

**U.S. Department of the Interior
Bureau of Land Management**

Categorical Exclusion

DOI-BLM-UT-G010-2015-0106-CX

**EOG Evaporation Pond Reclamation and Fresh Water Pond
Construction**

PREPARING OFFICE

U.S. Department of the Interior
Bureau of Land Management
170 South 500 East



Categorical Exclusion
DOI-BLM-UT-G010–2015–0106–CX
EOG Evaporation Pond Reclamation and Fresh
Water Pond Construction

Prepared by
U.S. Department of the Interior
Bureau of Land Management
Vernal Utah

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Chapter 1. Categorical Exclusion Rationale

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A. Background

BLM Office:

Vernal Field Office

Lease/Serial/Case File No.: Chapita Wells Unit

Proposed Action Title

EOG Evaporation Pond Reclamation and Fresh Water Pond Construction

Location of Proposed Action:

T. 9S., R. 22 E., SESW of Sec 15

Description of Proposed Action:

EOG proposes to reclaim two non-commercial evaporation ponds and to convert a portion of one of the ponds into a fresh water pond for use in EOG field operation. This proposal is located in the SESW of Section 15, Township 9 South, Range 22 East. The original construction of the White River Evaporation ponds was analyzed under the Environmental Assessment UT-080–2008–051. Access to fresh water in this area of the field will help reduce truck traffic during future development and work over activities.

Reclamation

EOG will cut the pond liner at the top of the remaining sediment material, which is generally the toe of the dike slope at the bottom of the pond. The removed liner will be disposed of at Peak Plastics Recycles in Commerce City, CO. If applicable, the remaining liner will be ripped and sediment will be thoroughly mixed with dike material to meet soil cleanup standards. A composite sample of this mixed material will be taken to assure that cleanup standards have been met. The laboratory results will be disclosed to the BLM prior to continuing reclamation activities. The remaining subsoils and dike material will be layered over the mixed material to create a cap of multiple feet of fresh soil. If the soils analysis of pond sediment, dike material, and soil below the liner indicate acceptable levels then mixing of sediment and dike material may not be necessary and standard burying practices will occur. Topsoils will be spread over the area and reseeded in accordance with the Green River district Reclamation Guidelines (See table below for proposed seed mix)

To promote reclamation effectiveness, seeding activities will occur in the fall after soil temperatures are consistently below 55°F. The surface of the site will be left rough enough that precipitation is held on site and no run off occurs. Fencing will be installed around the location to prevent vehicle traffic on the site and to reduce potential impacts from wildlife and livestock for a period of two years at which time the temporary fencing will be removed.

The reclamation goal of this plan is to achieve a stable environment with a self-perpetuating plant community that is free of noxious weeds. EOG's approach is to create a stable environment that continually increases desirable vegetation abundance and diversity. All trash and man-made materials will be removed and various Best management Practices will be installed to minimize soil erosion. The reclamation objectives of this plan will be in accordance with the BLM's Green River District Reclamation Guidelines and applicable condition of approval (COA's). If the adjacent vegetation community is not similar to this site, then a comparative analysis will be done

on a matching plant community based upon an ecological site approach. EOG will monitor the site annually to determine if reclamation is trending towards the objectives. EOG will notify BLM when quantitative analysis indicated the plan objectives have been met.

The Table below describes the proposed seed mixture that is suitable for the ecological communities that exist adjacent to the White River Evaporation facility. this seed mixture was derived from EOG personnel visiting the site and previous conversation with the BLM.

Table 1.1.

