

**U.S. Department of the Interior
Bureau of Land Management
Little Snake Field Office
455 Emerson Street
Craig, CO 81625-1129**

Section 390 Categorical Exclusions for Oil and Gas Development

NUMBER: DOI-BLM-CO-N010-2014-0047-CX(390)

CASEFILE/PROJECT NUMBER: COC49461

PROJECT NAME: Temporary, surface produced water line and permanent buried for F. Wilson #21 water injection well and remediation land farm for contaminated soils from old produced water line.

LEGAL DESCRIPTION:

- Temporary Produced Water Line (Figure 1): SWNW, Sec. 22, T. 12 N., R. 100 W., 6th PM. Moffat County, Colorado
- Remediation Land Farm (Figure 2):, Lot 2, Sec. 21, T. 12 N., R. 100 W., 6th PM. Moffat County, Colorado
- Permanent Produced Water Line (Figure 3): Sec. 21, 22, T. 12 N., R. 100 W., 6th PM. Moffat County, Colorado
- See Proponent provided Figures

APPLICANT: Wexpro Company

DESCRIPTION OF PROPOSED ACTION: Wexpro Company submitted a sundry notice (SN) on 06/18/14 proposing to run 2,026' of temporary 3" flex steel line for produced water on the surface of the existing buried line route from the F Wilson 21 facility to the well head. Wexpro experienced two leaks in the line, totaling ~40-50 bbls of produced water during the spring of 2014. The old line is currently shut-in and the produced water (400-500 bbls/day) is being trucked to 3rd party disposal facilities. This temporary line would not require any surface disturbance outside the existing injection line route and would only be in operation until a new buried line route is constructed. The temporary line would then be removed and used in the new buried line route. Installation equipment would consist of a truck and reel-deployment trailer that would be pulled along the route as the flex steel pipe is unrolled and set on the surface. There would be no welding associated with the installation or removal.

Due to the condition of the existing line, excessive depth, and cross-country route, the operator submitted a SN on 07/07/14 proposing a new line and route along existing access roads that would be easier to access and maintain with less disturbance. The new line would be 2,972' with a maximum width of 50', resulting in ~3.5 acres of disturbance. The pipeline route would be trenched and the temporary line would be moved from the old location and placed in the new trench. The trench would be closed immediately and would be seeded in fall 2014.

Wexpro Company also submitted a SN on 06/02/14 proposing to install a temporary remediation land farm on the existing disturbance of Hiawatha Deep Unit Well #8R, for the purpose of remediating the contaminated soils from these leaks. The remediation area would measure approximately 50' X 60', have a liner with a 2' containment berm, and be fenced to exclude wildlife and livestock. The remediation area would be checked daily for water accumulation and berm wear. The soil would be amended with Gator Dust and nitrogen fertilizer and tilled bi-monthly from May to September. At the end of September, soil samples would be collected and analyzed and a report would be submitted to the BLM and COGCC. When the concentrations in COGCC Table 910-1 have been met, the berm and liner would be removed and the material would be used to repair containment berms in the area.

LAND USE PLAN (LUP) CONFORMANCE REVIEW: The Proposed Action was reviewed for conformance (43 CFR 1610.5, BLM MS 1601.03) with the following plan:

Name of Plan: Little Snake (RMP)

Date Approved: October 2011

Decision Language: The Proposed Action is in conformance with the LUP because it is specifically provided for in the following LUP goals, objectives, and management decisions: language of decision in RMP that allows this type of implementation action e.g./:

Allow for the availability of the federal oil and gas estate (including coalbed natural gas) for exploration and development. Objectives for achieving these goals include:

- Identify and make available the federal oil and gas estate (including coalbed natural gas) for exploration and development.
- Facilitate reasonable, economical, and environmentally sound exploration and development of oil and gas resources (including coalbed natural gas).

Section/Page: Section 2.13 Energy and Minerals/ page RMP-36

REVIEW OF EXISTING NEPA DOCUMENTS:

Name of Document: EA# CO-016-88-039

Date Approved: 03/08/1988

Name of Document: CO-100-2005-0074 EA

Date Approved: 12/15/2005

CATEGORICAL EXCLUSION REVIEW: The proposed action is categorically excluded from further documentation in accordance with statutory NEPA categorical exclusions (CX), as granted in Section 390 of the Energy Policy Act of 2005, for oil and gas exploration and development. The proposed action qualifies as a categorical exclusion under Section 390, based on the qualifying criteria Number 1 of the categories listed below.

