U.S. Department of the Interior
Bureau of Land Management
Wyoming State Office

Rock Springs Field Office January 2004

DECISION RECORD, FINDING OF NO SIGNIFICANT IMPACT and ENVIRONMENTAL ASSESSMENT for Burlington Resources' Little Monument Natural Gas Project

MISSION STATEMENT

It is the mission of the Bureau of Land Management to sustain the health, diversity, and productivity of the public lands for the use and enjoyment of present and future generations.

BLM/WY/PL-04/008+1310

WYW-040-EA03-186

1792, 1310
Little Monument Unit

January 9, 2004

Dear Reader:

The Bureau of Land Management (BLM) is providing you with a copy of the attached Decision Record, Finding of No Significant Impact, and Environmental Assessment for Burlington's Little Monument Natural Gas Project for your information and use. The Decision Record identifies BLM's decision, explains the rationale for reaching the decision, and identifies measures to protect the environment.

The Environmental Assessment was prepared pursuant to the National Environmental Policy Act, other regulations and statutes to fully disclose potential impacts of the proposal and the alternative of no action. The BLM released a scoping notice to the public on December 3, 2002. All comments received during scoping have been considered and documented in the analysis and/or the decision. BLM has provided responses to the comment letters received during public scoping (refer to Appendix A of the attached decision). No unresolved issues remain.

The BLM wishes to thank those who provided input during the analysis process. Your input is essential in assuring all issues important to you were fully considered. Should you have questions regarding this document, please contact either Teri Deakins at 307-352-0211 or George Schoenfeld at 307-352-0271.

Sincerely,

/s/ Ted A. Murphy

Ted. A. Murphy
Assistant Field Manager,
Lands and Minerals

Attachment

DECISION RECORD
FINDING OF NO SIGNIFICANT IMPACT
for
LITTLE MONUMENT NATURAL GAS PROJECT

INTRODUCTION

Burlington Resources Oil and Gas Company LP (Burlington) has notified the Bureau of Land Management (BLM), Rock Springs Field Office (RSFO) that the company intends to drill additional exploration and development wells in the Little Monument Project Area (LMPA) located in Sections 21 through 23, and 26 through 28, Township 25 North and Range 111 West, 6th Principal Meridian, Sweetwater County, Wyoming (Figure 1-1). The project area includes approximately 3,857 acres. All surface and mineral rights are on public lands managed by the BLM.

Burlington proposes to drill, complete, and produce approximately 31 additional wells at 8 or more wells per section within the LMPA over the next 3 years. Drilling operations are proposed to begin once regulatory permits are secured and would continue over the next 3 years depending on the success of the drilling program. In addition to wellpads and associated construction, Burlington anticipates that additional infrastructure such as access roads and pipeline would be necessary to further develop the resource. Additional gas volumes would be transported via existing trunk pipelines, but additional gathering pipelines are anticipated should drilling prove successful.

The LMPA lies within the Lincoln Road Project area that was previously studied for oil and gas development in the Fontenelle Natural Gas Infill Drilling Projects Environmental Impact Statement (EIS) (USDI-BLM 1995), which analyzed for a well density of 4 to 8 wells per section (80 to 160 acre spacing). The amended Record of Decision (ROD) approved 1,095 wells (780 on BLM-administered public lands and 315 wells on public lands managed by the Bureau of Reclamation) within the Lincoln Road project area beyond the 287 existing wells producing at the time. To date, there are 418 producing wells within the townships overlapping the Lincoln Road project area.

The EIS noted 95 wells drilled (72 wells producing) within T. 25 N., R. 111 W., and the decision approved an additional 158 wells within the township for a total of 253 wells (95 wells drilled + 158 new wells). To date, there are 139 producing wells in the township. The addition of 31 wells within this township is well within the scope of the analysis prepared for the Lincoln Road project area of the Fontenelle Natural Gas Infill Drilling Projects EIS.

ALTERNATIVES CONSIDERED

Two alternatives were analyzed in detail. The Proposed Action assumes the construction of 31 wells and associated roads and pipelines. The LMPA would have approximately 55.8 acres of new surface disturbance associated with well locations and approximately 35.6 acres of total site disturbance associated with road and pipeline construction. Total new short-term surface disturbance resulting from the Proposed Action would be 91.4 acres (approximately 2.4 percent of the LMPA). During the life-of-

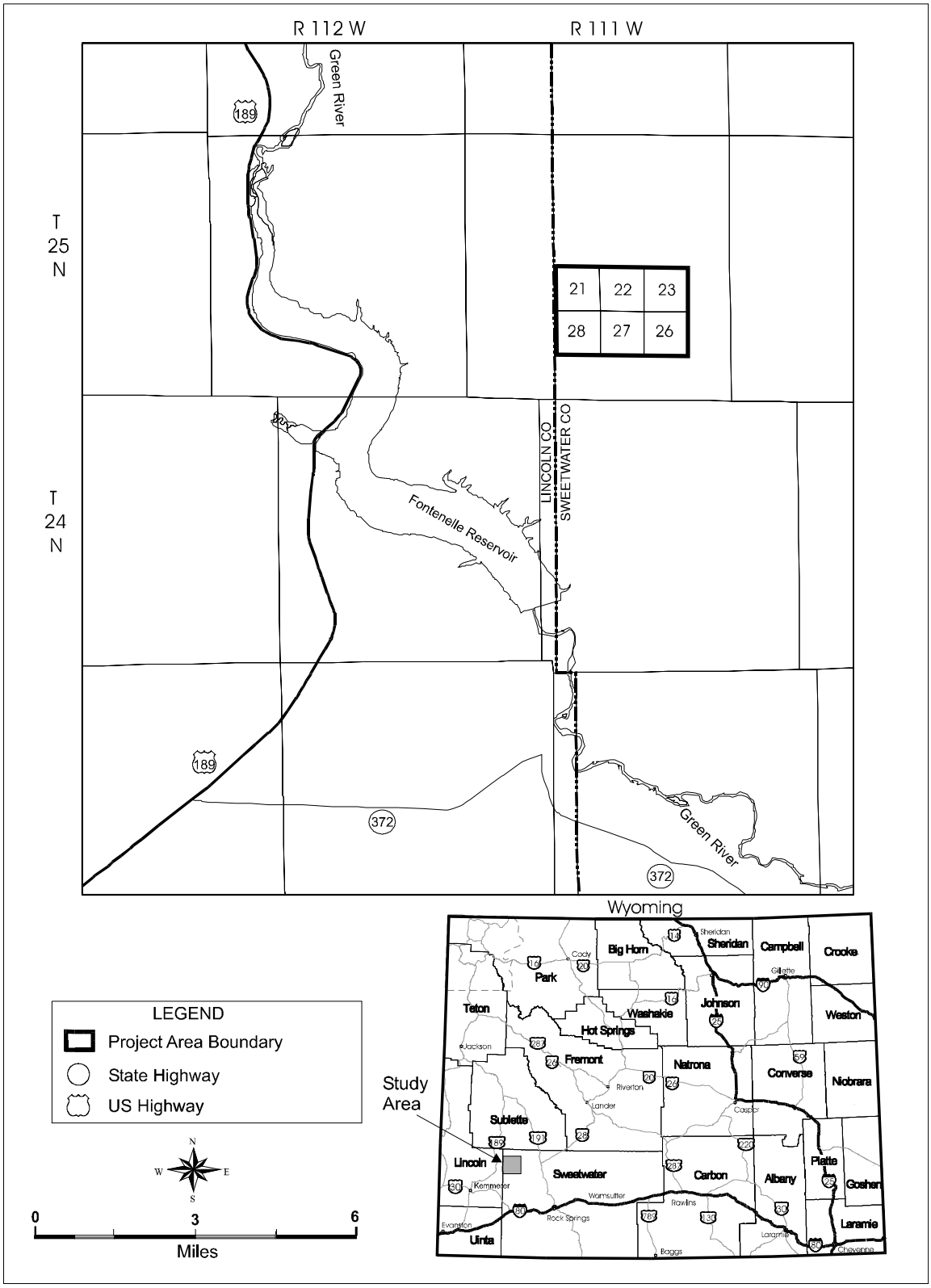

Figure 1-1. Location of the Little Monument Natural Gas Project, Sweetwater County Wyoming.

