

**U.S. Department of the Interior
Bureau of Land Management
White River Field Office
220 E Market St
Meeker, CO 81641**

FINDING OF NO SIGNIFICANT IMPACT (FONSI)

Project Name
DOI-BLM-CO-N05-2015-0030-EA

Background

Robert L. Bayless 3 proposed gas wells on one well pad (WR 14-11H well pad), one pipeline and one access road.

Finding of No Significant Impact

Based upon a review of the EA and the supporting documents, I have determined that the Proposed Action will not have a significant effect on the quality of the human environment, individually or cumulatively with other actions in the general area. No environmental effects meet the definition of significance in context or intensity, as defined at 40 CFR 1508.27 and do not exceed those effects as described in the White River Resource Area Proposed Resource Management Plan and Final Environmental Impact Statement (1996). Therefore, an environmental impact statement is not required. This finding is based on the context and intensity of the project as described below.

Context

The project is a site-specific action directly involving BLM administered public lands that do not in and of itself have international, national, regional, or state-wide importance. The location of the project is in the Weaver Ridge area in NW Colorado near the Utah border. There are currently oil and gas wells within the vicinity of the project.

Intensity

The following discussion is organized around the 10 Significance Criteria described at 40 CFR 1508.27. The following have been considered in evaluating intensity for this Proposed Action:

1. Impacts that may be both beneficial and adverse.

Benefits include: The operator will be able to develop the minerals associated with the Federal leases and the Department of the Interior will earn royalties. Following successful revegetation of disturbance associated with the well pad and associated disturbances, it is expected that the area will have vegetative characteristics (conversion of the disturbed area from a woodland

dominated site to a grass/forb site) that provide forage (slight increase) for domestic and grazing ungulates. The cooperation between Bayless and BLM to develop one well pad to drill three wells versus three well pads to drill three wells greatly reduces the surface disturbance for three well pads, two access roads, one existing road (re-route), and three pipelines. Costs associated for Bayless by constructing, development, interim reclamation, and final reclamation of one well pad, access road, and pipeline versus three are estimated to be greatly reduced.

Impacts include: The removal of 100 square meters of occupied Rollins' cryptantha habitat and approximately 12 individual plants, an increased potential for noxious and invasive weeds in the area. The woodland area is characterized to have old growth characteristics and with their removal of those trees the area will not become a decadent old growth stand. There will be a temporary short-term loss of less than two Animal Unit Months of livestock forage. There will be a temporary displacement of recreationists during construction. Migratory birds nesting abilities will be affected and Colorado River fishes will have a reduction of water from their habitat. Air quality will have a temporary negative impact from mostly hazardous and greenhouse gas pollutants. Soil resources will likely have loss of topsoil productivity, soil compaction, removal of vegetation, exposure of subsoil, mixing of soil horizons, and an increase in the susceptibility of soil to wind and water erosion. Groundwater quality could be impacted by the drilling fluids if circulation is lost.

2. The degree to which the Proposed Action affects public health or safety.

There would be no impact to public health and safety if the safety measures described in the operator's drilling plan and Surface Use Plan of Operations are properly implemented, and the developed mitigation is adhered to.

3. Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.

There are no historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas that are in the project area.

4. Degree to which the possible effects on the quality of the human environment are likely to be highly controversial.

No comments or concerns have been received regarding possible effects on the quality of the human environment during scoping.

5. Degree to which the possible effects on the quality of the human environment are highly uncertain or involve unique or unknown risk.

No highly uncertain or unknown risks to the human environment were identified during analysis of the Proposed Action.

6. Degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.

The Proposed Action neither establishes a precedent for future BLM actions with significant effects nor represents a decision in principle about a future consideration. This action is similar

to many actions proposed and reviewed in the NEPA process in the BLM WRFO that involve construction of a well pad, constructing an access road, and drilling one or more wells.

7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. This action is not related to other actions with individually insignificant but cumulatively significant impacts.

8. The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed on the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources. There will be no known affects to districts, sites, highways, structures, or objects listed on the National Register of Historic Places. It is not known that this project may cause loss or destruction of significant scientific, cultural, or historical resources. Though there are no known such resources that may be affected and mitigation was included to address potential impacts to unknown resources.

9. The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act (ESA) of 1973.

The White River and its 100-year floodplain are designated critical habitat for the Colorado pikeminnow from Rio Blanco Lake downstream to the Green River in Utah. The White River is also an important flow contributor to endangered fish habitats in the Green and Colorado Rivers (i.e., bonytail, razorback sucker, humpback chub). Pikeminnow distribution is confined to the river below Taylor Draw dam near Rangely, CO, and the proposed project area eventually drains to that portion of the river inhabited by pikeminnow. The lower White River also provides habitat for a number of BLM-sensitive species, including northern leopard frog, roundtail chub and the flannelmouth, bluehead, and mountain sucker. Water consumption for well pad construction, dust abatement, and the drilling and completion of the three wells would result in the depletion of about 11.9 acre-feet of water (average of 3.95 acre-feet per well) from the Colorado River basin. The drilling of all three wells on a single well pad avoided the use of an additional 1.8 acre-feet for the project. Project-specific and cumulative depletion effects have been addressed in BLM Colorado's Programmatic Biological Assessment (PBA) for water depleting activities associated with BLM's fluid minerals program in the Colorado River basin in Colorado.

In response to BLM's PBA, the U. S. Fish and Wildlife Service (FWS) issued a Programmatic Biological Opinion (PBO) (ES/GJ-6-CO-08-F-0006) on December 19, 2008, which concurred with BLM's determination that water depletions are "Likely to Adversely Affect" the Colorado pikeminnow, humpback chub, bonytail, and razorback sucker. Likewise, the project is also likely to adversely affect designated critical habitats for these endangered fish along the Green, Yampa, White, Colorado, and Gunnison rivers. However, the FWS also determined that BLM water depletions from the Colorado River Basin are not likely to jeopardize the continued existence of the Colorado pikeminnow, humpback chub, bonytail, or razorback sucker, and that BLM water depletions are not likely to destroy or adversely modify designated critical habitat.

10. Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.

Neither the Proposed Action nor impacts associated with it violate any laws or requirements imposed for the protection of the environment.

Signature of Authorized Official

Est M Mcelf

ACTING

Field Manager

7/27/2015

Date