

DECISION RECORD

Temporary pipeline

DOI-BLM-WY-R010-2011-0125-EA

Worland Field Office, Wind River/Bighorn Basin District, Wyoming

August 2011



The BLM's multiple-use mission is to sustain the health and productivity of the public lands for the use and enjoyment of present and future generations. The Bureau accomplishes this by managing such activities as outdoor recreation, livestock grazing, mineral development, and energy production, and by conserving natural, historical, cultural, and other resources on public lands.

DOI-BLM-WY-R010-2011-0125-EA

DECISION RECORD
for DOI-BLM-WY-R010-2011-0125-EA
Temporary pipeline, Sundry Notice

I. DECISION

It is my decision to approve the associated Sundry Notice as described as Alternative 2 of Environmental Assessment No. DOI-BLM-WY-R010-2011-0125-EA, and to include those measures proposed by Legacy Reserves Operating LP's Sundry Notice application.

This Authorization will be granted subject to the Conditions of Approval as attached.

II. PLAN CONFORMANCE AND CONSISTENCY:

The proposed action conforms to the Record of Decision and Approved Resource Management Plan for the Washakie Resource Area dated 1988. The decisions in the Washakie Resource Management Plan provide general management direction and allocation of uses and resources on the public lands in the area.

This plan has been reviewed to determine if the proposed action conforms to the land use plan as required by 43 CFR 1610.5. The Washakie RMP provides that the entire planning area (about 1.6 million acres of BLM-administered mineral estate) is open to oil and gas leasing consideration. About 86,100 acres of BLM-administered mineral estate are open to leasing consideration with a "no surface occupancy" stipulation. The rest of the Planning area is subject to standard lease terms and conditions, and seasonal or other requirements.

III. ALTERNATIVES CONSIDERED

The Environmental Assessment (EA) for the Project considered three alternatives.

Alternative 1 -- The "Proposed Action" alternative assessed and disclosed the projected effects of the operator's proposal as detailed in the "Proposed Action" portion of the environmental assessment.

Alternative 2 -- The "Proposed Action with BLM implemented Design Features" alternative assessed the proposed action and BLM staff specialists input. It was felt that certain mitigation measures were necessary and proper to provide adequate protection of the surface and subsurface. For the purpose of analysis, the Conditions of Approval are part of this alternative.

Alternative 3 -- The "No Action" alternative assessed the effects of not implementing any portion of the proposal. Under the No Action Alternative, the WFO analyzed the effects of a denial of any further development associated with this project. This alternative provides a benchmark, enabling the decision-maker to compare the magnitude of the environmental effects of the alternatives.

IV. RATIONALE FOR DECISION

Alternative 2 was chosen as being the most environmentally sound alternative.

This decision is in conformance with the Washakie Management Plan.

Conditions of Approval necessary for this action are attached and are considered a part of this approval.

V. APPEALS

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 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

/s/Carol Sheaff

8/30/2011

Authorized Officer (Acting)

Date

Attachments --EA: DOI-BLM-WY-R010-2011-0125-EA; Conditions of Approval

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Temporary pipeline

DOI-BLM-WY-R010-2011-0125-EA

Worland Field Office, Wind River/Bighorn Basin District, Wyoming

August 2011



The BLM's multiple-use mission is to sustain the health and productivity of the public lands for the use and enjoyment of present and future generations. The Bureau accomplishes this by managing such activities as outdoor recreation, livestock grazing, mineral development, and energy production, and by conserving natural, historical, cultural, and other resources on public lands.

DOI-BLM-WY-R010-2011-0125-EA

FINDING OF NO SIGNIFICANT IMPACT
for DOI-BLM-WY-R010-2011-0125-EA
Temporary pipeline, Sundry Notice

Based on the analysis of potential environmental impacts contained in the environmental assessment DOI-BLM-WY-R010-2011-0125-EA, and considering the significance criteria in 40 CFR 1508.27, I have determined that the selected action will not have a significant effect on the human environment. An environmental impact statement is therefore not required.