project (LOP), 15-20 years, total disturbances would be reduced to approximately 40 acres (31.0 acres associated with 31 wells having 1.0 acre of remaining disturbance per well site, and 9 acres of roads) or approximately 1.0 percent of the 3,857-acre LMPA

The No Acton Alternative would deny Burlinton's drilling and development proposal as submitted. The Amended Record of Decision for the Fontenelle Natural Gas Infill Drilling Projects (USDI, BLM 1997) authorized 780 wells on BLM administered lands within the Lincoln Road Project Area, which includes the LMPA. A total of 418 producing wells have been permitted on federal lands in the townships overlying the Lincoln Road project area. The Fontenelle AROD permits drilling on 80 acre spacing and while Burlington's Proposed Action requests drilling on less than 80 acre spacing, the No Action alternative would result in a continuation of the approved drilling program.

Alternatives Considered but Eliminated Detailed Study

The BLM considered an alternative that would allow Burlington to develop fewer wells on a tighter well spacing, but concluded that the number of wells in the Proposed Action was the fewest justifiable to rigorously define the gas resource in the LMPA. Because the Proposed Action constitutes the minimum number of wells needed, an alternative for fewer wells was deemed impracticable.

The BLM also examined utilization of horizontal or directional drilling to minimize surface disturbance. This alternative is not evaluated further for the following reasons:

- Economics – horizontally drilled wells are estimated to cost up to 300% as much as similar vertically drilled wells with no commensurate increase in production. (EIA 1993) The Vermillion Basin EA DR/FONSI, Appendix D (USDI, 2002) estimates directional drilling costs at 140% of vertically drilled wells. This resource extraction method is a process driven by subsurface geologic criteria.
- Reservoir issues – The Frontier Formation (the target pay zone for the LMPA) is fairly deep (greater than 9,000 feet below the surface) and of limited porosity. Fracture stimulation is key to the development of an economic gas well in this type of formation. Horizontal or directional drilled wells can exhibit more severe problems than vertical wells due to collapse of the formation into the wellbore during fracture stimulation. In addition, horizontal drilling technology requires precise control of target locations in three dimensions. Even the thickest gas producing zones in the project area are below the vertical resolution of current seismic technology and yield no target control for lateral drilling. Thus, without the knowledge of gas seam locations, directional drilling would not produce the desired results.
- Surface disturbance – the LMPA is a mature gas producing area with 31 existing gas wells within the sections affected by this action. Burlington is proposing to drill another 31 wells which would disturb approximately 94 acres.

DECISION

Based upon the analysis of the potential environmental impacts described in the attached Environmental Assessment for the Little Monument Natural Gas Project, and in consideration of internal, public, industry, and governmental agency comments received

during public scoping, and that no unresolved issues remain after analysis, BLM approves the Proposed Action alternative as described in Chapter 2 in the attached Environmental Assessment. Approval of the project will allow Burlington to gain authorization of the required permits to drill and rights-of-way to implement project components on public lands administered by the BLM. Project-wide applicant committed measures (Chapter 2) and approved mitigation from Chapter 4 provide conditions of approval or stipulations for actions on public lands. All measures required to eliminate or reduce impacts on public lands are identified in Appendix A of this decision.

Approved Project Components

This decision authorizes processing of applications for permit to drill or right-of-way applications for the following project components on BLM-administered public lands and minerals within the project area, subject to the requirements identified in Appendix A of this decision. Construction of components will be completed as described in Section 2.2 of the attached Environmental Assessment. Approval of permits for individual components is required prior to surface disturbing activities.

Construction of 31 wells and associated roads and pipelines. The action would result in approximately 55.8 acres of new surface disturbance from well locations and approximately 35.6 acres of disturbance associated with road and pipeline construction. Total new short-term surface disturbance resulting from the Proposed Action would be 91.4 acres. Should production ensue, life-of-project (15-20 years) disturbance would be reduced to approximately 40 acres (31.0 acres associated with 31 wells having 1.0 acre of remaining disturbance per well site, and 9 acres of roads) or approximately 1.0 percent of the 3,857-acre LMPA.

Land Disturbance Summary Little Monument Project Area		
Project Component	**Initial Disturbance Acres**	**Life-of-Project Disturbance Acres**
31 Well Pads	55.8	31.0
Roads and Pipelines	17.8	9.0
Pipelines	17.8	0.0
Total	**91.4**	**40.0**

Burlington may require ancillary facilities to meet production needs. Such facilities may include, but not be limited to: (1) individual well site liquids recovery units, (2) gas metering stations, (3) pipeline pigging facilities, (4) field storage buildings, and (5) cathodic protection facilities. The number and location of such ancillary facilities is unknown at this time, but most would be installed within the boundaries of existing disturbances and would be subject to appropriate permitting requirements.

Additional compression may be required to transport some of the new production, but Burlington in not anticipating any for this Proposed Action. If any compression is

required, it would be analyzed with an action for pipeline or other transportation system.

MANAGEMENT CONSIDERATION/RATIONALE FOR THE DECISION

The decision to approve the Proposed Action is based on the following factors.

1. Consistency with Resource Management Plan and Other Land Use Plans

The Proposed Action is in conformance with the Green River Resource Management Plan (RMP). The objective for oil and gas management is to "provide consideration for oil and gas leasing, exploration, and development of oil and gas while protecting other values." Public lands within the checkerboard area are open to mineral leasing and development to promote mineral resource recovery with appropriate mitigation measures applied on a case-by-case basis. The objective of the realty program is to "manage the public lands to support the goals and objectives of other resource programs" and "to respond to public demand for land use authorizations." The proposal is in compliance with state and county land use plans and/or policies.

In addition, the Proposed Action is well within the threshold for impacts analyzed in the Fontenelle Natural Gas Infill Drilling Projects EIS. The LMPA lies within the Lincoln Road project area analyzed in the aforementioned EIS. The amended Record of Decision (ROD) approved 1,095 wells within the Lincoln Road project area beyond the 287 existing wells producing at the time the decision was rendered. To date, there are 418 producing wells within the townships overlapping the Lincoln Road Project area. The EIS noted 95 wells drilled (72 wells producing) within T. 25 N., R. 111 W., and the decision approved an additional 158 wells within the township for a total of 253 wells (95 wells drilled + 158 new wells). To date, there are 139 producing wells in this township. The addition of 31 wells within this township is well within the scope of the analysis prepared for the Lincoln Road project area of the Fontenelle Natural Gas Infill Drilling Projects EIS.

2. National Policy

Private exploration and development of federal oil and gas leases is an integral part of the BLM oil and gas leasing program under the authority of the Mineral Leasing Act of 1920, as amended and the Federal Land Policy and Management Act of 1976, as amended. The United States continues to rely on foreign energy sources. The BLM oil and gas program is designed to encourage development of domestic oil and gas reserves, particularly in the checkerboard area. This decision is consistent with national policy. In addition, analyzing a comprehensive drilling program complies with existing policy to analyze proposed development within a geographic area.

3. Agency Statutory Requirements

This decision is consistent with all federal, state, and county authorizing actions required to implement the Proposed Action. All pertinent statutory requirements applicable to this proposal were considered. Any necessary conferencing or consultation with U.S. Fish and Wildlife Service has been completed (Appendix B

of this decision). Compliance with Section 106 of the Historic Preservation Act will be completed prior to approval of permits for individual components.

