

**United States Department of the Interior
Bureau of Land Management**

**Categorical Exclusion
for
Renewal of Nine (9) Maralex Rights-of-Way**

Grand Junction Field Office
2815 H Road
Grand Junction, Colorado 81506

DOI-BLM-CO-N030-2015-0025-CX

AUGUST 2015



LEGAL DESCRIPTION:

- 1) Sixth Principal Meridian, Mesa County, **(COC31657)**
T. 7 S., R. 100 W.,
Section 8, Lot 5, NE¹/₄SW¹/₄.

- 2) Sixth Principal Meridian, Garfield and Rio Blanco County, **(COC35177)**
T. 4 S., R. 100 W.,
Section 19, SE¹/₄NE¹/₄, E¹/₂SE¹/₄;
Section 30, E¹/₂NE¹/₄, N¹/₂SE¹/₄, SW¹/₄SE¹/₄;
Section 31, Lot 14, W¹/₂NE¹/₄, NE¹/₄SE¹/₄;
T. 5 S., R. 100 W.,
Section 21, NW¹/₄SE¹/₄;
Section 34, S¹/₂NE¹/₄, NE¹/₄SE¹/₄;
Section 35, W¹/₂SW¹/₄;
T. 6 S., R. 100 W.,
Section 6, Lot 6.

- 3) Sixth Principal Meridian, Garfield County, Colorado **(COC35186)**
T. 6 S., R. 101 W.
Section 30, Lots 5 and 6, NE¹/₄NE¹/₄;
T. 6 S., R. 102 W.
Section 25, NE¹/₄SE¹/₄ , S¹/₂SE¹/₄;
Section 36, NW¹/₄NE¹/₄, E¹/₂NW¹/₄.

- 4) Sixth Principal Meridian, Garfield County, Colorado **(COC35191)**
T. 5 S., R. 101 W.,
Section 24, SE¹/₄NE¹/₄.

- 5) Ute Principal Meridian, Mesa County, Colorado **(COC36746)**
T. 2 N., R. 2 W.,
Section 15, S¹/₂NW¹/₄;
Section 16, S¹/₂NE¹/₄, SE¹/₄NW¹/₄.

- 6) Sixth Principal Meridian, Garfield County, Colorado **(COC36758)**
T. 8 S., R. 102 W.,
Section 4, Lots 15 and 16;
Section 5, Lots 16-18, 26, 28, 33, 34, 39, SE¹/₄SW¹/₄
Section 8, Lots 6-8.

- 7) Sixth Principal Meridian, Garfield County, Colorado **(COC36810)**
T. 6 S., R. 101 W.,
Section 19, Lot 5;
T. 6 S., R. 102 W.,
Section 24, NW¹/₄SE¹/₄.

- 8) Sixth Principal Meridian, Mesa County, Colorado (COC57666)
T. 9 S., R. 98 W.,
Section 3, SW¹/₄SW¹/₄.
- 9) Sixth Principal Meridian, Garfield County, Colorado (COC35158)
T. 6 S., R. 102 W.,
Section 34, SE¹/₄NE¹/₄.

APPLICANT: Maralex Resources, Inc.

INTRODUCTION: The purpose of the Proposed Action is to renew Maralex's rights-of-ways that have expired. The need for this action is established by the BLM's responsibility under FLPMA and MLA to respond to the applicant's request to operate, maintain and terminate a renewed right-of-way.

DESCRIPTION OF PROPOSED ACTION: The following is a short description of each right-of-way to be renewed.