/s/Carol Sheaff

8/30/2011

Authorized Officer (Acting)

Date

ENVIRONMENTAL ASSESSMENT

Temporary pipeline

DOI-BLM-WY-R010-2011-0125-EA

August 2011



BLM

The BLM's multiple-use mission is to sustain the health and productivity of the public lands for the use and enjoyment of present and future generations. The Bureau accomplishes this by managing such activities as outdoor recreation, livestock grazing, mineral development, and energy production, and by conserving natural, historical, cultural, and other resources on public lands.

DOI-BLM-WY-R010-2011-0125-EA

**Temporary pipeline
DOI-BLM-WY-R010-2011-0125-EA**

Type of Project:
Sundry Notice

General Location of Proposed Action:
861' FNL, 2125' FWL 1/4 1/4; sec 30; T.44N., R.91W.

Name and Location of Preparing Office:
*Worland Field Office
101 S. 23rd St.
Worland, WY 82401*

Lease/Serial/Case File Number:
WYW172481,

Applicant Name:
Legacy Reserves Operating LP

INTRODUCTION

Legacy Reserves Operating LP, seeks approval for a temporary pipeline to be laid on the surface while testing the productivity of the well. The route will run from the Doc Holiday 3-30 well (WYW172481) to the Murphy Dome Shad water Discharge (WYB040027) where it will be mixed and discharged (WY0024171). Should the well turn out to be productive, the temporary line will be permanently buried. A route map of the line is attached.

Purpose and Need for the Proposed Action

The purpose of this action is to allow the operator to complete work on their Oil & Gas leases for further recovery of mineral resources. This would result in maintaining the goals and objectives of the operators lease rights and are in compliance with Section 6 of their Lease Terms.

The need for the action is established by the BLM's responsibility under FLPMA to respond to this type of request.

Decision to be Made:

The BLM will decide whether or not to approve the application submitted by the operator, and if so, what conditions of approval would apply.

Conformance

The proposed action conforms to the Record of Decision and Approved Resource Management Plan for the Washakie Resource Area dated 1988. The decisions in the Washakie Resource Management Plan provide general management direction and allocation of uses and resources on the public lands in the area.

This plan has been reviewed to determine if the proposed action conforms to the land use plan as required by 43 CFR 1610.5. The Washakie RMP provides that the entire planning area (about 1.6

million acres of BLM-administered mineral estate) is open to oil and gas leasing consideration. About 86,100 acres of BLM-administered mineral estate are open to leasing consideration with a “no surface occupancy” stipulation. The rest of the Planning area is subject to standard lease terms and conditions, and seasonal or other requirements

Relationship to Statutes, Regulations, Plans or Other Environmental Analyses

This Environmental Assessment (EA) is prepared in accordance with the National Environmental Policy Act of 1969, as amended (NEPA) and complies with applicable regulations and laws passed subsequent to the Act. In addition, this EA is prepared utilizing the stipulations and format outlined in the BLM NEPA Handbook H-1790-1 (BLM 1988). The Proposed Action and alternatives will comply with relevant federal, state, and local regulations, plans, and policies.

This action would allow the lessee to exercise their legal right to drill, explore, and produce hydrocarbons from the lease under regulations and policy derived from the Mineral Leasing Act. The Secretary of the Interior has entered into a lease agreement with the proponent that gives them the “exclusive right to drill for, mine, extract, remove and dispose of the oil and gas resources within the lease area.” The applicant has submitted a proposed action to the BLM to at least partially exercise their rights under this agreement, in accordance with 43 CFR 3162.3-1 and Onshore Oil and Gas Order No. 1.

This project does not fit any of the specified criteria allowing for Categorical Exclusion from NEPA analysis under Section 390 of the Energy Policy Act of 2005 and is therefore being analyzed herein.

The area was assessed as per the Wyoming Instruction Memorandum (IM) WY-IM-2010-012 (Greater Sage-grouse Habitat Management Policy on Wyoming Bureau of Land Management (BLM) Administered Lands including the Federal Mineral Estate). The IM directs the BLM to analyze Greater Sage-grouse habitat out to a minimum of four miles from the project location. This analysis is to occur both within and outside of the Greater Sage-grouse core areas (core areas as designated by the Wyoming Governor’s Executive Order EO 2010-4).