Qualifying Criteria	YES	NO
1. Individual surface disturbances of less than five (5) acres so long as the total surface disturbance on the lease is not greater than 150 acres and site-specific analysis in a document prepared pursuant to NEPA has been previously completed. (a, b, and c below must be yes to have this CX to apply)	X	
a. Will disturb less than 5 acres, if more than one action is proposed for a lease, each activity is counted separately and each may disturb up to five acres.	X	
b. The current un-reclaimed surface disturbance readily visible on the entire leasehold is not greater than 150 acres, including the proposed action.	X	
c. This categorical exclusion includes the requirement of a site-specific NEPA document. A site specific NEPA analysis can be either an exploration and/or development EA/EIS, an EA/EIS for a specific POD, a multi-well EA/EIS or an individual permit approval EA/EIS.	X	
2. Drilling an oil and gas location or well pad at a site at which drilling has occurred within five (5) years prior to the date of spudding the well.		
3. Drilling an oil or gas well within a developed field for which an approved land use plan and an existing activity-level or project-specific EIS or EA exists , so long as such plan or document was approved within five (5) years prior to the date of spudding the well.		
a. The proposed APD is within a developed oil or gas field. A developed field is defined as any field in which a confirmation well has been completed.		
b. The developed field in which the proposed drilling will take place is adequately analyzed in an existing activity-level or project-specific EIS or EA (not solely in an approved land use plan and associated EIS).		
c. The existing NEPA document was finalized or supplemented within five years of spudding the well.		
4. Placement of a pipeline in an approved right-of-way corridor, as long as the corridor was approved within five (5) years prior to the date of placement of the pipeline. (The right-of-way must contain a stipulated deadline that provides for the suspension of the authorization if placement does not begin before the last date that the CX is available, at which time the grant holder would be required to obtain a new right-of-way.)		
a. The placement of a pipeline in an existing corridor of any type		
b. Placement of the pipeline within five years of approval (or amendment) of the most recent date of a decision (NEPA or permit authorization) are the only two applicable		

Qualifying Criteria	YES	NO
factors for review pursuant to this statute and must both be satisfied to use this CX.		
5. Maintenance of a minor activity, other than any construction or major renovation of a building or facility.	X	

CX (1) and (3) reference previous NEPA documents, the same or better mitigating measures from the tiered NEPA document will be applied as well as BMPs to reduce impacts to any authorization issued.

CX (2), (3) and (4) must state the date when the previous well was completed or the date the site had workover operations involving a drilling rig of any type or capability; this also includes completion of any plugging operations. Because the 5-year period is tied to the spudding of the pending well, the APD must contain a COA that if no well is spudded by the date the CX is no longer applicable, the APD will expire, thus requiring the operator to obtain a new APD.

For all CX a brief narrative must be included in the well file(s) stating the rationale for making the determination that the categorical exclusion applies. If more than one applies each shall be explained.

None of the following extraordinary circumstances in 516 DM 2, Appendix 2, apply.

INTERDISCIPLINARY REVIEW:

Title	Resource	Date
Archaeologist	Cultural Resources	7/11/14
Rangeland Mgmt Spec	T&E Plants	7/03/14
Wildlife Biologist	T&E Animals	6/30/14

The proposed action was presented to, and reviewed by the Little Snake Field Office interdisciplinary team on 06/30/14.

Date

A list of resource specialists who participated in this review is available upon request from the Little Snake Field Office.

REMARKS:

Cultural Resources: No archaeological or historic sites will be affected by the proposed work. The route of the leaking buried pipeline a temporary surface pipeline is proposed was inventoried for cultural resources with negative results (Creasman and Newberry 1984). Also, the route of the proposed new buried pipeline was survey for cultural resources, but none were found (Murcay 2014). Finally, the well pad where the remediation land farm is proposed was examined for historic and archaeological sites with negative results (Erickson 2005).