4. Relevant Resource and Economic Issues

Potential impacts from Burlington's proposal to surface and subsurface resources identified in the attached Environmental Assessment are considered to be insignificant (necessary and due) after application of the protective measures proposed and mitigation identified in attached analysis. These measures are described in Appendix A of this decision. The economic benefits derived from implementation of the Proposed Action in the form of continuing employment opportunities, equipment, services, and potential revenues should production of natural gas ensue are considered important.

5. Application of Measures to Avoid or Minimize Environmental Impacts

Federal environmental protection laws (e.g., Clean Air Act, Clean Water Act, etc.) apply to all public lands administered by the BLM and are included as part of the standard oil and gas lease terms and the terms and conditions of right-of-way grants. In addition, adoption of measures found in Appendix A of this decision provides a practicable means to avoid or minimize potential impacts to the environment. These measures will be attached to approved permits. Should conditions warrant, additional measures could be applied to individual permits or rights-of-way subject to additional environmental analysis.

6. Opportunity for Public Involvement

BLM initiated public scoping on December 3, 2002. Ten comment letters were received in response. All issues, concerns, and alternatives brought forth during public scoping have been considered during the analysis, documented, and no unresolved issues remain. BLM has provided responses to individual scoping comment letters in Appendix C of this decision.

FINDING OF NO SIGNIFICANT IMPACT

Based upon the analysis contained in the attached Environmental Assessment for the Little Monument Natural Gas Project and with implementation of the protective measures identified in Appendix A of this decision, the Proposed Action will not cause a significant impact to the quality of the human, natural, and physical environment. Therefore, an environmental impact statement is not necessary.

APPEAL

Under BLM regulations, this decision is subject to administrative review in accordance with 43 CFR 3165. Any request for administrative review of this decision must include the information required under 43 CFR 3165.3(b) (State Director Review), including all supporting documentation. Such a request must be filed in writing to the State Director (920), Bureau of Land Management, P.O. Box 1828, Cheyenne, Wyoming 82003, within 20 business days of the date such notice of decision was received or considered to have been received. This decision will be considered to have been received seven (7) business days after the date it is mailed.

The decision of the State Director could be appealed to the Interior Board of Land Appeals in accordance with the regulations contained in 43 CFR 3165.4 and 43 CFR Part 4. Each adverse party to any such appeal must be provided with all documentation in accordance with 43 CFR 4.413(a). The adverse parties to any appeal of the decision by the State Director include:

Eileen Dey
Burlington Resources
3300 North "A" Street, Bldg 6
Midland, TX 79705-5406

SIGNATURE

/s/ Ted A. Murphy
Assistant Field Manager,
Lands and Minerals

January 9, 2004
Date

APPENDIX A
APPROVED PROTECTIVE MEASURES

Construction, operation, and reclamation procedures will follow the plan of operations described in Section 2.2 of the attached EA. The following measures were either proposed by the applicant or identified during the analysis process and will be required for all components proposed on public lands administered by the BLM. An exception to a mitigation measure or design feature may be approved on a case-by-case basis if deemed appropriate by the BLM. An exception will be approved only after a thorough, site-specific analysis determines that the resource or land use for which the measure was put in place is not present or will not be adversely impacted.

Applicant-committed Practices

Cultural Resources

- Class III surveys will be completed on areas proposed for surface disturbance prior to initiation of the disturbance, and reports will be submitted to the BLM, RSFO. Burlington and contractors will inform their employees about relevant federal regulations protecting cultural resources. If any cultural remains, monument sites, objects, or antiquities, subject to the *Antiquities Act of June 8, 1906* or the *Archaeological Resources Protection Act of 1979,* are discovered during construction, activities shall immediately cease and the responsible AO will be notified.

Paleontological Resources

- Literature and records review and field check did not lead to the identification of scientifically significant fossil resources within the project area. The Green River Formation (Laney Member), which underlies the project area in its entirety, is recognized by the BLM as a sensitive formation (Class 5 formation) known to contain scientifically significant fossil resources elsewhere in Wyoming, including not far from the project area boundaries. As a result of the apparent absence of significant fossil resources in the project area, monitoring of surface disturbance is not recommended, however provision for the accidental discovery of such resources is recommended. If paleontological resources are uncovered during construction activities, Burlington or their contractors will suspend all operations to prevent further disturbance of such materials and will immediately contact the BLM's AO, who will arrange for a determination of significance and, if necessary, recommend a recovery or avoidance plan. Mitigation of paleontological resources will occur on a case-by-case basis, and Burlington will be responsible for the associated costs.

Air Quality/Noise

- Burlington will not burn garbage or refuse at the drill sites or other facilities. All vehicles and construction equipment will be maintained to minimize exhaust emissions and will be properly muffled to minimize noise. Disturbed areas will be watered as necessary to suppress dust. Burlington employees and contractors will observe speed limits.

- In any area of operations (drill site, construction areas, etc.) where noise levels may exceed federal OSHA safe limits, Burlington Resources and its contractors will provide and require the use of proper personnel protective equipment by employees.

Vegetation and Wetlands

- Removal and disturbance of vegetation will be kept at a minimum through construction site management (e.g., using previously disturbed areas and existing easements, limiting equipment/material, storage yard and staging area size, etc.).

- Well locations and associated roads and pipelines will be located to avoid or minimize impacts in areas of high value (e.g., sensitive species' habitats, wetland/riparian areas).

- Proper erosion and sediment control structures and techniques will be incorporated by Burlington into the design of well pads, roads, pipelines, and other facilities. Revegetation using a BLM-approved, locally adapted seed mixture containing native grasses, forbs, and shrubs will begin in the first appropriate season following disturbance.

- Crossing of ephemeral, intermittent, and perennial streams associated with road and utility line construction will generally be restricted until after spring runoff and normal flows are established.

- Channel crossings by pipelines will be constructed so that the pipe is buried at least 4 feet below the channel bottom.

- Channel crossings by roads and pipelines will be constructed perpendicular to flow. Streams will be crossed perpendicular to flow, where possible, and all stream crossing structures will be designed to carry the 25-year discharge event or other capacities as directed by the BLM.

- Disturbed channel beds will be shaped to their approximate original configuration.

- Operators will avoid disturbance within 500 feet of wetland/riparian areas and open water area and within 100 feet of ephemeral/intermittent drainages, where possible. This includes fueling, servicing, and staging of vehicles.

- Any disturbances to wetlands and/or waters of the U.S. will be coordinated with the U.S. Army Corps of Engineers (COE), and 404 permits will be secured as necessary prior to disturbance.

- Burlington will evaluate all project facility sites for occurrence of waters of the U.S., special aquatic sites, and wetlands, per COE requirements. All project activities will be located outside of these sensitive areas, where practical.

- Where disturbance of wetlands, riparian areas, streams, and ephemeral/intermittent stream channels cannot be avoided, COE Section 404 permits will be obtained by Burlington as necessary.

Wildlife

Burlington will comply with the following guidelines concerning avoidance of raptor nests and greater sage-grouse leks and nesting areas.

Raptors

- Where feasible, pipeline ROW's will be selected and designed to avoid disturbance to raptor nests. If construction activities are to occur between February 1 and July 31, surveys for raptor nests within 0.5 to 1.0 mile of the proposed surface disturbances will be conducted to determine nest occupancy. All construction activities will be restricted between February 1 and July 31 within a 0.5-mile radius of all occupied raptor nests except ferruginous hawk and bald eagle nests, for which the seasonal buffer will be 1.0 mile. Surface structures requiring repeated human presence will not be constructed within 825 feet (1,970 feet for eagles) of active raptor nests, where practical. An active raptor nest is defined as a nest that has been occupied within the past three years.