The BLM Land Use Planning Handbook (H.1601-1) states that the BLM must consider the management of lands with wilderness characteristics during the land use planning process. The criteria used to identify these lands are essentially the same criteria used for determining wilderness characteristics for wilderness study areas (WSA). However, the authority set forth in Section 603(a) of FLPMA to complete the three part wilderness review process (inventory, study, and report to Congress) expired on October 21, 1993; therefore, FLPMA does not apply to new WSA proposals and consideration of new WSA proposals on BLM-administered public lands is no longer valid. As required by FLPMA, Section 201, as well as consistent with Secretarial Order 3310, the alternatives were evaluated and screened in accordance with the SO 3310 and the Draft Manuals.

Scoping, Public Involvement and Issues

The proposed action was reviewed by an interdisciplinary team. Based on the size and routine nature of the proposed project, it was determined that external scoping was not necessary.

PROPOSED ACTION AND ALTERNATIVES

Project Description

Legacy Reserves Operating LP, seeks approval for a temporary pipeline to be laid on the surface while testing the productivity of the well. The route will run from the Doc Holiday 3-30 well (WYW172481) to the Murphy Dome Shad water Discharge (WYB040027) where it will be mixed and discharged (WY0024171). Should the well turn out to be productive, the temporary line will be permanently buried. A route map of the line is attached.

Alternatives Considered

Alternative 1 (Proposed Action) --

Legacy Reserves Operating LP seeks approval for a temporary pipeline to be laid on the surface while testing the productivity of the well. The route will run from the Doc Holiday 3-30 well (WYW172481) to the Murphy Dome Shad water Discharge (WYB040027) where it will be mixed and discharged (WY0024171). The route is approximately 3.25 miles long and would result in approximately 4.75 acres of disturbance.

Alternative 2- (Proposed Action with incorporated Design Features)—

Based on BLM staff specialists input and the observations made at the joint field inspection, it was felt that additional measures were necessary and proper to provide adequate protection of the surface and subsurface.

The BLM can set forth design features that are necessary for the protection of the surface resources, uses and the environment; and for the reclamation of the disturbed lands. Design features are those specific means, measures, or practices that make up the proposed action and alternatives. Additional design features are added as needed to the proposed action or alternatives. Regulations, standard operating procedures, stipulations, and operator committed measures, and best management practices are usually considered design features. Design features are incorporated into the Proposed Action or alternatives to reduce or avoid adverse effects.

For the purpose of this analysis, the design features for the Sundry Notice are considered part of Alternative 2 and attached as Conditions of Approval.

Alternative 3(No Action)

No action implies that on-going development and activities would be allowed to continue in the area, but the proposed action would be disallowed. Additional actions would be considered by the BLM on a case-by-case basis.

Alternatives Considered but not Analyzed in Detail

No other alternatives were proposed or considered.

AFFECTED ENVIRONMENT

Resources and features not present, and not discussed in this EA, include: Environmental Justice, Prime or Unique Farmlands, Flood Plains, Native American Religious Concerns, riparian areas, Class I visual management areas, Class I Airsheds, Wild and Scenic Rivers, Wetlands, Wilderness Values or Inventoried Lands with Wilderness Characteristics.

Land Use

Other than livestock grazing, oil and gas production, and wildlife use, there are no known land uses, or proposals for use, that occur in the area such as special recreation areas that would be affected by, or have the potential for cumulative impacts with this proposed action.

Geological Resources

The Bighorn Basin is an intermontane province bounded by Laramide fault uplifting. The surficial geology that would be disturbed by this pipeline are the terrace sand and gravel deposits along the river. Terrace sand and gravel deposits formed mostly during the Pleistocene, at higher elevations paralleling the major river corridors. Braided streams and sheet floods from the mountains provided material derived from various sources. The changing climate of the Pleistocene (glacial and non-glacial intervals in the higher mountains, dry and wetter cycles in the lower parts of Wyoming) resulted in terrace gravel deposition along mountain flanks. These terrace deposits are found west of Worland. The quality of such deposits varies greatly.

Cultural Resources, Traditional Cultural Properties, Native American Religious Concerns

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A Class III Cultural Resource Inventory was conducted of the proposed project area. One site was identified, a historic oil field. No historic properties were identified within the proposed project area.

