and 70130041). 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 Yates (operator). Seth Lambert, BLM Archaeologist, reviewed the report for technical adequacy and compliance with BLM standards, and determined them to be adequate. Non-eligible sites 48CA4425 and 48CA4266 are in the Buckin Bronc #3H project area and will be impacted. No cultural resources are in the Natasha #4H project area. There are no eligible sites in the area of potential effect (APE) of the proposal. Following the Wyoming State Protocol Section VI(A)(1) the BLM notified the Wyoming State Historic Preservation Officer (SHPO) on September 13, 2013 that no historic properties exist in the APE.

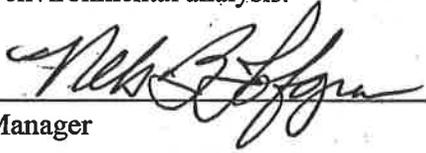
BLM determined that if the recommended mitigation measures are not followed this proposal may result in minor impacts; yet such impacts will not lead to significant effects to the human environment singly or cumulatively.

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

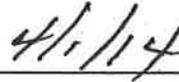
Position/Organization	Name	Position/Organization	Name
NRS/Team Lead	Raymond Stott	Archaeologist	Seth Lambert
Supr NRS	Casey Freise	Wildlife Biologist	Donald Brewer
Petroleum Engineer	Will Robbie	Geologist	Warren Garrett
LIE	Kristine Phillips	NEPA Coordinator	John Kelley

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 Buckin Bronc Federal Com. #3H and Natasha Federal Com. #4H CX3 APD(s) 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



Signature Date

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

Reference

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.