- 1) **COC31657: 40 x 2420 access road to Albertson 7-1, ROW expired 5/21/2011.**
- 2) **COC35177: 40 x 23612 (4.472mi.) access road to Trail Canyon 20-1, Soldier Canyon 22-3, Bear Gulch 26-2, Gasaway 5-3. ROW expired 9/9/2012.**
- 3) **COC35186: 40 x 8,970 (1.70 mi.) access road to Bear Gulch 29-2. ROW expired 11/24/2014.**
- 4) **COC35191: 70 x 120 storage area. ROW expired 2/14/2013**
- 5) **COC36746: 35 x 4,956 2" buried pipeline. ROW expired 5/10/2013**
- 6) **COC36758: 35 x 10,832 2" buried pipeline. ROW expired 7/4/2013**
- 7) **COC36810: 35 x 2000 2" buried pipeline. ROW expired 5/20/2014**
- 8) **COC57666: 35 x 696 3" buried pipeline. ROW expired 1/4/2015**
- 9) **COC35158: Calf Canyon compressor station. 200 x 250 site. ROW expired 7/12/2012**

PLAN CONFORMANCE REVIEW:

The Proposed Action is subject to and has been reviewed for conformance with (43 CFR 1610.5, BLM 1617.3) the following plan:

Name of Plan: Grand Junction Resource Management Plan

Date Approved: JANUARY, 1987

Decision Language: The objective of the GJFO RMP under Public Utilities Management is “to respond in a timely manner, to requests for utility authorizations on public land while considering environmental, social, economic, and interagency concerns.

CATEGORICAL EXCLUSION REVIEW:

The proposed action qualifies as a categorical exclusion under 516 DM 11.9 E9: “Renewals and assignments of leases, permits, or rights-of-way where no additional rights are conveyed beyond those granted by the original authorizations”.

EXTRAORDINARY CIRCUMSTANCES

There are no extraordinary circumstances having effects, which may significantly affect the environment. I considered the following resource conditions in determining whether extraordinary circumstances related to the proposed action warranted further analysis and documentation in an EA or EIS (516 DM 2, Appendix 2):

1. Have significant adverse effects on public health and safety.

The proposed action is not expected to impact public health and safety.

2. Have adverse effects on such natural resources and unique geographic characteristics as 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, floodplains; national monuments; migratory birds; and other ecologically significant or critical areas.

HISTORIC AND CULTURAL RESOURCES:

Maintenance activities associated with the renewal of these ROWs have the potential to adversely affect historic properties and cultural resources within the ROW. However, standard cultural stipulations will be applied to all ROW Grants, and specific stipulations listed in some of the ROW Grants to contact the BLM archaeologist prior to any surface disturbing activity in areas that have not been previously inventoried or have known cultural resource concern. It is possible that in these cases, that required additional measures such as additional survey or mitigation may be needed to reduce or eliminate the potential for an adverse effects to historic properties.

The following ROWs have had completed to current standards cultural resource inventories and only need to have the standard cultural COAs attached to them to protect cultural resources that may not be known to the agency :

- COC 31657
- COC 36810
- COC 35158

The following ROWs have not been completely surveyed or have known cultural resource concerns. These grants will have specific stipulations added to them to contact the BLM archaeologist prior to any ground disturbing activities:

- COC35177
- COC35186
- COC35191
- COC36746
- COC36758
- COC57666

LANDS WITH WILDERNESS CHARACTERISTICS OUTSIDE WILDERNESS AND WILDERNESS STUDY AREAS: Public comment submitted during the GJFO RMP process suggested areas within ROW #COC36810 and #CO36758 have wilderness characteristics. These ROWs were developed in 1984 and 1983. Since these are developed ROW's, they would not be included in lands with wilderness characteristics and there would be no impacts to lands with wilderness characteristics.

DRINKING WATER AQUIFERS; WETLANDS, FLOODPLAINS:

Any new work in or on the ROWs should ensure that the follow stipulations, standard design practices and BMPs are known and utilized to minimize impacts.