Vegetation

Native Vegetation

Plant communities typically consist of cool-season grasses, Gardner's saltbush, and Big Sagebrush as the major components, while short warm-season grasses and miscellaneous forbs account for the balance of the understory. In addition the well site is located within the East Black Mountain Fire of 1996 which has Cheatgrass as the main component of the plant communities in some areas

Invasive, Non Native Species Noxious Weeds

Several noxious weed species occur in the area, including Russian knapweed, Canada thistle, tamarisk (saltcedar) and hoary cress (whitetop).

Livestock Grazing

North Murphy Dome Allotment #00080

This project is located within the North Murphy Dome Allotment #00080 and operated by Denis Ranch LTD. The Allotment consists of 10,375 total acres in which 6,644 acres are federal land. The grazing permit authorizes a total of 877 AUMs in the grazing year with use occurring during the growing season and non-growing season or dormant season. The authorization schedule is shown below:

75 Cattle	4/15 to 8/14	65% P.L.	196 AUMs
72 Cattle	8/15 to 12/21	65% P.L.	198 AUMs
353 Cattle	10/19 to 12/21	65% P.L.	483 AUMs

The North Murphy Dome Allotment is within the 10-14 inch precipitation zone and the majority of the Range Sites are Loamy and Saline Upland. These plant communities typically consist of cool-season grasses, Gardner’s saltbush, and Big Sagebrush as the major components, while short warm-season grasses and miscellaneous forbs account for the balance of the understory. In addition the allotment is located within the East Black Mountain Fire of 1996 which has Cheatgrass as the main component of the plant communities in some areas.

Paleontology

The surface formation is Cody Shale which has a PFYC (Potential Fossil Yield Classification) rating of 3 or moderate. This means the formation has a moderate sensitivity for paleontological resources. A paleontological inventory was not necessary for the project location. Existing disturbance has eradicated the potential for intact significant localities.

Recreation and Visual Resource Management; Special Designations Including ACECs, Wild and Scenic Rivers, Lands with Wilderness Characteristics

Recreation

The project area is located within private lands surrounded by BLM-administered public lands managed as an extensive recreation management area (ERMA), where recreation management is custodial, and addresses use and user conflicts, public health and safety, and resource protection. Recreation use in the surrounding BLM lands are observed as very dispersed, and includes driving for pleasure, hunting, sight seeing, and general dispersed outdoor recreation. Recreational opportunities are very limited within the project area because of the private surface ownership. If permission is granted to access the area, recreational opportunities, such as hunting, may increase. Travel management limits motorized use to existing roads and trails.

Lands with Wilderness Characteristics

As mandated by FLPMA, section 201, the BLM is to maintain its inventories on all resources it manages for, including wilderness characteristics. A previous inventory on BLM-administered public lands surrounding the project area are absent of wilderness characteristics.

VRM

The project area is located within BLM-administered public lands managed under VRM Class IV objectives. Class IV objectives are to provide for management activities which require major modifications of the existing character of the landscape. The level of change to the characteristic landscape can be high. These management activities may dominate the view and be the major focus of viewer attention. However, every attempt should be made to minimize the impact of these activities through careful location, minimal disturbance, and repeating the basic elements.

Soils

The proposed waterline would be installed over soils that are moderately deep to deep (20-40+ inches). Soil surface textures consist of clay loams and silty clay loams. The majority of the pipeline route would be on a Saline Upland 10-14 inch pz. ecological site with Loamy and Shallow Loamy 10-14 inch pz. ecological sites intermingled. Slopes are 0 to 30 percent.

The soils offer few limitations for a surface pipeline. Fine textured surface textures would be virtually impassable when wet and would be extremely susceptible to rutting. The reclamation potential of the soils is limited. Shallow topsoil depth (>4 inches), soil reaction (pH 8.4-9.0), and salinity (8-16+mmhos/cm³) combine to make reclamation difficult and natural recovery slow.

The soils are ranked in Hydrologic Group C and D indicating that they have slow to very slow rates of infiltration. Nonetheless, when the native vegetation is intact they are not susceptible to runoff and erosion, as confirmed by the US Forest Service web based Water Erosion Prediction Project (WEPP), Disturbed WEPP Model. WEPP predicts a 4 percent probability of runoff and a 0 percent probability of erosion for undisturbed soils. When calculated over a 50-year period, average erosion rates are virtually none.