Species	Common Name	PLS lbs/acre
<i>Achnatherum hymenoides</i>	Indian ricegrass	6
<i>Pleuraphis jamesii</i>	James galleta	6
<i>Agropyron fragile</i>	Siberian wheatgrass	6
<i>Elymus elymoides</i>	Bottlebrush squirrel tail	2
<i>Triticum aestivum x Secale cereale</i>	Quickguard	3
<i>Atriplex canescens</i>	Fourwing saltbush	2
<i>Sphaeralcea munroana</i>	Munro's globemallow	1
<i>Artemesia nova</i>	Black sagebrush	2
	Total PLS lbs/acre:	28

Soil Sampling

To determine the best closure approach EOG will have a third party company develop and conduct a soil sampling and testing protocol to assess the existing soil conditions and achieve acceptable closure levels. Laboratory analyses will be conducted with approved, standardized methodologies and the methods and results will be submitted to the BLM, SITLA, and UDOGM for review prior to continuing reclamation operations.

Soil samples will be collected from the following locations:

- Soils from evaporation ponds below protective liners;
- Sediments and precipitate contained above protective liners lining the evaporation ponds;
- Topsoils and subsoils stockpiles in dikes and long-term storage piles, and;
- Native soils from adjacent, undisturbed vegetation communities.

Four soils samples will be collected from soils below the protective liners of each evaporation pond. Three samples will be collected from any sediment or precipitate that has accumulated above the protective line from each evaporation pond, Three soils samples will be collected from individual topsoil and subsoil stockpiles and/or any dikes or berms identified for use as a potential subsoils source. three samples will be collected from each adjacent ecological community (i.e. Natural Resources Conservation Service [NRCS] ecological sites) to determine natural background levels of undisturbed landscapes.

All laboratories analyzing samples and providing data that will be submitted to the BLM must be accredited by the American Association of Laboratory Accreditation (AALA).

Fresh Water Pond

A small portion of one pond will be recontoured to form a fresh water holding pond. This fresh water pond will have a new liner installed and will serve as a water source for the western portion of EOG's Field operations. The fresh water pond facilities will include one 8'x8'6" high 40' long storage trailer. Access to a water source in this area of the field will help reduce truck traffic during future development and work over actives.

B. Land Use Plan Conformance

Land Use Plan Name: Vernal field Office RMP/ROD (October 31, 2008)

Date Approved/Amended: October 31, 2008

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decision(s):

The RMP/ROD decision allows leasing of oil and gas while protecting or mitigating other resource values (RMP/ROD p. 97-99). The Minerals and Energy Resources Management Objectives encourage the drilling of oil and gas wells by private industry (RMP/ROD, p. 97). The RMP/ROD decision also allows for processing applications, permits, operating plans, mineral exchanges, leases on public lands in accordance with policy and guidance and allows for management of public lands to support goals and objectives of other resources programs, respond to public requests for land use authorizations, and acquire administrative and public access where necessary (RMP/ROD p. 86). It has been determined that the proposed action and alternative(s) would not conflict with other decisions throughout the plan.

C. Compliance with NEPA:

The action described above generally does not require the preparation of an environmental assessment (EA) or environmental impact statement (EIS), as it has been found to not individually or cumulatively have a significant effect on the human environment.

The applicable Categorical Exclusion, referenced in 516 DM 11.9 E(13). This reference states an EA or EIS may not be required for, "*Amendments to existing rights-of-way, such as the upgrading of existing facilities, which entail no additional disturbances outside the right-of-way boundary.*"

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 43 CFR Part 46.210 E 12 which is:

(12) Grants of right-of-way wholly within the boundaries of other compatibly developed rights-of-way.

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed, and none of the extraordinary circumstances described in 43 CFR Part 46.215 apply.

I have reviewed the project described above and field office staff recommendations (attached) and I have determined that the project is in conformance with the land use plan and is categorically excluded from further environmental analysis. It is my decision to approve the action as proposed.

D. Approval and Contact Information

Jerry Kenczka,
Assistant Field Manager

Date

Contact Person

Melissa Wardle
Vernal Field Office
170 S. 500 E.
Vernal Utah 84078
(435) 781-3413

Appendix A.