Referenced Cited

Creasman, S. D., and J. Newberry

1984 Affidavit of Cultural Resource Inventories: Celsius Energy Co. Proposed Produced Water Line Between Wells F. Wilson No. 21 and F. Wilson No. 1. Report prepared by Western Wyoming College, Rock Springs, Wyoming.

Erickson, J.

2005 Wexpro Hiawatha Deep Well #8 Well and Access Road Class III Cultural Resource Inventory. Report prepared by Western Archaeological Services, Rock Springs, Wyoming.

Murcay, D.

2014 Class III Cultural Resource Inventory for the Wexpro Company F. Wilson #21 Pipeline; Moffat County, Colorado. Report prepared by Western Archaeological Services, Rock Springs, Wyoming.

Native American Concerns: No information is available to the BLM to indicate that the proposed work would affect sites or areas of concern to Native Americans for historic, cultural, or religious reasons. No archaeological sites that were occupied by native peoples are present with the areas that would be affected by the proposed actions, if approved. Therefore, formal consultation letters were not sent to the tribes that formerly inhabited northwest Colorado (the Utes and the Shoshone).

COMPLIANCE PLAN: Conditions of Approval Attached

NAME OF PREPARER: Shawn Wisler

NAME OF ENVIRONMENTAL COORDINATOR: Kathryn McKinstry

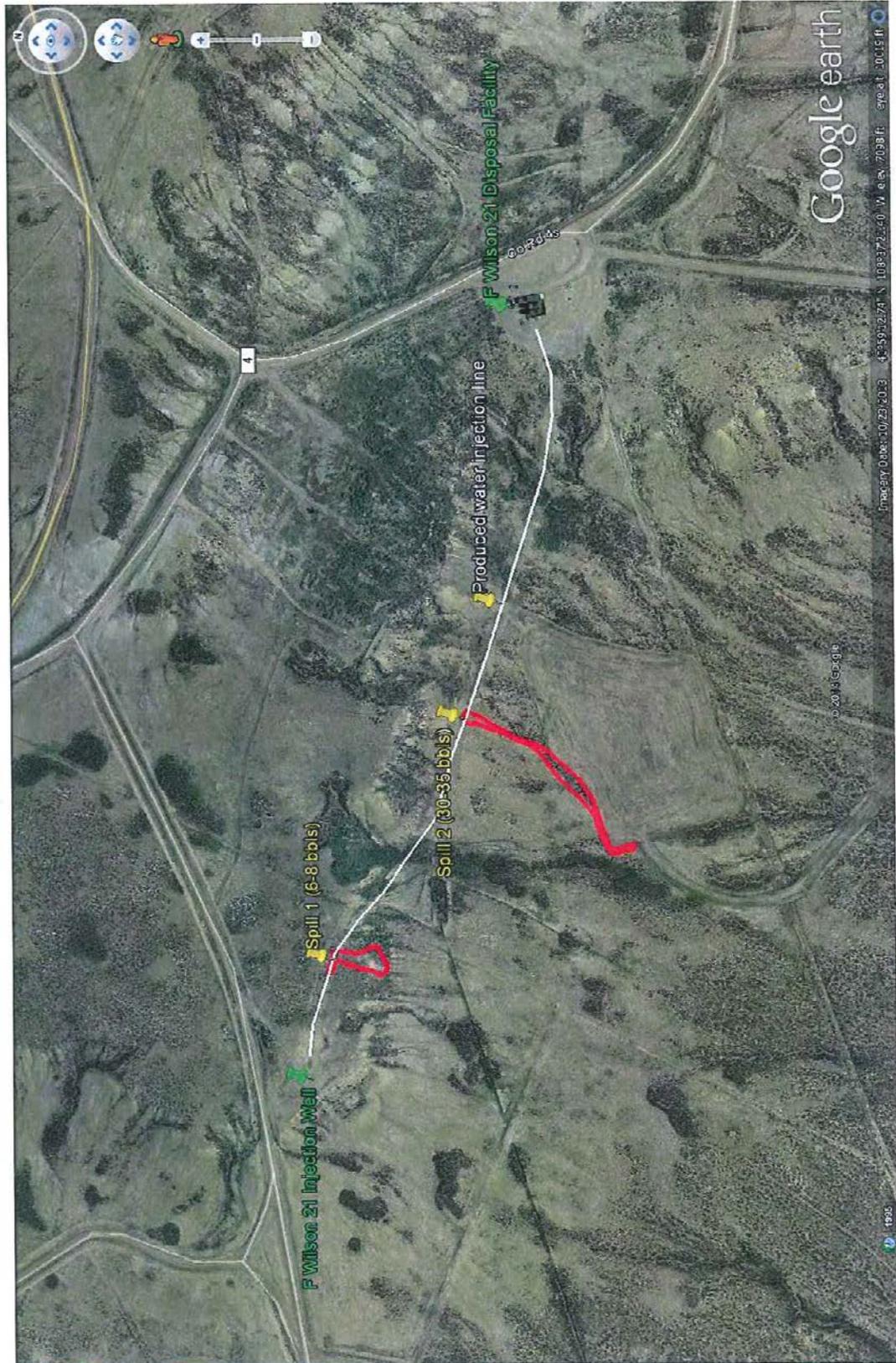
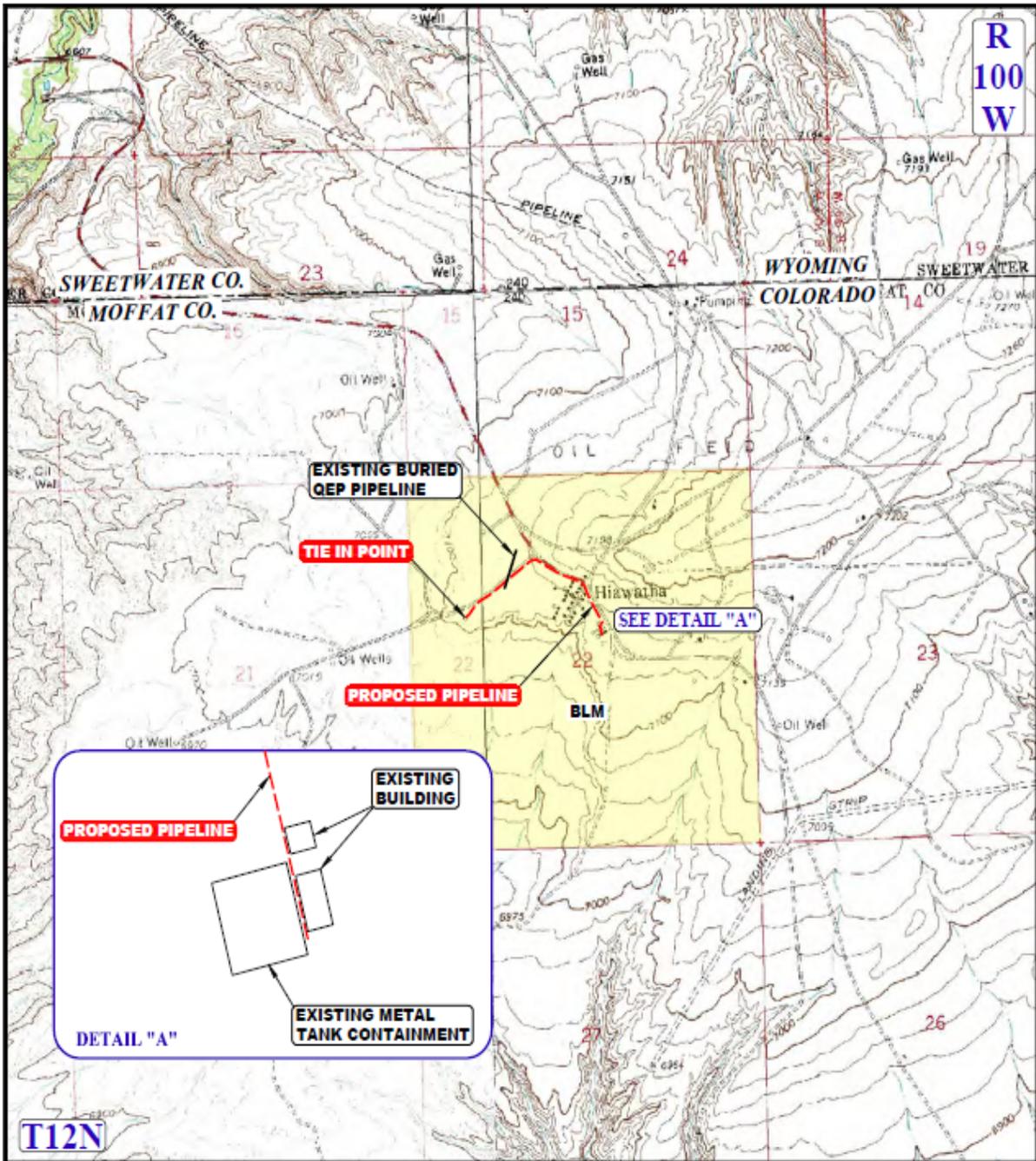