Hydrology (Water Quality and Prime or Sole Source of Drinking Water, Wetlands and Riparian Zones)

The project is located in the Mud Creek- Nowater Creek subwatershed, and is located in an area in the 5-9" precipitation zone with minimal amounts of runoff. The nearest drainage is Mud Creek located 1/4 mile to the west of the facility. There are no other drainages in the immediate vicinity of the proposed action.

Wildlife

The wildlife habitat within the proposed project area consists of gently rolling topography and shallow drainages flowing generally into Murphy Dome Draw with the primary vegetative community being dominated by a successional wildland fire regime of perennial grasses, cheat grass, and various forbs. The proposed project area lies within crucial big game winter habitat. The area provides habitat for numerous wildlife species including pronghorn antelope, mule deer, numerous small mammals, predators, passerines, and raptors. No known threatened or endangered animal species are known to inhabit this area. The proposed site lies within a designated sage grouse core breeding area, however the immediate vicinity of the site has been determined to be unsuitable for sage grouse due to a general lack of sage brush cover as a result of wildland fire. The site lies within multiple sage grouse lek buffer zones, however a site visit evaluation has determined that the habitat is unsuitable to support sage grouse breeding, nesting, or early brood-rearing activity due to a general lack of sage brush cover.

Socioeconomic

In compliance with the Mineral Leasing Act, the lessee has the right to explore, drill, and extract hydrocarbons from their lease. The oil and gas sector plays an important role, generating tax revenues and vendor/employment incomes. Oil and gas exploration and development in the region has been part of the economic base for Washakie County since the early 1900's.

ENVIRONMENTAL EFFECTS

Land Use

Alternative 1: There would be 4.75 acres of disturbance to the associated with the proposed action. Under the proposed action the operator does not address reclamation of the disturbed areas.

Alternative 2: Under this alternative design features would be incorporated into the proposed action to address reclaiming disturbed areas to meet predisturbance land uses.

Alternative 3: Under this alternative the sundry notices would not be approved. No resulting effects on current land uses would be expected to occur beyond the current situation.

Cultural Resources, Traditional Cultural Properties, Native American Religious Concerns

Alternative 1

A Class III Cultural Resource Inventory was conducted on the project area. No historic properties were identified.

Alternative 2

No additional consequences would be expected under this alternative. The project authorization is recommended with standard stipulations included in the conditions of approval.

Alternative 3

Under the No Action Alternative, the development of the proposed Action would not occur. No resulting effects on cultural resources would be expected to occur beyond the current situation.

Vegetation

Native Vegetation

Alternative 1: There would be approximately 4.75 acres affected by the proposed action, including the area available for vehicle travel. The operator does not make provisions for reclamation of disturbed areas in the proposed action.

Alternative 2: Design features would be implemented under this alternative. The appropriate seed mix would be prescribed and once installation of the flowlines is complete seeding would occur. Impacts would not be significant.

Alternative 3: Under the No Action Alternative, the development of the proposed Action would not occur. No resulting effects on vegetation would be expected to occur beyond the current situation.

Invasive, Non Native Species Noxious Weeds

Alternative 1: Greatest risk for introduction of noxious weeds to the site is from construction equipment. Newly disturbed areas will be most at risk for weed germination and growth.

Alternative 2: Risk for weed spread is reduced and new infestations are detected and treated sooner.

Alternative 3: Risk of new noxious weed infestation at the site remains at current level.

Livestock Grazing

Alternative 1

Under the Proposed Action, livestock grazing management on the North Murphy Dome Allotment would occur in the same manner as in the past. The project's amount of disturbance in the placing of a temporary pipeline will not significantly reduce any AUMs or vegetation. Likewise, if the pipeline is buried, the temporary disturbance will not have any major displacement effects on livestock.

Alternative 2

Same as alternative 1. NO COA's recommended.

Alternative 3

If no action is taken grazing would occur as it has in the past

Paleontology

Alternative 1

The surface formation is Cody Shale which has a moderate sensitivity for paleontological resources. Existing disturbance has eradicated the potential for intact significant localities. No additional consequences would be expected under this alternative.

Alternative 2

No additional consequences would be expected under this alternative. The project authorization is recommended with standard stipulations included in the conditions of approval.