Greater Sage-grouse

- Surface disturbance within 0.25 mile of any sage-grouse lek will be avoided. If construction activities are planned in potential sage-grouse nesting habitat (i.e., areas within 2.0 miles of an active lek) between February 1 and July 31, BLM wildlife biologists will conduct field evaluations to identify active nests. If an active sage-grouse nest is identified in an area proposed for disturbance, construction activities will be delayed until nesting is completed and the young are fledged.

Sensitive Animals and Plants

- The BLM will conduct FWS consultation and coordination as necessary for all mitigation activities relating to listed, or proposed for listing, threatened and endangered species and their habitats. In areas that have not been previously surveyed or cleared for these species, a qualified biologist/botanist will conduct surveys for these species in areas of potential habitat prior to disturbance, and if found, consultation with the FWS will be initiated, as necessary, and construction activities will be curtailed until the BLM, FWS, and Burlington concur on which activities can be authorized.

Health and Safety

- Construction sites will be maintained in a sanitary condition at all times. Waste materials (human waste, trash, garbage, refuse, etc.) will be disposed of promptly at an appropriate waste disposal site. A litter policing program, approved by the AO, will be implemented by Burlington to cover all roads and other sites associated with the LMPA.

- During construction and upon commencement of production operations, Burlington will have a chemical or hazardous substance inventory for all such items that may be at the site. Burlington will institute a Hazard Communication Program for its employees and will require subcontractor programs in accordance with OSHA CFR 1910.1200. All employees will receive the proper training in storage, handling, and disposal of hazardous substances.

- Spill Prevention Control and Countermeasure (SPCC) Plans will be written and implemented as necessary in accordance with 40 CFR Part 112 to prevent discharge into navigable waters of the United States.

Existing Utilities

- Burlington will secure an ROW on public lands from the BLM prior to construction and will notify other authorized ROW users of any pipeline crossings or overlaps. Any associated building or zoning on river, creek, or utility crossing permits will be secured from the appropriate regulatory agency or private entity prior to construction.

Visual Resources

- Burlington will restore the disturbed areas to as near its original contour as possible as soon as the work allows. The disturbed areas will be planted with the seed mixture(s) recommended by Burlington and approved by the BLM. All aboveground facilities will be painted with Carlsbad Canyon 2.5Y 6/2 or a similar color determined by the AO to blend with the surrounding landscape, except for structures that require safety coloration in accordance with OSHA requirements.

Recreation

- Burlington will minimize conflicts between project vehicles and equipment and recreation traffic by posting appropriate warning signs, implementing operator safety training, and requiring project vehicles to adhere to low speed limits.

Water Resources

- Burlington will minimize impacts to surface waters by design and construction of interception ditches, sediment traps, silt fences, water bars and revegetation, and soil stabilization measures as needed.

- Burlington will case wells during drilling, and case and cement all wells in accordance with Onshore Order No. 2 to protect accessible high quality water aquifers. Well casing and weldments will be of sufficient integrity to contain all fluids under high pressure during drilling and completion. Further, wells will adhere to the appropriate BLM cementing policy.

- Reserve pits will be constructed to prevent seepage of fluids, utilizing drilling mud gel or poly liners. The liner will be impermeable and chemically compatible with

all substances which may be put in the pit. Burlington will maintain two feet of freeboard on the reserve pits at all times to avoid the overflow danger.

- Burlington will implement a pollution prevention plan (PPP) for storm water runoff at drill sites as required by the Wyoming Department of Environmental Quality (WDEQ) storm water NPDES permit requirements. The WDEQ requires operators to obtain a field permit for fields of 20 wells or more.

- Burlington will coordinate all crossings or encroachments of waters of the U.S. with the COE.

Soils

- Burlington will minimize areas of disturbance to the minimum required for safely accomplishing their objectives. Where feasible, pipelines will be located adjacent to roads to minimize disturbance. Burlington will install runoff and erosion control measures such as water bars, berms, and interceptor ditches as needed. Culverts for ephemeral and intermittent drainage crossings will be installed.

- Burlington will include adequate drainage control devices and measures in road design (e.g., road berms and drainage ditches, diversion ditches, cross drains, culverts, out-sloping, and energy dissipators) at sufficient intervals and intensities to adequately control and direct surface runoff above, below, and within the road environment to avoid erosive, concentrated flows. In conjunction with surface runoff or drainage control measures, Burlington will use erosion control devices and measures such as temporary barriers, ditch blocks, erosion stops, mattes, mulches, and vegetative covers.

- Upon completion of construction activities, Burlington will restore topography to near pre-existing contours at the well sites, along access roads and pipelines, and other facilities sites. Re-seeding will be performed pursuant to APD/ROW stipulations. In addition, Burlington will reclaim illegal access roads and other disturbances in the LMPA which are not being utilized by current Burlington operations.

- Burlington will reseed all disturbed areas to BLM specifications. The following procedures are recommended to assure that all disturbed areas are stabilized and that revegetation efforts are enhanced so that adverse impacts do not occur (USDI-BLM 1997, USDI-BLM 1999b).

    - <u>Scarification</u>. Prior to revegetation, all compacted areas will be scarified by ripping or chiseling to loosen compacted soils. Scarification promotes water infiltration, better soil aeration and root penetration. Scarification will be done when soils are dry to promote shattering of compacted soil layers.

    - <u>Seedbed Preparation</u>. Proper seedbed preparation is critical for seed establishment. Seedbed preparation will be conducted immediately prior to seeding to prepare a firm seedbed conducive to proper seed placement and moisture retention. Seedbed preparation will also be

performed to break up surface crusts and to eliminate weeds, which may have developed between final grading and seeding. In most cases, chiseling is sufficient because it leaves a surface smooth enough to accommodate a tractor-drawn drill seeder and rough enough to catch broadcast seed and trap moisture and runoff. In low to moderate saline soils, a firm, weed-free seedbed is recommended. With high salinity levels, particularly when a high water table is involved, a fallow condition may not provide the best seedbed. If existing vegetation and weeds are chemically eradicated, the remaining dessicated roots and stems improve moisture infiltration and percolation, reduces evaporation from the soil surface, and protects emerging seedlings (Majerus 1996).

Plant Species	Variety (if applicable)	Recommended Drill Seeding Rate (lbs/ac PLS)[A]
SALINE/SODIC SOILS		
Western wheatgrass	'Rosanna'	4.0
Sandberg bluegrass		2.0
Indian ricegrass		3.0
Bottlebrush squirreltail		1.0
Scarlet globemallow		1.0
Gardner saltbush		2.0
Shadscale		2.0
TOTAL		**15.0**
WETLAND/HIGH WATER SOILS		
Tufted hairgrass		2.0
Basin wildrye		5.0
Slough grass		6.0
Bluejoint reedgrass		3.0
TOTAL		**16.0**
UPLAND SOILS		
Thickspike wheatgrass	'Critana'	4.0
Western wheatgrass	'Rosanna'	4.0
Indian ricegrass		4.0
Scarlet globemallow		1.0
Winterfat		2.0
Fourwing saltbush or shadscale		1.0
TOTAL		**16.0**

- Seed Mixtures. Seed mixtures will be specified on a site-specific basis and their selection will be justified in terms of local vegetation and soil conditions. Livestock palatability and wildlife habitat needs will be given consideration in seed mix formulation. The recommended general seed mixtures shown in the table below were developed from observation of successful revegetation in the Green River Basin region and observation

of dominant species in the project area. These mixtures comply with Executive Order (EO) 13112 (Invasive Species). EO 13112 also specifies that use of any introduced plant species must have prior BLM approval for federal lands.