- COC 031657, 035177- These ROWs are adjacent to an intermittent stream.
Stipulations, Standard Design Practices, and BMP:
 - Upgrades and improvements should be completed to meet the BLM Gold Book Standards (2006). This includes, at a minimum, improving road drainage and minimizing side casting.
 - All roads will be constructed and maintained to BLM road standards (BLM Manual Section 9113).
 - All vehicle travel will be within the approved driving surface.
 - An Authorized Officer or resource specialist should evaluate practices implemented for effectiveness.
- COC 35186- This ROW is adjacent to a perennial stream and occurs within high saline soils.
Stipulations, Standard Design Practices, and BMP :
 - Grand Junction Field Office-BLM NSO stipulation No. 7
 - Upgrades and improvements should be completed to meet the BLM Gold Book Standards (2006). This includes, at a minimum, improving road drainage and minimizing side casting.
 - All roads will be constructed and maintained to BLM road standards (BLM Manual Section 9113).
 - All vehicle travel will be within the approved driving surface.
 - Special design and construction features may be necessary to limit impacts to surrounding water resource.
 - An Authorized Officer or resource specialist should evaluate practices implemented for effectiveness.
- COC 36746, 57666- These ROWs occurs within high saline soils.
Stipulations, Standard Design Practices, and BMP:

- Special design and construction features may be necessary to limit soil erosion and effects of saline soils to water resources.
 - An Authorized Officer or soils specialist should evaluate practices implemented for effectiveness.
- COC 36758- This ROW occurs within high saline soils and on steep slopes (>40%).
 - Stipulations, Standard Design Practices, and BMP:
 - Grand Junction Field Office-BLM NSO stipulation No. 3
 - Special design and construction features may be necessary to limit soil erosion and effects of saline soils to water resources.
 - An Authorized Officer or soils specialist should evaluate practices implemented for effectiveness.
- COC 36810- This ROW occurs on steep slopes and near a perennial stream (>40%).
 - Stipulations, Standard Design Practices, and BMP:
 - Grand Junction Field Office-BLM NSO stipulation No. 7
 - Special design and construction features may be necessary to limit impacts to surrounding water resource.
 - An Authorized Officer or resource specialist should evaluate practices implemented for effectiveness.
- COC 35185- This ROW occurs near a perennial stream and has some potential impact to air quality.
 - Stipulations, Standard Design Practices, and BMP:
 - Grand Junction Field Office-BLM NSO stipulation No. 7
 - All vehicle travel will be within the approved driving surface.
 - Special design and construction features may be necessary to limit impacts to surrounding water resource.
 - An application for an Air Pollutant Emission Notices (APENs) to the CDPHE Air Pollution Control Division (APCD) for fugitive emissions associated with the activities may be required. Refer to Colorado Department of Environmental Quality, Air Quality Control Commission for determination if not already complete is exempt.
 - An Authorized Officer or resource specialist should evaluate practices implemented for effectiveness.
- All ROW's
 - Stipulations, Standard Design Practices, and BMP:
 - For projects requiring long term surface occupancy, access roads will be upgraded and maintained as necessary to prevent soil erosion and all disturbed areas unnecessary to operations will be stabilized and rehabbed.
 - All soil erosion associated with the operations must be stabilized to a condition at least equal to that present before disturbance.
 - Drainages shall not be blocked or filled with loose dirt or debris. All drainage crossings shall be properly excavated and or have a culver of

- sufficient size installed to accommodate a 25 year flood event.
- All clearing work shall be completed without mixing soil and vegetation.
- The Grand Junction Resource Area Manager will be notified at least 24 hours prior to commencing reclamation work, construction, or maintenance activities.

MIGRATORY BIRDS: The renewal of these ROWs will have no effect on nesting birds or important migratory stopover areas. No ground disturbance activities should occur without the notification, evaluation and approval of BLM biologist.

RIPARIAN ZONES AND WETLANDS:

- COC 036810- This ROW crosses Barrel Spring Creek.
 - Additional Stipulation:
 - Special Storm Water Management Measures shall be required where an Authorized Officer determines that riparian zones or wetlands will be affected by maintenance activities and protections are needed to minimize impacts to resources.

- COC 31657- This ROW is near a small drainage with proximity to Echo Lake.
 - Additional Stipulation:
 - Special Storm Water Management Measures shall be required where an Authorized Officer determines that riparian zones or wetlands will be affected by maintenance activities and protections are needed to minimize impacts to resources.