Alternative 3

Under the No Action Alternative, the development of the proposed Action would not occur. No resulting effects on paleontological resources would be expected to occur beyond the current situation.

Recreation and Visual Resource Management; Special Designations Including ACECs, Wild and Scenic Rivers, Lands with Wilderness Characteristics

Alternative 1 - Proposed action

Recreation

Impacts to recreation from the proposed action are negligible. Traffic within these areas are dominantly used for industrial purposes. The action will not interfere with desired goals, opportunities, or beneficial outcomes of those visiting within proximity or through the area.

VRM

The proposed action will not impact or interfere with VRM Class IV objectives.

Alternative 2 - Proposed action with mitigations

Recreation

Impacts to recreation will be the same as those in the proposed action.

VRM

Impacts to VRM will be the same as those in the proposed action

Alternative 3 - No Action

Recreation

Under the No Action Alternative, the development of the proposed Action would not occur. No resulting effects on recreation would be expected to occur beyond the current situation.

VRM

Under the No Action Alternative, the development of the proposed Action would not occur. No resulting effects on VRM would be expected to occur beyond the current situation.

Soils

Alternative 1:

Proposed Action

There would be minimal surface disturbance with the pipeline placed on the surface. Vegetation would be crushed with some loss of vegetation cover. Vehicle tracks could become a long term surface feature and a 2-track trail could develop. Soil compaction would be likely along such a 2-track road.

Assuming there would be some loss of vegetation, WEPP predicts a 4 percent probability of runoff and erosion the year following disturbance with an average erosion rate of 0.01 tons per acre per year. In the unlikely event of a 50-year storm cycle, the annual erosion rate would be 0.40 tons per acre per year.

Alternative 2:

Proposed Action with additional mitigations

No additional mitigations are being proposed to protect the soil resource. Impacts would be the same as those described under the Proposed Action.

Alternative 3:

No action

Under this alternative the pipeline would not be installed. There would be no impacts to the soil resource.

Hydrology (Water Quality and Prime or Sole Source of Drinking Water, Wetlands and Riparian Zones)

Alternative 1

Assuming there would be some loss of vegetation, WEPP predicts a 4 percent probability of runoff and erosion the year following disturbance with an average erosion rate of 0.01 tons per acre per year. In the unlikely event of a 50-year storm cycle, the annual erosion rate would be 0.40 tons per acre per year. No significant effects to the watershed hydrology will occur. There will be some minor impacts to the riparian vegetation where the pipeline crosses the drainage from the Murphy Dome Shad water discharge.

Alternative 2

Same as alternative 1, but if the pipeline is subsequently buried; impacts at the crossing of the perennial water drainage will need to be mitigated by appropriate measures.

Alternative 3

Under this alternative the pipeline would not be constructed. No resulting effects on hydrology would be expected to occur beyond the current situation.

Wildlife

Alternative 1:

Proposed action - Regarding impact to wildlife resources under the proposed action, current and ongoing activity associated with existing oil and gas development in the area reduces the probability that significant additional impact to wildlife resources would occur as a result of this project.

Alternative 2:

Proposed action with mitigations - no mitigation concerning wildlife resources is recommended as a result of the proposed action.

Alternative 3:

No action - no additional effects to wildlife resources would occur in the event that the proposed action does not occur.

Socioeconomic

Alternative 1:

Under the Proposed Action, the socioeconomic effects would be positive if the well was developed and put into production.

Alternative 2:

No additional consequences would be expected under this alternative.

Alternative 3:

Under the No Action Alternative, the development of the proposed Action would not occur. No resulting effects on socioeconomics would be expected to occur beyond the current situation.

Hazardous or Solid Wastes

Alternative 1:

Should hazardous materials be used in an improper manner, there could be environmental impacts resulting from an accidental spill or an inappropriate discharge. This could result in impacts to the soil, water, air, wildlife, and cultural resources, in addition to impacts to human health and safety.

Alternative 2:

Under the No Action Alternative, the development of the proposed Action would not occur. No resulting effects on public health or safety would be expected to occur beyond the current situation.

Alternative 3:

Proper containment of fuels, oil and other hazardous materials in appropriately designed and maintained storage facilities and an immediate response in the event of a release would greatly

reduce any potential impacts. The operator is required to report all undesirable events under NTL3-A.