A.1. Extraordinary Circumstances Documentation

A.1.1. Categorical Exclusion Rationale

CX Number:	DOI-BLM-UT-G010-2015-0106-CX
Date:	4/14/2015
Lease/Case File/ Serial Number:	Chapita Wells Unit
Regulatory Authority (CFR or Law):	43 CFR Part 46.210E12

Section 1.1 Impacts on Public Health and Safety

1. Does the proposed action have significant impacts on public health and safety?		
YES	NO	REVIEWER/TITLE
	X	Melissa Wardle, Natural Resource Specialist

Rationale: Public health and safety would not be affected by this action. The proponent will abide by all safety procedures for proper use of their equipment as required by law.

Section 1.2 Impacts on Natural Resources or Unique Geographic Characteristics

2. Does the proposed action have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness or wilderness study areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds (Executive Order 13186); and other ecologically significant or critical areas?		
YES	NO	REVIEWER/TITLE
	X	Justin Snyder, Geologist
	X	Melissa Wardle, Natural Resource Specialist

Rationale: There are no unique geographic characteristics; historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; or other ecologically significant or critical areas within the proposed project area per cultural reports, BLM GIS database layers, and onsite observations. No lands designated as Areas of Critical Environmental Concern, Wilderness Study Areas, Monuments, or other areas of special designation are located within the proposed project area, and the proposed project would not impact any specially designated lands. Migratory birds are present in the project area; however, the proposed project is not expected to significantly impact migratory bird habitat, forage, or nesting areas.

Section 1.3 Level of Controversy

3. Does the proposed action have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)]?		
YES	NO	REVIEWER/TITLE
	X	Melissa Wardle, Natural Resource Specialist

Rationale: Similar projects to the proposed action have occurred in adjacent areas with similar resources present; the impacts of these projects are well-known and demonstrated in other projects that have been implemented and monitored.

Section 1.4 Highly Uncertain or Unique or Unknown Environmental Risks

4. Does the proposed action have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?		
YES	NO	REVIEWER/TITLE
	X	Melissa Wardle, Natural Resource Specialist

Rationale: The proposed project is similar to many other proposed gas well drilling projects near the project area. The consequences of the proposed action can generally be predicted based on the consequences of similar actions, and these consequences are well established as insignificant.

Section 1.5 Precedent Setting

5. Does the proposed action establish a precedent for future action, or represent a decision in principle about future actions, with potentially significant environmental effects?		
YES	NO	REVIEWER/TITLE
	X	Melissa Wardle, Natural Resource Specialist

Rationale: The proposed action is not connected to another action that would require further environmental analysis and would not set a precedent for future actions that would normally require environmental analysis.

Section 1.6 Cumulatively Significant Effects

6. Does the proposed action have a direct relationship to other actions with individually insignificant, but cumulatively significant, environmental effects?		
YES	NO	REVIEWER/TITLE
	X	Melissa Wardle, Natural Resource Specialist

Rationale: The proposed project is not expected to have a direct relationship to other actions that will cumulatively have a significant environmental effect. Other actions in the project area that are directly related to the proposed action also have insignificant environmental impacts, and the combined impact of these projects and the proposed action is not expected to be significant.

Section 1.7 Impacts on Cultural Properties

7. Does the proposed action have significant impacts on properties listed or eligible for listing, on the National Register of Historic Places as determined by either the Bureau or office?		
YES	NO	REVIEWER/TITLE
	X	Erin Goslin, Archaeologist

Rationale: Class III cultural surveys have been completed for the proposed project area. No cultural material was identified within the project area. Cultural Resources that are eligible for inclusion into the NRHP are identified within the APE of the proposed project. Utah SHPO has concurred with the BLM's determination of No Historic Properties Affected.

Section 1.8 Impacts on Federally Listed Species or Critical Habitat

8. Does the proposed action have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species?		
YES	NO	REVIEWER/TITLE
	X	Jessica Brunson, Botanist
	X	Daniel Emmett, Wildlife Biologist

Rationale: No formal Section 7 consultation/concurrence with U.S. Fish and Wildlife Service was required or requested. Consultation has already been completed for water sources that will be used in construction of the pipeline. Threatened and Endangered Species review has occurred through the onsite as well as BLM GIS data. All appropriate mitigation measures have been applied through the Conditions of Approval for this project. No coordination with the Utah Division of Wildlife Resources was required or requested.