Figure 1: F Wilson 21 Temporary Produced Water Line at SWNW, Sec. 22, T. 12 N., R. 100 W., 6th PM, Moffat County, Colorado



Figure 2: Remediation Land Farm located on Hiawatha Deep Unit Well #8R located at Lot 2, Sec. 21, T. 12 N., R. 100 W., 6th PM. Moffat County, Colorado



APPROXIMATE TOTAL PIPELINE DISTANCE = 2,972' +/-

NOTE: PARCEL DATA SHOWN HAS BEEN OBTAINED FROM VARIOUS SOURCES AND SHOULD BE USED FOR MAPPING, GRAPHIC AND PLANNING PURPOSES ONLY. NO WARRANTY IS MADE BY UINTAH ENGINEERING AND LAND SURVEYING (UELS) FOR ACCURACY OF THE PARCEL DATA.

LEGEND:

- - - - - PROPOSED PIPELINE
- - - - - EXISTING PIPELINE

WEXPRO COMPANY

F. WILSON #21
SECTION 22, T12N, R100W, 6th P.M.

DRAWN BY: J.M.F.	SCALE: 1" = 2000'
DATE DRAWN: 05-22-14	REV: 00-00-00

PIPELINE MAP

TOPO D



UELS, LLC
Corporate Office * 85 South 200 East
Vernal, UT 84078 * (435) 789-1017

Figure 3: Propose F Wilson #21 Permanent Produced Water Line

CONDITIONS OF APPROVAL FOR SUNDRY NOTICE DATED 06/18/14

Lease number: CO49461	Operator: WEXPRO COMPANY	
Well: F Wilson Well #21	Location: 6 TH PM T12N R100W section: 22 qtr: SWNW	County: Moffat

1. The Little Snake Field Office (LSFO) must be given 48-hour notification prior to construction and prior to any backfilling and/or reclamation activities. Contact the LSFO (970-826-5000) to report work that will commence.

2. Surface use of this temporary line will be limited to: no more than 2 years, including time stored outdoors exposed to sunlight [49 CFR 192.321(g)(1)]; exposure to temperature between - 40° F and 150° F [49 CFR 192.123 (b)(1)&(2)(ii)]; installation above ground when it is unlikely to be exposed to mechanical damage from external forces or is protected by from mechanical damage such as installation in a metallic casing [49 CFR 1962.321 (g)(2)&(h)(1)].

3. The operator is required to use the reclamation practices necessary to reclaim all disturbed areas. (Well Pad and Access Road) Reclamation will ensure surface and subsurface stability, growth of a self-regenerating permanent vegetative cover and compatibility with post land use. The vegetation will be diverse and of the same seasonal growth as adjoining vegetation.

4. Any cultural and/or paleontological (fossil) resource (historic or prehistoric site or object) discovered by the holder, or any person working on his behalf, on public or Federal land shall be immediately reported to the authorized officer. Holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the authorized officer. An evaluation of the discovery will be made by the authorized officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The holder will be responsible for the cost of evaluation and the authorized officer will make any decision as to proper mitigation measures after consulting with the holder.

5. The operator is responsible for informing all persons who are associated with the operations that they will be subject to prosecution for knowingly disturbing historic or archaeological sites, or for collecting artifacts. If historic or archaeological materials are encountered or uncovered during any project activities, the operator is to immediately stop activities in the immediate vicinity of the find and immediately contact the authorized officer (AO) at (970) 826-5000. Within five working days, the AO will inform the operator as to:
 6. Whether the materials appear eligible for the National Register of Historic Places;
 - The mitigation measures the operator will likely have to undertake before the identified area can be used for project activities again; and
 - Pursuant to 43 CFR 10.4(g) (Federal Register Notice, Monday, December 4, 1995, Vol. 60, No. 232) the holder of this authorization must notify the AO, by telephone at (970) 826-5000, and with written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4(c) and

(d), you must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the authorized officer.