- COC 35158- This ROW involves a compressor station near Hay Creek. Past problems in the creek include trespass cut and fill materials being deposited in the drainage and trespass vegetation treatment.
 - Additional Stipulation:
 - Special Storm Water Management Measures shall be required where an Authorized Officer determines that riparian zones or wetlands will be affected by maintenance activities and protections are needed to minimize impacts to resources.

- COC 35186- This ROW follows the main East Salt Creek access road, and crosses the creek. The ROW is south of Barrel Springs Creek.
 - Additional Stipulation:
 - Special Storm Water Management Measures shall be required where an Authorized Officer determines that riparian zones or wetlands will be affected by maintenance activities and protections are needed to minimize impacts to resources.

3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources.

The impacts of renewing rights-of-way are a negligible in the overall area.

4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.

Renewing existing rights-of-ways poses no unique or unknown risks.

5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.

This decision is within the scope of the Resource Management Plan and is not expected to establish a precedent for future actions.

6. Be directly related to other actions with individually insignificant but cumulatively significant environmental effects.

These renewals are all existing rights-of-way. The project doesn't include any new disturbance.

7. Have adverse effects on properties listed, or eligible for listing, in the National Register of Historic Places.

The following ROWs have had completed to current standards cultural resource inventories and only need to have the standard cultural COAs attached to them to protect cultural resources in the ROWs that may not be known to the agency :

- COC 31657
- COC 36810
- COC 35158

The following ROWs have not been completely surveyed for cultural resources or have known cultural resource concerns where surface disturbance could have an adverse effect on historic properties. These grants will have specific stipulations added to them to contact the BLM archaeologist prior to any ground disturbing activities. Additional survey and mitigation may be required to avoid or reduce adverse effects on historic properties:

- COC35177
- COC35186
- COC35191
- COC36746
- COC36758
- COC57666

8. Have adverse effects on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have adverse effects on designated

Critical Habitat for these species.

Maintenance activities associated with the renewal of these ROWs potentially have effects on sensitive species and/or their habitat. However, standard stipulations listed in the ROW Grant to contact the BLM ecologist and biologist prior to any surface disturbing activity and the notice that required additional measures may be needed reduces the potential of adverse effects to sensitive species and their habitat.

In addition to the above standard stipulations, having the following additional stipulations for the specified ROWs further reduces the potential for adverse effects to specific sensitive species and their habitats that are known to occur.

- COC 035177- This ROW falls within potential BLM sensitive species Piceance bladderpod (*Lesquerella parviflora*) and Cathedral Bluff meadow-rue (*Thalictrum heliophilum*) habitat. This ROW is also within an elk production area. The ROW is within Greater sage grouse (federal candidate species) overall habitat but is not near any lek sites that would require additional stipulations.

Additional Stipulation:

- Where plant surveys are required, surveys shall be conducted during the optimal flowering season of the specific species which is typically between April and June and should be coordinated with the BLM ecologist.
 - Construction and/or maintenance activity shall not be allowed between May 15 and June 15 to protect important seasonal elk production habitat unless otherwise approved by the Grand Junction Field Office Manager.
- COC 036746- This ROW falls within potential BLM sensitive Grand Junction suncup (*Camissonia eastwoodiae*) habitat and potential burrowing owl habitat.

Additional Stipulation:

- Where plant surveys are required, surveys shall be conducted during the optimal flowering season of the specific species which is typically between April and June and should be coordinated with the BLM ecologist.
 - If maintenance activities occur between March 1 and August 15, surveys for burrowing owls would be required and if found, maintenance activities would be restricted during this timeframe.
- COC 35186- This ROW is within an elk winter concentration area.

Additional Stipulation:

- Construction and/or maintenance activity shall not be allowed between December 1 and May 1 because of elk critical winter range unless otherwise approved by the Grand Junction Field Office Manager.
- COC 36758- This ROW is within elk and mule deer severe winter range.
- #### Additional Stipulation:
- Construction and/or maintenance activity shall not be allowed between December 1 and May 1 because of deer and elk critical winter range unless otherwise approved by the Grand Junction Field Office Manager.