The Operator and their contractors would comply with all applicable federal and state laws and regulations as they relate to hazardous materials. Hazardous materials being those chemicals listed in Title III List of Lists, EPA's Consolidated List of Chemicals Subject to Emergency Planning and the Community Right to Know Act (EPCRA) and Section 112(r) of the Clean Air Act, as amended, or the 40CFR 302.4 Table-List of Hazardous Substances and Reportable Quantities, as amended. In the event any hazardous materials are used, they would be handled in an appropriate manner to prevent environmental contamination. Any release of hazardous materials of reportable quantities, would be reported both to the National Response Center (NRC), as required in the National Oil and Hazardous Materials Contingency Plan (40 CFR 300), and the Worland Field Office, as per the Hazardous Materials Contingency Plan.

The only fluids/waste materials that are authorized to go into the reserve pit are RCRA exempt exploration and production wastes.

Public Health and Safety

As no drilling activity is involved in the proposed action, no public health and safety effects are anticipated.

Cumulative Impacts

None identified for this project.

TRIBES, INDIVIDUALS, ORGANIZATIONS, or AGENCIES CONSULTED

Person Consulted	Agency/Tribe/Organization

LIST OF PREPARERS

The following Worland Field Office personnel reviewed or have been contacted with regard to this EA.

List of Reviewers

Resource	Name	Title
Cultural Resources	Marit Bovee	Archaeologist
Wildlife, T&E animal Recreation/VRM/Travel Management/Special Designations	Ted Igleheart	Wildlife Biologist
Livestock Grazing	Paul Rau	Recreation/Visual Specialist
T&E Plants	Karen A. Hepp	Range Management Specialist Range Management Specialist (T&E/Sensitive Plants)
Engineering		Civil Engineer
Soils/Haz. Mat.	Stephen Kiracofe	Soils Scientist
Invasive Species	CJ Grimes	NRS/Weeds
Water resources		Hydrologist
Paleontology		Archaeologist

Planning & Environmental Coordinator

Conditions of Approval

Temporary pipeline, Sundry Notice

1. The operator shall contact the authorized officer a minimum of 5 days prior to beginning any construction activities.
2. No surface disturbance or construction activity shall occur outside the approved right-of-way (approximately 7.5' from center). All vehicle traffic shall be kept within the approved right-of-way.
3. Upon installation of the new flowlines, any existing lines not needed for production operations shall be removed and hauled to an approved disposal facility.
4. Construction activity will not be conducted using frozen or saturated soil material or during periods when watershed damage or excessive rutting is likely to occur.
5. No construction or routine maintenance activities shall be performed during periods when the soil is too wet to adequately support construction equipment. If such equipment creates ruts in excess of 4 inches deep, the soil shall be deemed too wet to adequately support construction equipment.
6. Topsoil shall be removed at a depth of 4-6inches from all areas of surface disturbance. Topsoil shall be clearly segregated from spoil material.
7. Following construction all disturbed areas shall be restored, topsoil replaced and areas reseeded as prescribed. To prevent erosion, waterbars, mulching, or other protective measures may be required. Backfill shall be thoroughly compacted. Topsoil shall be spread evenly over all areas to be reclaimed.
8. No mounding shall be permitted.
9. Trenches shall be routinely inspected and maintained to ensure proper settling, stabilization and reclamation.
10. Construction holes left open for more than 24 hours shall be covered or left in a manner to allow for escape of any entrapped animal. Covers shall be secured in place and shall be strong enough to prevent livestock or wildlife from falling through and into a hole.
11. Operators are required to obtain a National Pollution Discharge Elimination System (NPDES) Storm Water Permit from the Wyoming DEQ for any projects that disturb one acre or more. This general construction storm water permit must be obtained from the WDEQ prior to any surface disturbing activities and can be obtained by following direction on the WDEQ website at <http://deq.state.wy.us>. Further information can be obtained by contacting the NPDES coordinator at (307) 775-7570.
12. The Operator shall ensure all appropriate measures are taken to control erosion. Upon completion of construction the operator shall initiate the approved Storm Water Discharge Plans on the location and associated access.