Threatened, Endangered, Candidate, Proposed, BLM Sensitive Plants: No new surface disturbance is required for the Proposed Action and the project would be conducted entirely within existing disturbance. Section 7 consultation is not required.

Section 1.9 Compliance With Laws

9. Does the proposed action violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment?		
YES	NO	REVIEWER/TITLE
	X	Melissa Wardle, Natural Resource Specialist

Rationale: The proposed action would not violate any county or state statutes. Formal Section 7 consultation with USFWS for Threatened and Endangered species was not required or requested for this project; consultation for water depletion has already been completed: the proposed project would not violate the Endangered Species Act. Onsite observations, BLM GIS, and air quality studies/modeling data have shown that the proposed project will not violate the Clean Air Act, Clean Water Act, or Migratory Bird Act.

Section 1.10 Environmental Justice

10. Does the proposed action have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)?		
YES	NO	REVIEWER/TITLE
	X	Melissa Wardle, Natural Resource Specialist

Rationale: Low income or minority populations are not present in the project area. Low income or minority populations would not receive disproportionately high or adverse human health or environmental effects from the proposed action. Health and environmental statutes would not be compromised by the proposed action.

Section 1.11 Native American Sacred Sites

11. Does the proposed action limit access to and ceremonial use of Indian sacred sites on Federal lands by Native American religious practitioners, or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007)?		
YES	NO	REVIEWER/TITLE
		Erin Goslin, Archaeologist

Rationale: Cultural surveys/reports and tribal consultation show that the proposed project would not hinder access to or use of Native American religious sites.

Section 1.12 Noxious and Non-Native Invasive Species

12. Does the proposed action contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area, or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112)?		
YES	NO	REVIEWER/TITLE
	X	Melissa Wardle, Natural Resource Specialist

Rationale: The operator would control noxious/invasive weeds adjacent to applicable facilities by the application of herbicides or by mechanical removal until reclamation is considered to be successful by the authorized officer (AO) and the bond for the well is released. A list of noxious weeds would be obtained from the BLM or the appropriate county extension office. On BLM-administered land, the operator would submit a Pesticide Use Proposal and obtain approval prior to the application of herbicides, other pesticides, or possible hazardous chemicals.

/s/Jerry Kenczka

Jerry Kenczka,
Assistant Field Manager

7/17/2015

Date

Appendix B. Surface Conditions of Approval

Cactus

- Only water (no chemicals, reclaimed production water or oil field brine) will be used for dust abatement measures within all cactus habitats.
- Dust abatement will be employed in suitable *Sclerocactus ssp.* habitat over the life of the project during the time of the year when *Sclerocactus ssp.* species are most vulnerable to dust-related impacts (March through August) within all cactus habitats.
- Seed mixes used for reclamation seeding on this project will exclude introduced and non-native species.
- Erosion control measures (i.e. silt fencing) will be implemented to minimize sedimentation to *Sclerocactus ssp.* plants and populations located down slope of proposed surface disturbance activities when working in all cactus habitats.
- From one year of the date forward of 100% *Sclerocactus* clearance survey for this project, spot checks will be conducted and approved for all planned disturbance areas on an annual basis. (The *S. brevispinus* survey period is defined as mid-March to June 30, and the *S. wetlandicus* survey period is defined as anytime without snow cover prior.) Results of spot checks may require additional pre-construction plant surveys as directed by the BLM. If the proposed action or parts thereof have not occurred within four years of the original survey, 100% clearance re-survey will be required prior to ground disturbing activities.
- *Discovery Stipulation:* Re-initiation of Section 7 consultation with the USFWS will be sought immediately if any loss of plants or occupied habitat for Pariette cactus or Uinta Basin hookless cactus is anticipated as a result of project activities.