- COC 35158- This ROW is within an elk winter concentration area.
Additional Stipulation:
 - Construction and/or maintenance activity shall not be allowed between December 1 and May 1 because of elk critical winter range unless otherwise approved by the Grand Junction Field Office Manager.

9. Have the potential to violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.

This decision complies with other Federal, State, or local laws and requirements imposed for the protection of the environment.

10. Have the potential for a disproportionately high and adverse effect on low income or minority populations.

There are no low income or minority populations in the project area. No minority or low-income populations would suffer disproportionately high and adverse effects as a result of the renewal of rights-of-way.

11. Restrict access to and ceremonial use of Indian sacred sites by Indian religious practitioners or adversely affect the physical integrity of such sacred sites.

The proposed action is not known to physically threaten the integrity of any TCPs, prevent access to sacred sites, prevent the possession of sacred objects, or interfere or otherwise hinder the performance of traditional ceremonies and rituals pursuant to AIRFA or EO 13007. There are currently no known threats to remains that fall within the purview of NAGPRA or ARPA.

In addition to the stipulations for the protection of Cultural Resources attached to all ROWs, if new information is brought forward any site-specific Native American mitigation measures suggested during notification/consultation would be considered prior to any new ground disturbing activities.

12. Significantly, 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.

The renewal of existing rights-of-way is not expected to contribute to invasive species infestation. Oil and gas companies operate under a weed management plan to inventory and treat infestations of noxious weeds, and any future disturbance utilizing ROWs is analyzed by the appropriate NEPA process.

INTERDISCIPLINARY REVIEW:

<u>Name</u>	<u>Title</u>	<u>Area of Responsibility</u>
Alissa Leavitt-Reynolds	Archaeologist	Cultural Resources, Native American Religious Concerns
Amanda Ewing	Ecologist	Special Status Species
Amanda Ewing	Wildlife Biologist	Wildlife, Fisheries, Special Status Species
Anna Lincoln	Ecologist	Riparian and Wetland Zones
Janet Doll	Realty Specialist	Right-of-Way Authorizations
Andy Windsor	Outdoor Rec Planner	Lands with wilderness characteristics
Kevin Hyatt	Hydrologist	Air, Soil, Wetlands, Riparian

NAME OF PREPARER: Janet Doll

NAME OF ENVIRONMENTAL COORDINATOR:  Christina Stark

DATE:

8-18-15



Table 1– Potentially Impacted Resources

Resources	Not Present On Location	No Impact*	Potentially Impacted	Mitigation Necessary?	BLM Evaluator Initial & Date	Comments
PHYSICAL RESOURCES						
Air and Climate	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Y <input type="checkbox"/> N <input type="checkbox"/>	KEH 7/16/15	
Water (surface & subsurface, floodplains)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Y <input type="checkbox"/> N <input type="checkbox"/>	KEH 7/16/15	
Soils	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Y <input type="checkbox"/> N <input type="checkbox"/>	KEH 7/16/15	
Geological/Mineral Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Y <input type="checkbox"/> N <input type="checkbox"/>	DSG 6/10/15	
BIOLOGICAL RESOURCES						
Special Status Plants	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	ALE 6/8/15	Need to contact BLM ecologist before ground disturbing activities
Special Status Wildlife	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Y <input type="checkbox"/> N <input type="checkbox"/>		Update to match new RMP
Migratory Birds	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Y <input type="checkbox"/> N <input type="checkbox"/>		Same as above
Other Important Wildlife Habitat	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Y <input type="checkbox"/> N <input type="checkbox"/>		Same as above
Vegetation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Y <input type="checkbox"/> N <input type="checkbox"/>	SC 7/2/15	Vegetation will be disturbed
Forestry	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Y <input type="checkbox"/> N <input type="checkbox"/>		
Invasive, Non-native Species	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Y <input type="checkbox"/> N <input type="checkbox"/>	MT 6/25/15	
Riparian Zones/ Wetlands	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Y <input type="checkbox"/> N <input type="checkbox"/>	ARL 6/30/15	Some ROWs require contact with the Riparian Lead before ground disturbing activities
HERITAGE RESOURCES AND HUMAN ENV.						
Cultural or Historical	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Y <input type="checkbox"/> N <input type="checkbox"/>	ALR 7/17/15	Some ROWs require contact with the BLM