13. The operator is responsible for informing all persons in the area who are associated with this project that they will be subject to prosecution for knowingly disturbing historic or archaeological sites, or for collecting artifacts. If historic or archaeological materials are uncovered during construction, the operator is to immediately stop work that might further disturb such materials and contact the authorized officer (AO). Within five working days the AO will inform the operator as to:

-whether the materials appear eligible for the National Register of Historic Places;

-the mitigation measures the operator will likely have to undertake before the site can be used (assuming in situ preservation is not necessary); and,

-a time frame for the AO to complete an expedited review under 36 CFR 800.11 to confirm, through the State Historic Preservation Officer, that the findings of the AO are correct and that mitigation is appropriate.

If the operator wishes, at any time, to relocate activities to avoid the expense of mitigation and/or the delays associated with this process, the AO will assume responsibility for whatever recordation and stabilization of the exposed materials may be required. Otherwise, the operator will be responsible for mitigation costs. The AO will provide technical and procedural guidelines for the conduct of mitigation. Upon verification from the AO that the required mitigation has been completed, the operator will then be allowed to resume construction.

14. The Operator is responsible for inspection of the construction area for the presence of both surface and subsurface utility facilities and shall notify the Wyoming One-Call System (1-800-849-2476, www.onecallofwyoming.com) before construction activities begin. The Operator will use extra safety precautions when working near or around pipelines, power lines, underground cables, or other utility installations.

15. The Operator and their contractors shall comply with all applicable federal and state laws and regulations as they relate to hazardous materials. Hazardous materials being those chemicals listed in Title III List of Lists, EPA's Consolidated List of Chemicals Subject to Emergency Planning and the Community Right to Know Act (EPCRA) and Section 112(r) of the Clean Air Act, as amended, or the 40CFR 302.4 Table-List of Hazardous Substances and Reportable Quantities, as amended. In the event any hazardous materials are used, they would be handled in an appropriate manner to prevent environmental contamination. Any release of hazardous materials of reportable quantities, would be reported both to the National Response Center (NRC), as required in the National Oil and Hazardous Materials Contingency Plan (40 CFR 300), and the Worland Field Office, as per the Hazardous Materials Contingency Plan.

16. All Undesirable Events shall be reported in compliance with NTL-3A. If during any phase of the construction, drilling, production, or reclamation of the approved actions any oil or other pollutant should be discharged from the approved area, containers or vehicles impacting Federal lands, the control and total removal, disposal, and cleanup of such oil or other pollutant, wherever found, shall be the responsibility of the operator, regardless of fault. Upon failure of the operator to control, cleanup, or dispose of such discharge on or affecting Federal lands, or to repair all damages to Federal lands resulting therefrom, the authorized officer may take such measures as he deems necessary to control and cleanup the discharge and restore the area, including, where appropriate, the aquatic environment

and fish and wildlife habitats, at the full expense of the operator. Such action by the authorized officer shall not relieve the operator of any liability or responsibility.

17. Construction sites shall be maintained in a sanitary condition at all times; waste materials at those sites shall be disposed of promptly at an appropriate waste disposal site. "Waste" means all discarded matter including, but not limited to, human waste, trash, garbage, refuse, oil drums, petroleum products, ashes, and equipment.

18. All disturbed areas shall be drill seeded. Where drilling is impractical, seed shall be broadcast and the area raked or chained to cover seed. If broadcast seeding is used, the approved seed mix shall be doubled.

19. The crossing of the drainage carrying a perennial flow of produced water shall be at a perpendicular angle. If more than 4356 square feet (0.1 acre) of wetland vegetation will be disturbed, a Section 303B permit must be obtained from the U.S. Army Corps of Engineers.

20. All disturbed areas shall be reseeded with the prescribed seed mixture of all Pure Live Seed. Fall seeding shall be completed after September 1, and prior to ground frost. Spring seeding shall be completed after the frost has left the ground and prior to May 15. Seeding shall be repeated if a satisfactory stand is not obtained.

Species	Lbs/Acre PLS
Indian Ricegrass	1.0
Bottlebrush Squirreltail	1.0
Sandberg Bluegrass	1.0
Gardner Saltbush	1.5
Winterfat	1.5
Wild Onion	0.5

The authorized Officer may add additional conditions of approval to protect the resources, if conditions require it. The operator shall comply with applicable laws and regulations.