7. Pursuant to 43 CFR 10.4(g) the holder of this authorization must notify the authorized officer, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4(c) and (d), you must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the authorized officer.

8. Control of noxious weeds will be required through successful vegetation establishment and/or herbicide application. It is the responsibility of the lease operator to insure compliance with all local, state, and federal laws and regulations, as well as labeling directions specific to the use of any given herbicide.

9. A Pesticide Use Proposal (PUP) will be approved prior to application of herbicides and/or other pesticides on Federal surface. Submit the PUP two (2) months in advance of planned application. The following website will provide instruction and the forms required:
http://www.blm.gov/co/st/en/fo/lsfo/programs/noxious_weeds.html.

10. All contractors employed to perform work on this well location will be furnished and have on site, a copy of these Conditions of Approval.

CONDITIONS OF APPROVAL FOR SUNDRY NOTICE DATED 07/02/14

Lease number: CO49461	Operator: WEXPRO COMPANY	
Well: F Wilson Well #21	Location: 6 TH PM T12N R100W section: 22 qtr: SWNW	County: Moffat

1. The Little Snake Field Office (LSFO) must be given 48-hour notification prior to construction and prior to any backfilling and/or reclamation activities. Contact the LSFO (970-826-5000) to report work that will commence.
2. The operator is required to use the reclamation practices necessary to reclaim all disturbed areas. (Well Pad and Access Road) Reclamation will ensure surface and subsurface stability, growth of a self-regenerating permanent vegetative cover and compatibility with post land use. The vegetation will be diverse and of the same seasonal growth as adjoining vegetation.
3. Any cultural and/or paleontological (fossil) resource (historic or prehistoric site or object) discovered by the holder, or any person working on his behalf, on public or Federal land shall be immediately reported to the authorized officer. Holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the authorized officer. An evaluation of the discovery will be made by the authorized officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The holder will be responsible for the cost of evaluation and the authorized officer will make any decision as to proper mitigation measures after consulting with the holder.
4. The operator is responsible for informing all persons who are associated with the operations that they will be subject to prosecution for knowingly disturbing historic or archaeological sites, or for collecting artifacts. If historic or archaeological materials are encountered or uncovered during any project activities, the operator is to immediately stop activities in the immediate vicinity of the find and immediately contact the authorized officer (AO) at (970) 826-5000. Within five working days, the AO will inform the operator as to:
 5. Whether the materials appear eligible for the National Register of Historic Places;
 - The mitigation measures the operator will likely have to undertake before the identified area can be used for project activities again; and
 - Pursuant to 43 CFR 10.4(g) (Federal Register Notice, Monday, December 4, 1995, Vol. 60, No. 232) the holder of this authorization must notify the AO, by telephone at (970) 826-5000, and with written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4(c) and (d), you must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the authorized officer.
 6. Pursuant to 43 CFR 10.4(g) the holder of this authorization must notify the authorized officer, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4(c) and (d), you must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the authorized officer.

7. Control of noxious weeds will be required through successful vegetation establishment and/or herbicide application. It is the responsibility of the lease operator to insure compliance with all local, state, and federal laws and regulations, as well as labeling directions specific to the use of any given herbicide.

8. A Pesticide Use Proposal (PUP) will be approved prior to application of herbicides and/or other pesticides on Federal surface. Submit the PUP two (2) months in advance of planned application. The following website will provide instruction and the forms required:
http://www.blm.gov/co/st/en/fo/lso/programs/noxious_weeds.html.

9. All contractors employed to perform work on this well location will be furnished and have on site, a copy of these Conditions of Approval.