- BLM guidance for native seed use is BLM Manual 1745 (Introduction, Transplant, Augmentation, and Reestablishment of Fish, Wildlife, and Plants). The WGFD recommends that BLM consider shrub species in seed mixtures. BLM will coordinate with WGFD to insure that the correct shrub species are incorporated into seed mixtures on federal lands. Native species that will be considered include bluebunch wheatgrass, streambank wheatgrass, needle-and-thread grass and Wyoming big sagebrush. Fall seeding will occur from about September 15 until ground freeze or snow pack prevents critical seed soil coverage. The optimum time to seed a forage or cover crop in saline-alkaline soils is late fall (mid-October to December) or during a snow-free period during the winter (Majerus 1996). Ideally, in saline-alkaline soils, the seed should be in the ground before the spring season so that it can take advantage of the diluting effects of early spring moisture. Spring seeding will be completed by May 30 or as directed by the BLM. Seed will be used within 12 months of testing.

- Seeding Method. Drill seeding will be used where the terrain is accessible by equipment. The planting depth for most forage species is 1/4 to 1/2 inch (5-10 mm). A double disk drill equipped with depth bands will ensure optimum seed placement. The seed will be separated by boxes to prevent seed from separating due to size and weight. Rice hulls or other appropriate material will be added to the seed as necessary to prevent separation. The drill will be properly calibrated so that seed is distributed according to the rates specified for each seed mix.

- Areas too steep for drill seeding or where approved by the BLM, broadcast seeding may also be used. Broadcasted seed should occur onto a rough seedbed and then should be lightly harrowed, chained or raked to cover the seed. The seeding rate should be doubled for the recommended mixtures because the mixtures were developed for drill seeding. The method used to cover the seed should be selected so that the seed is lightly covered but maintains the surface in rough condition. The broadcast seeder should be properly calibrated or the seeding should occur over a calculated known area so that the proper seeding rate is applied.

- Mulching. Where mulching is deemed necessary, a certified weed-free straw or hay mulch will be crimped into the soil at an application rate of two to four tons per acre. Mulches will be applied by blowers, spreaders or by hand. The mulch will not be finely shredded during application and mulch strand lengths will be long enough to be anchored by crimping. The mulch will be spread uniformly over the area so that 75 percent or more of the ground surface is covered. Mulch will be crimped to a depth of two to three inches.

Additional Measures Required by the BLM

- Should fossil resources be uncovered during surface disturbance associated with the Proposed Action, the project proponent or authorized personnel should immediately notify the BLM and work should cease immediately in the area of the discovery until the fossil remains can be evaluated for scientific significance by a qualified paleontologist. If fossil remains of significance are identified, additional mitigation may be proposed. Additional mitigation could include collection, identification, and curation of the fossil remains and potentially monitoring of on-going surface disturbance in the area of discovery.

- Burlington shall coordinate with affected livestock operators to minimize disruption during livestock operations, including calving and lambing. In addition, as noted in Chapter 2, once the new roads are constructed, Burlington will reclaim existing illegal shortcut roads in the LMPA and sign them for no commercial use. No additional measures will be required other than those specified in Chapter 2, Burlington's APD's and by existing RMP and BLM standard mitigation practices for surface-disturbing and disruptive activities.

- Mitigation procedures will be implemented if a site considered eligible or listed on the National Register is impacted. Avoidance is preferred and is achieved through redesign of a project, elimination of the project, or minimizing impacts. However, these means are not always possible. Mitigation of adverse effects to properties will be accomplished by the documentation of physical remains. Mitigation will include data recovery of prehistoric and historic sites and could include documentation through detailed drawings and photographs of standing structures. Data recovery plans are subject to review and approval by the BLM and SHPO, pursuant to BLM State Protocol agreement.

- Mitigation could also include interpretation of significant resources, stabilization of resources, and research vital to understanding resources (e.g. paleo-environmental studies). Such measures are routinely developed through consultation with SHPO and negotiations with the applicant.

- Mitigation for impacts on State highways will include rigorous adherence to WYDOT regulations regarding oversize and overweight loads. Mitigation for County Roads will include Burlington and contractor policies to reinforce speed limits and other traffic safety laws and to reinforce weight and width limits on one-lane bridges on SCR 8 and LCR 318.

- Burlington should coordinate emergency response planning with the Sweetwater County Emergency Management Agency and provide documentation regarding compliance with Federal Hazardous Material Regulations and the Uniform Fire Code.

APPENDIX B
U.S. FISH AND WILDLIFE SERVICE
FORMAL CONSULTATION LETTER

United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services
4000 Airport Parkway
Cheyenne, Wyoming 82001

In Reply Refer To:
ES-61411/W.02/WY7180
ES-6-RO-94-F-006(a)-WY78

May 2, 2003

Memorandum

To: Ted Murphy, Assistant Field Manager, Bureau of Land Management, Rock Springs Field Office, Rock Springs, Wyoming

From: Jodi L. Bush, Assistant Field Supervisor, U.S. Fish and Wildlife Service, Wyoming Field Office, Cheyenne, Wyoming

Subject: Formal Consultation on Colorado River Depletions for the Little Monument Unit Natural Gas Project

Thank you for your letter of April 25, 2003, regarding the proposed Little Monument Natural Gas Project located in T25N, R111W, sections 21-23, and 26-28, in Sweetwater County, Wyoming. In accordance with section 7 (a)(2) of the Endangered Species Act of 1973 (Act), as amended, 50 CFR §402.13, the U.S. Fish and Wildlife Service (Service) has reviewed the information provided regarding the impacts of the proposed project on the endangered fishes of the Colorado River system. We understand that the proposed action will cause an average annual depletion of 4.67 acre-feet.

A Recovery Implementation Program for Endangered Fish Species in the Upper Colorado River Basin (Recovery Program) was initiated on January 22, 1988. The Recovery program was intended to be the reasonable and prudent alternative to avoid jeopardy to the endangered fish by depletions from the Upper Colorado River.

In order to further define and clarify the process in the Recovery Program, a section 7 agreement was implemented on October 15, 1993, by the Recovery Program participants. Incorporated into this agreement is a Recovery Implementation Program Recovery Action Plan (Plan) which identifies actions currently believed to be required to recover the endangered fish in the most expeditious manner in the Upper Colorado River Basin.

A part of the Recovery Program was the requirement that if a project was going to result in a depletion, a depletion fee would be paid to help support the Recovery Program. On July 5, 1994, the Service issued a biological opinion determining that the fee for depletions of 100 acre-feet or less would no longer be required. This was based on the premise that the Recovery Program has

made sufficient progress to be considered the reasonable and prudent alternative avoiding the likelihood of jeopardy to the endangered fishes and avoiding destruction or adverse modification of their critical habitat by depletions of 100 acre-feet or less. Therefore, **the depletion fee for this project is waived**.

Permits or other documents authorizing specific projects, which result in depletions, should state that the Bureau of Land Management retains discretionary authority over each project for the purpose of endangered species consultation. If the Recovery Program is unable to implement the Plan in a timely manner, reinitiation of section 7 consultation may be required so that a new reasonable and prudent alternative can be developed by the Service.

This concludes consultation pursuant to the regulations implementing the Act, 50 C.F.R. § 402.14. This project should be re-analyzed if new information reveals effects of the action that may affect listed or proposed species or designated or proposed critical habitat in a manner or to an extent not considered in this consultation; if the action is subsequently modified in a manner that causes an effect to a listed or proposed species or designated or proposed critical habitat that was not considered in this consultation; and/or, if a new species is listed or critical habitat is designated that may be affected by this project.

We appreciate your efforts to ensure the conservation of endangered, threatened, and candidate species and migratory birds. If you have further questions on this subject, please contact Kathleen Erwin of my staff at the letterhead address or phone (307) 772-2374, extension 28.

c: WGFD, Lander, Non-Game Coordinator (B. Oakleaf)
WGFD, Cheyennne, Statewide Habitat Protection Coordinator (T. Collins)

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APPENDIX C
COMMENT LETTERS

The BLM received 10 comment letters in response to public scoping. Comments are stated below in italics with BLM responses in regular font.