CONDITIONS OF APPROVAL FOR SUNDRY NOTICE DATED 05/29/14

Lease number: COC0122825	Operator: WEXPRO COMPANY	
Well: Hiawatha Deep Unit Well #8R	Location: 6 TH PM T12N R100W section: 21 qtr: Lot 2	County: Moffat

1. The Little Snake Field Office (LSFO) must be given 48-hour notification prior to construction. Contact the LSFO (970-826-5000) to report work that will commence.
2. Any relocation, additional construction, or use that is not in accord with the approved plan(s) of development, shall not be initiated without the prior written approval of the authorized officer. Noncompliance with the above will be grounds for an immediate temporary suspension of activities if it constitutes a threat to public health and safety or the environment.
3. Signage identifying the remediation area will be placed at the site.
4. Wexpro will submit an annual report by October 30th detailing the results of the tests and updating the status of the remediation area.
5. Any cultural and/or paleontological (fossil) resource (historic or prehistoric site or object) discovered by the holder, or any person working on his behalf, on public or Federal land shall be immediately reported to the authorized officer. Holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the authorized officer. An evaluation of the discovery will be made by the authorized officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The holder will be responsible for the cost of evaluation and the authorized officer will make any decision as to proper mitigation measures after consulting with the holder.
6. The operator is responsible for informing all persons who are associated with the operations that they will be subject to prosecution for knowingly disturbing historic or archaeological sites, or for collecting artifacts. If historic or archaeological materials are encountered or uncovered during any project activities, the operator is to immediately stop activities in the immediate vicinity of the find and immediately contact the authorized officer (AO) at (970) 826-5000. Within five working days, the AO will inform the operator as to:
 7. Whether the materials appear eligible for the National Register of Historic Places;
 - The mitigation measures the operator will likely have to undertake before the identified area can be used for project activities again; and
 - Pursuant to 43 CFR 10.4(g) (Federal Register Notice, Monday, December 4, 1995, Vol. 60, No. 232) the holder of this authorization must notify the AO, by telephone at (970) 826-5000, and with written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further,

pursuant to 43 CFR 10.4(c) and (d), you must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the authorized officer.

8. Pursuant to 43 CFR 10.4(g) the holder of this authorization must notify the authorized officer, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4(c) and (d), you must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the authorized officer.
9. The approval of this sundry notice does not relieve you of your responsibility to obtain other required federal, state, or local permits.
10. The operator(s) shall comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated. In any event, the holder(s) shall comply with the Toxic Substances Control Act of 1976, as amended (15 U.S.C. 2601, et seq.) with regard to any toxic substances that are used, generated by or stored on the right-of-way or on facilities authorized under this right-of-way grant. (See 40 CFR, Part 702-799 and especially, provisions on polychlorinated biphenyls, 40 CFR 761.1-761.193.) Additionally, any release of toxic substances (leaks, spills, etc.) in excess of the reportable quantity established by 40 CFR, Part 117 shall be reported as required by the Comprehensive Environmental Response, Compensation and Liability Act of 1980, Section 102b. A copy of any report required or requested by any Federal agency or State government as a result of a reportable release or spill of any toxic substances shall be furnished to the authorized officer concurrent with the filing of the reports to the involved Federal agency or State government.
11. 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. No hazardous materials/waste or trash shall be disposed of on the public lands. If a release does occur, it shall be reported to the Little Snake Field Office immediately (970) 826-5000.
12. Utilize the "One Call" system to locate and stake the centerline and limits of all underground facilities in the area of proposed excavations.
13. Construction or other surface-disturbing activities will not be allowed when the soils are saturated to a depth of more than 3 inches. Construction activities will not be allowed to commence if the topsoil cannot be separated from the subsoil during adverse environmental conditions (i.e. when soils are frozen or muddy). During periods of adverse conditions such as thawing, heavy rains, snow, or flooding, all construction activities off existing maintained roads that create excessive surface rutting will be suspended.
14. Control of noxious weeds will be required through successful vegetation establishment and/or herbicide application. It is the responsibility of the lease operator to insure compliance with all local, state, and federal laws and regulations, as well as labeling directions specific to the use of any given herbicide.

15. A Pesticide Use Proposal (PUP) will be approved prior to application of herbicides and/or other pesticides on Federal surface; contact the Little Snake Field Office to obtain a PUP form to request this authorization. Submit the PUP two (2) months in advance of planned application. In the event you elect to apply herbicide or other pesticide as described and authorized on the approved PUP, you must report this use within 24 hours on Bureau of Land Management form titled Pesticide Application Record.