Petroleum Association of Wyoming

The Petroleum Association of Wyoming (PAW) would like to thank BLM for the opportunity to comment on the referenced document. PAW is Wyoming's largest and oldest oil and gas trade organization, the members of which account for over ninety percent of the natural gas and over eighty percent of the crude oil' produced in the State. This project will directly affect members of PAW.

PAW has the following comments regarding the above referenced document:

1. *The Applicant is proposing to utilize much of the existing infrastructure and surface facilities in an area that is currently being developed for oil and gas and is proposing minimal construction of additional roads and gathering lines. The project proponent is bound by the stipulations in the Green River Resource Management Plan, the Amended Record of Decision for Fontenelle Natural Gas Infill Drilling Projects/EIS, along with standard lease terms. By utilizing existing infrastructure, the mandatory mitigation in effect is more than adequate for this proposed project and additional concerns can be analyzed in an Environmental Assessment.*

   This proposed action will assist in extending the life of the current field production in order to maximize recovery of the resource while the infrastructure is in place. Surface disturbance and cumulative impacts' are anticipated to be minimal and there is nothing present to indicate that an Environmental Impact Statement is necessary for this project.

2. *There is not enough detailed information in the scoping statement to identify reasonable alternatives that should be evaluated in the environmental analysis. Once the agencies determine the level of analysis for the project, the agencies and the operator should develop reasonable alternatives when drafting the NEPA document. PAW believes that with the lack of information available, it is premature to identify alter\1atives at this time.*

3. *A detailed analysis should be included in the environmental document addressing socio-economic impacts and the positive affects the project will have for the State of Wyoming and the local counties and communities. A section of the document should discuss the "local economy" significance criteria. PAW recognizes that the social and economic opportunities generated from the project would continue to benefit the residents of Wyoming and the participating counties by directly creating new jobs and producing additional revenues.*

In conclusion, PAW supports the proposed action and believes that the Applicant and Agencies will adequately address concerns during the appropriate level of NEPA analysis. BLM is encouraged to move forward with the development of this document in a timely manner.

Thank you for your comments. Your comments have been considered in the analysis.

Wyoming Game and Fish Department

Terrestrial Considerations:

The Little Monument Unit is outside of 11 Sensitive Resource Value Protection Areas" (e.g., wetlands, crucial winter range, raptor and greater sage grouse nesting areas, etc.) identified in Appendix D of the amended Record of Decision. The area is spring-slimmer-fall range for pronghorn in the Sublette herd unit. Sage grouse are also present, along with the typical assemblage of other game and non-game wildlife common to this habitat type.

We are concerned that increasing the well density above eight wells per section may result in unanticipated resource impacts. Issues that should be analyzed include the impacts of increasing levels of habitat frag111entation in the area as a result of the increasing well density, a11d the impacts of dust to wildlife and vegetation from both the short-term exploration and the potential long-term development and maintenance activities associated with the project.

We applaud the efforts by BLM to monitor the effects of gas development on wildlife resources.

Aquatic Considerations:

The proposed project is within the headwaters of a)] ephemeral drainage that connects with Fourmile Gulch, which eventually drains into the Green River via Eightmile Canyon just upstream of the Big Sandy River confluence.

This ephemeral drainage may transport sediments generated from the drilling and well operations into the Green River. The Green River is a trout fishery of state-wide importance that draws commerce to Sweetwater County from many other states. The Green River also supports populations of native non-game fishes, including flannelmouth sucker, bluehead sucker, speckled dace, and mountain sucker. The Department has categorized the flannelmouth sucker and bluehead sucker as Status 1 species. Status 1 species are populations that are physically isolated and/or exist at extremely low densities throughout their range, with habitat conditions that are declining or vulnerable. Therefore, the Department has been directed by the Wyoming Game and Fish Commission, through the Commission's Mitigation Policy, to recommend that no loss of habitat function for these species occur. Some modification of habitat may occur, provided that habitat function is maintained (i.e., the location, essential features, and species supported are unchanged). This project Is conducted in a manner that avoids increasing sedimentation, then impacts to the above mentioned species would be avoided. Measures that Burlington Resources Oil and Gas Company can take to avoid sediment from reaching the Green River include:

- *Disturbed banks of intermittent streams should be stabilized with large angular rock (greater than 2 feet in one dimension) or wire enclosed riprap structures. Riprap should be placed from the cl1anncl bottom to the top of the normal high water line on the bank.*
- *The stabilizing material should be placed flush with the undisturbed banks on either side of the rehabilitated area.*
- *Riparian canopy or stabilizing vegetation should not be removed if possible. Crushing or shearing streamside woody vegetation is preferable to complete removal. Any such*

vegetation that is removed in conjunction with stream crossings should be re-established immediately following completion of the crossing.

- *Riparian areas and floodplains should not be used as staging or refueling areas. Operations should be kept at least 150 feet from streams and riparian areas.*

Thank you for your comments. They have been considered in the analysis.

State Engineer's Office

While the project proponents did not acknowledge the necessity for obtaining permits to appropriate water from the State Engineer's Office for purposes of drilling and completing the proposed wells, a check of the records of this office revealed that a permit to appropriate surface water from the Green River under the Burlington Resources Water Haul, Pern1it No. 32627 has been obtained from the State Engineer's Office. However, this permit allows the use of this water at drilling locations only within the SW1/4SW1/4 of Section 23, T. 25 N. R. III W. If the rest of the lease is to be developed as outlined in the Scoping Statement, additional permit(s) will need to be obtained from the State Engineer's Office in order to utilize water from the Green River, or any other area source, at all of the drilling and completing locations specified in the Scoring Statement.

Thank you for your comments. They have been considered in the analysis.

Department of State Parks and Cultural Resources

Management of cultural resources on Bureau of Land Management (BLM) projects is conducted in accordance with Section 106 of the National Historic Preservation Act and Advisory Council regulation!) 36 CFR Part 800. These regulations call for survey, evaluation and protection of significant historic and archeological sites prior to any disturbance. Provided the BLM follows the procedures established in the regulations, we have no objection to the project. Specific comments on the project's effect on cultural resource sites will be provided to the BLM when we review the cultural resource documentation called fur in 36 CFR Part 800. Please refer to SHPO project control number lZ02SESO13 on any future correspondence dealing with this project. If you have any questions contact Sara Sheen at 307-777-7498 or me at 307-777-6311.

Thank you for your comments. They have been considered in the analysis.

Fish and Wildlife Service

General Comments

You have stated that the analysis for the proposed project will tier to the Fontenelle Natural Gas Infill Drilling Project, Environmental Impact Statement (EIS), (Final EIS May 1996, Record of Decision March 1997). However, the Operator's proposal to increase the wells per section to 8 or more does not fall within the parameters of the EIS. The U.S. Fish and Wildlife Service (Service) recommends that you conduct an adequate assessment of site-specific environmental effects from the proposed increase in wells per section. The increase in wells per section is supported by your determination that the project impact area is outside of a designated "Sensitive Resource Area" (e.g., wetlands, raptor and Greater sage grouse nesting, etc.). Nevertheless, the

project area offers suitable habitat for mountain plover (Charadrius montanus), potential habitat for black-footed ferret (Mustela nigripes), in the form of prairie dog (Cynomys spp.) towns, and nesting and foraging habitat for several species of migratory birds (personal communication with Lorraine Keith, Rock Springs Bureau Office, December 17, 2002). The Service believes that oil and gas development has added to the degradation of wildlife resources within the project area, resulting in the non-sensitive designation. Therefore, we recommend that the Environmental Analysis (EA) further justify the need for an increase in wells per section.

We recommend that you consider alternatives that will reduce habitat fragmentation and acres of land disturbed, such as placing multiple wells per well pad and directional drilling, clustering pipelines, access roads and compressor stations and burying powerlines within existing right-of-ways. In addition, when possible, utilize the sharing of flow lines and compressor stations among operators. Generators should be powered by natural gas to reduce toxic emissions, and compressors should befitted with high quality mufflers to keep noise to a minimum and reduce noise pollution. Development should be phased in over time in any given area to reduce the intensity of impacts to fish and wildlife populations and their habitat. Areas disturbed during development should be reclaimed with native soils and restored with native plants immediately after cessation of production in order to reduce potential adverse affects to native ecosystems and endemic species.

The Service recommends that the EA disclose the full extent of development, as well as the direct and indirect effects of all aspects of the project and the cumulative impacts of past, present and reasonably foreseeable future actions.

Thank you for your comments. They have been considered in the analysis.

Specific Comments

The Bureau, and their non-Federal representatives should work with the Service in developing surveys, impact minimization measures, and conservation measures for all Federally listed species. If the proposed project may affect a listed species, consultation with the Service pursuant to section 7(a)(2) of the Endangered Species Act of 1973, as amended (Act), (50 CFR § 402.13) will be required. Section 7 (a)(l) of the Act directs Federal agencies to utilize their authorities in furtherance of the purposes of the Act by carrying out programs for the conservation and recovery of listed species. Therefore we encourage the Bureau to incorporate measures into the project design for the conservation of listed species.

In accordance with section 7(c) of the Act, my staff has determined that the following threatened or endangered species, or species proposed for listing under the Act, may be present in the project area. We would appreciate receiving information as to the status of each of these species within the project area.

Species	***Status***	***Expected Occurrence***
Black-footed ferret	*Endangered*	*Potential habitat in prairie dogs (Cymomys sp) towns*
Bald eagle	*Threatened*	*Nesting. Winter resident. Migrant*
Ute Ladies'-tresses	*Threatened*	*Seasonally moist soils and wet meadows of drainages below 7000 feet elevation*

Black-footed ferret: Black-footed ferrets may be affected if prairie dog towns are impacted. If white-tailed prairie dog (Cynomys leucurus) towns or complexes greater than 200 acres will be disturbed, surveys for ferrets are recommended in order to determine if the action will result in an adverse effect to the species. Surveys are recommended even if only a portion of the town or complex will be disturbed. According to the Black-Footed Ferret Survey Guidelines (USFWS 1989), a prairie dog complex consists of two or more neighboring prairie dog towns each less than 4.34 miles from each other. If a field check indicates that prairie dog towns may be affected, you should contact this office for guidance on ferret surveys.

Bald eagle: Habitat loss remains a threat to the bald eagle's full recovery. Disease, lack of food, bad weather, or human interference can kill eaglets, sometimes only about half will survive their first year. In order to reduce potential adverse effects to the bald eagle a disturbance-free buffer zone of 1-mile should be maintained around their nests. Activity within I-mile of an eagle nest may disturb the eagles and result in incidental "take."

Mountain Plover[1]: The mountain plover is associated with shortgrass prairie, plains, alkali flats, agricultural lands, cultivated lands, sod farms, prairie dog towns, and shrub-stepped landscapes at both breeding and wintering locales. Plovers may nest on sites where vegetation is sparse or absent, or near closely cropped areas, manure piles or rocky areas. Mountain plovers are rarely found near water and show a preference for previously disturbed areas or modified habitat where a sufficient prey base (invertebrates) is available. The birds occupy suitable breeding habitat in many of the great Plains states from Canada south to Texas from late March through July.

To avoid project delays should the mountain plover become listed as a threatened species, the Service recommends determining the effects of the project on mountain plover habitat now. If listed, any changes to potential plover habitat resulting in a permanent habitat impact, regardless of the timing of the project, could result in a may effect, likely to adversely effect determination. Should the mountain plover be listed prior to, or during, construction not only will surveys be required under the Act, but construction may be delayed while the BLM reinitiates consultation with the Service if formal conferencing has not previously occurred.

If you determine that mountain plovers occur within the project area, we ask that you coordinate with this office to discuss whether the proposed project is likely to cause jeopardy to the species, and identify measures that would minimize or eliminate any potential adverse effect. The Service recommends surveys for plovers according to the Mountain Plover Survey Guidelines, (USFWS March 2002), in all suitable habitat as well as avoidance of nesting areas to minimize adverse

[1] The USFWS has determined this species does not warrant listing at this time. BLM treats this species as a sensitive species.

impacts to plovers within a project site. In some cases, project activities can be conducted between August 15 and March 15 to avoid affecting this species.

Thank you for your comments. They have been considered in the analysis.

Migratory Birds

Under the Migratory Bird Treaty Act (MBTA), 16 U.S.C. 703 and Bald and Golden Eagle Protection Act (BGEPA), 16 U.S.C. 668, the Bureau has a mandatory obligation to protect the many species of migratory birds, including eagles and other raptors which may occur on lands under their jurisdiction. The MBT A, enacted in 1918, prohibits the taking of any migratory birds, their parts, nests, or eggs except as permitted by regulations and does not require intent to be proven. Section 703 of the Act states, "Unless and except as permitted by regulations ...it shall be unlawful at any time, by any means or in any manner, to ...take, capture, kill, attempt to take, capture, or kill, or possess ...any migratory bird, any part, nest, or eggs of any such bird..." The BGEPA prohibits knowingly taking, or taking with wanton disregard for the consequences of an activity, any bald or golden eagles or their body parts, nests, or eggs, which includes collection, molestation, disturbance, or killing.

Work that could lead to the take of a migratory bird including an eagle, their young, eggs, or nests (for example, if you are going to erect new well sites, roads, or power lines in the vicinity of a nest), should be coordinated with our office before any actions are taken. Removal or destruction of such nests, or causing abandonment of a nest could constitute violation of one or both of the above statutes. Removal of any active migratory bird nest or nest tree is prohibited.

Permits for nest manipulation, including removal or relocation may, under certain circumstances, be issued for inactive nests only. For golden eagles, inactive nest permits are limited to activities involving resource extraction or human health and safety. Mitigation, as determined by the local Service field office, may be required for loss of these nests. No permits will be issued for an active nest of any migratory bird species, unless removal of an active nest is necessary for reasons of human health and safety. Therefore, if nesting migratory birds are present on, or near the project area, timing is a significant consideration and needs to be addressed in project planning.

If nest manipulation is proposed for this project, the project proponent should contact the Service's Migratory Bird Office in Denver at 303-236-8171 to see if a permit can be issued for this project. No nest manipulation is 'allowed' without a permit; If a permit cannot be issued the project may need to be modified to ensure take of a migratory bird or eagle, their young, eggs or nest will not occur.

Thank you for your comments. They have been considered in the analysis.

Candidate Species

The yellow -billed cuckoo (Coccyzus americanus) is a candidate for listing as threatened or endangered and may occur in riparian areas west of the Continental Divide. Many Federal agencies have policies to protect candidate species from further population declines. We would appreciate receiving any information available on the status of this species in or near the project

area. In addition, if the yellow-billed cuckoo is listed prior to completion of your project, unnecessary delays may be avoided by considering project impacts to candidates now.

Thank you for your comments. They have been considered in the analysis.

Greater Sage Grouse

Greater sage grouse (Centrocercus urophasianus) are declining throughout their range. Anecdotal information, from several sources in Wyoming, suggests that sage grouse populations are negatively affected by construction activities, especially those that degrade important sagebrush habitat, even when mitigative measures are implemented (Braun 1998, Lyon 2000). There is some evidence that grouse populations do repopulate oil and gas developed areas (Braun 1987). However, there is no evidence that populations attain their previous levels and reestablishment of sage grouse in a reclaimed area may take as long as 20-30 years (Braun 1998). Please consider the importance of crucial wintering habitat for sage grouse during project planning by minimizing loss of sage brush.

We encourage the Bureau to take all necessary measures allowable to protect the sage grouse in the project area to ensure this project does not exacerbate factors contributing to this species' decline. Your analysis should clearly identify the amount and type of sage grouse habitat (lek, nesting, brood rearing) affected by this project. We recommend avoidance of any activity that would disrupt brood rearing during the period June 1 through July 31. In addition, we recommend that you contact the local Wyoming Game and Fish biologist to more accurately determine the local hatch dates, and areas of nesting and brood rearing habitat along the project right-of-way.

In 2000, the U.S. Forest Service, the Bureau of Land Management, and the U.S. Fish and Wildlife Service signed a Memorandum of Understanding (MOU) with the Western Association of Fish and Wildlife Agencies to conserve the greater sage-grouse and its habitat. This MOU outlined the participation of Federal agencies in greater sage-grouse conservation, and these commitments should be considered in project planning in sage-grouse habitat. Additionally, unless site-specific information is available, greater sage-grouse habitat should be managed following the guidelines by Connelly et al. 2000.

Thank you for your comments. They have been considered in the analysis.

Water Depletions

If the proposed action will lead to water depletion (consumption) in the Colorado River System, impacts to the endangered bonytail (Gila elegans), Colorado pikeminnow (Ptychocheilus lucius), humpback chub (Gila cypha), and the razorback sucker (Xyrauchen texanus) should be included in the evaluation.

In general, depletions include evaporative losses and/or consumptive use. Project elements that could be associated with depletions to the Colorado River system include, but are not limited to, ponds (detention/recreation/irrigation storage/stock watering), lakes (recreation/irrigation storage/municipal storage/power generation), reservoirs (recreation/irrigation storage/municipal storage/power generation), created or enhanced wetlands, pipelines, wells, diversion structures, and water treatment facilities.

Any actions that may result in a water depletion to the Colorado River system should be identified. The document should also include an estimate of the amount and timing (by month) of average annual water depletion (both existing and new depletions), and describe methods of arriving at such estimates.

Thank you for your comments. They have been considered in the analysis and formal consultation has been completed.

Consultation

Section 7 (a)(2), of the Act, requires consultation with the Service when a Federal action may affect a listed species. This consultation will ensure that any action authorized, funded or carried out by a Federal agency is not likely to jeopardize the continued existence of listed species or result in the destruction or adverse modification of critical habitat. The process is initiated by the Federal agency after it has determined if its action may affect (adversely or beneficially) a listed species. Section 7(a)(4) requires conferencing with the Service when a Federal action is likely to jeopardize the continued existence of a proposed species or result in destruction or an adverse modification of proposed critical habitat. Section 7(c) requires that a biological assessment be prepared for any Federal action that is a major construction activity to determine the effects of the proposed action on listed and proposed species.

If a biological assessment is not required (i.e., all other actions), the lead Federal agency is responsible for review of proposed activities to determine whether listed species will be affected. The Service would appreciate the opportunity to review any such determination document. If it is determined that the proposed activities may affect a listed species, you should contact this office to discuss consultation requirements. If it is determined that any Federal agency program or project "is likely to adversely affect" any listed species, formal consultation should be initiated with this office. Alternatively, informal consultation can be continued so we can work together to determine how the project could be modified to reduce impacts to listed species to the "not likely to adversely affect" threshold. If it is concluded that the project "is not likely to adversely affect" listed species, we should be asked to review the assessment and concur with the determination of not likely to adversely affect.

For those actions where a biological assessment is necessary, it should be completed within 180 days of receipt of a species list, but can be extended by mutual agreement between the lead agency and the Service. If the assessment is not initiated within 90 days of receipt of a species list, the list of threatened and endangered species should be verified with me prior to initiation of the assessment. The biological assessment may be undertaken as part of the agency's compliance of section 102 of the National Environment Policy Act (NEPA), and incorporated into the NEPA documents. The Service recommends that biological assessments include:

1. *a description of the project;*
2. *a description of the specific area potentially affected by the action;*
3. *the current status, habitat use, and behavior of threatened and endangered species in the project area;*
4. *discussion of the methods used to determine the information in item 3;*
5. *direct and indirect impacts of the project to threatened and endangered species, including impacts of interrelated and interdependent actions;*
6. *an analysis of the effects of the action on listed and proposed species and their habitats including cumulative impacts from Federal, State, or private projects in the area.*

7. *measures that will reduce or eliminate adverse impacts to threatened and endangered species;*
8. *the expected status of threatened and endangered species in the future (short and long term) during and after project completion;*
9. *determination of "is likely to adversely affect" or "is not likely to adversely affect" for listed species;*
10. *determination of "is likely to jeopardize" or "is not likely to jeopardize" for proposed species;*
11. *alternatives to the proposed action considered, a summary of how impacts of those alternatives on listed and proposed species would differ from the proposed action, and the reasons for not selecting those alternatives;*
12. *citation of literature and personal contacts used in the assessment.*

We appreciate your efforts to ensure the conservation of endangered, threatened, and candidate species and migratory birds. If the scope of the project is changed, or the project is modified, in a manner that you determine may affect a listed species, this office should be contacted to discuss consultation requirements pursuant to the Act. If you have further questions regarding our comments or your responsibilities under the Act, please contact Kathleen Erwin of my staff at the letterhead address or phone (307) 772-2374, extension 28.

Thank you for your comments.

References

Braun, C.E. 1998. Sage grouse declines in western North America: What are the problems? Proceedings of the Western Association of Fish and Wildlife Agencies 78:139-156

_____.1987. Current issues in sage grouse management. Proc. West. Assoc. Fish and Wildlife Agencies 67:134-144

Connelly J. W., M.A. Schroeder, A.R. Sands, and C.E. Braun. 2000. Guidelines to manage sage grouse populations and their habitats. Wildlife Society Bulletin 28(4): 967 -985.
Lyon; A.G. 2000. The potential effects of natural gas development on sage grouse (Centrocercus urophasianus) near Pinedale, Wyoming. Thesis, University of Wyoming, Laramie, USA

Department of Energy

The Western Area Power Administration (Western) is in receipt of your December 3,2002 Scoping Notice concerning the proposal by Burlington Resources Oil and Gas Company LP to drill additional wells in their Little Monument Unit located in sections 21 through 23 and 26 through 28, Township 25 North, Range 111 West, 6th Principal Meridian, Sweetwater County, Wyoming.

Western, as a Federal power marketing administration within the Department of Energy, has responsibility for the reliable and safe delivery of electricity throughout the western United States. It constructs, operates, maintains, and reconstructs transmission lines, substations, switch yards, communication sites, and the roads that provide access to them. Some of Western's facilities are located on Federal lands administered by the Bureau of Land Management within the State of Wyoming. No Western owned and/or operated facilities are located on the subject lands in Sweetwater County. A map of facilities within our Rocky Mountain Region, which includes Wyoming, is enclosed for your use.

Since we are not impacted by the proposed drilling of additional exploration and development oil and gas wells within the Little Monument Unit, we will be offering no comments on your Scoping Notice. You may remove Western from your mailing list for this effort.

Thank you for your comments. The agency has been removed from the mailing list for this project.

Glade Jones

Three issues should be addressed.

1. *Seeing both the backs lope and ends lope of road ROWs seeded with native grass species.*
2. *See well pads reclaimed and seeded to the extent allowable for worker/public safety.*
3. *See oil/gas operators help fund vegetation improvement projects (i.e., mowing, chaining, chemical treatment) to improve grass ratio.*

Thank you for your comments. They have been considered in the analysis.

Bjork, Lindley, Danielson & Little, P.C.

Please place my name on the mailing list to receive a copy of the environmental document which is being prepared on the Burlington Resources proposal to drill additional wells in the Little Monument Unit.

Oregon California Trail Association

Please provide a copy of the document to me when it is available.

Jean Dickenson

Please keep on mailing list.

You remain on the mailing list for this project.