Table 1– Potentially Impacted Resources

Resources	Not Present On Location	No Impact*	Potentially Impacted	Mitigation Necessary?	BLM Evaluator Initial & Date	Comments
						Archaeologist before ground disturbing activities.
Paleontological	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Y <input type="checkbox"/> N <input type="checkbox"/>	DSG 6/10/15	
Tribal & American Indian Religious Concerns	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Y <input type="checkbox"/> N <input type="checkbox"/>	ALR 7/17/15	Some ROWs require contact with the BLM Archaeologist before ground disturbing activities.
Visual Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Y <input type="checkbox"/> N <input type="checkbox"/>	AW 6/16/15	
Social/Economic	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Y <input type="checkbox"/> N <input type="checkbox"/>	CS 7/13/15	
Transportation and Access	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Y <input type="checkbox"/> N <input type="checkbox"/>	AW 6/16/15	
Wastes, Hazardous or Solid	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Y <input type="checkbox"/> N <input type="checkbox"/>	AK 6/25/15	
LAND RESOURCES						
Recreation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Y <input type="checkbox"/> N <input type="checkbox"/>	AW 6/16/15	
Special Designations (ACEC, SMAs, WSR)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Y <input type="checkbox"/> N <input type="checkbox"/>	AW 6/16/15	
Wilderness & Wilderness Characteristics	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Y <input type="checkbox"/> N <input type="checkbox"/>		
Range Management	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Y <input type="checkbox"/> N <input type="checkbox"/>	SC 7/2/15	
Wild Horse and Burros	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Y <input type="checkbox"/> N <input type="checkbox"/>		
Land Tenure, ROW, Other Uses	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Y <input type="checkbox"/> N <input checked="" type="checkbox"/>	JD 7/16/15	
Fire/Fuels	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Y <input type="checkbox"/> N <input type="checkbox"/>	JP 6/11/15	

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
GRAND JUNCTION FIELD OFFICE

DECISION DOCUMENT

Renewal of Nine (9) Maralex Rights-of-Way

DOI-BLM-CO-NO30-2015-0025-CX

DECISION:

I have reviewed this document and it is my decision to implement the Proposed Action, as mitigated in DOI-BLM-CO-NO30-2015-0025-CX, authorizing nine renewals for Maralex Resources, Inc. This project is categorically excluded from documentation in an EA or EIS under 516 DM 11.9 E 9: "Renewals and assignments of leases, permits, or rights-of-way where no additional rights are conveyed beyond those granted by the original authorizations".

RATIONALE:

This action is listed in the Department Handbook H-1790-1 as an action that may be categorically excluded. I have evaluated the action relative to the 12 criteria listed above and have determined that no extraordinary circumstances exist.

PUBLIC INVOLVEMENT:

Public scoping was conducted by posting the project information on the Grand Junction Field Office NEPA website, this was the primary mechanism used by the BLM to initially identify issues from the public. Internal scoping for the project included presentation and discussion of the project at BLM interdisciplinary meetings (IDT).

ADMINISTRATIVE REMEDIES:

Administrative remedies may be available to those who believe they will be adversely affected by this decision. Appeals may be made to the Office of Hearings and Appeals, Office of the Secretary, U.S. Department of Interior, Board of Land Appeals (Board) in strict compliance with the regulations in 43 CFR Part 4. Notices of appeal must be filed in this office within 30 days after publication of this decision. If a notice of appeal does not include a statement of reasons, such statement must be filed with this office and the Board within 30 days after the notice of appeal is filed. The notice of appeal and any statement of reasons, written arguments, or briefs must also be served upon the Regional Solicitor, Rocky Mountain Region, 755 Parfet Street, Suite 151, Lakewood, Colorado 80215.)



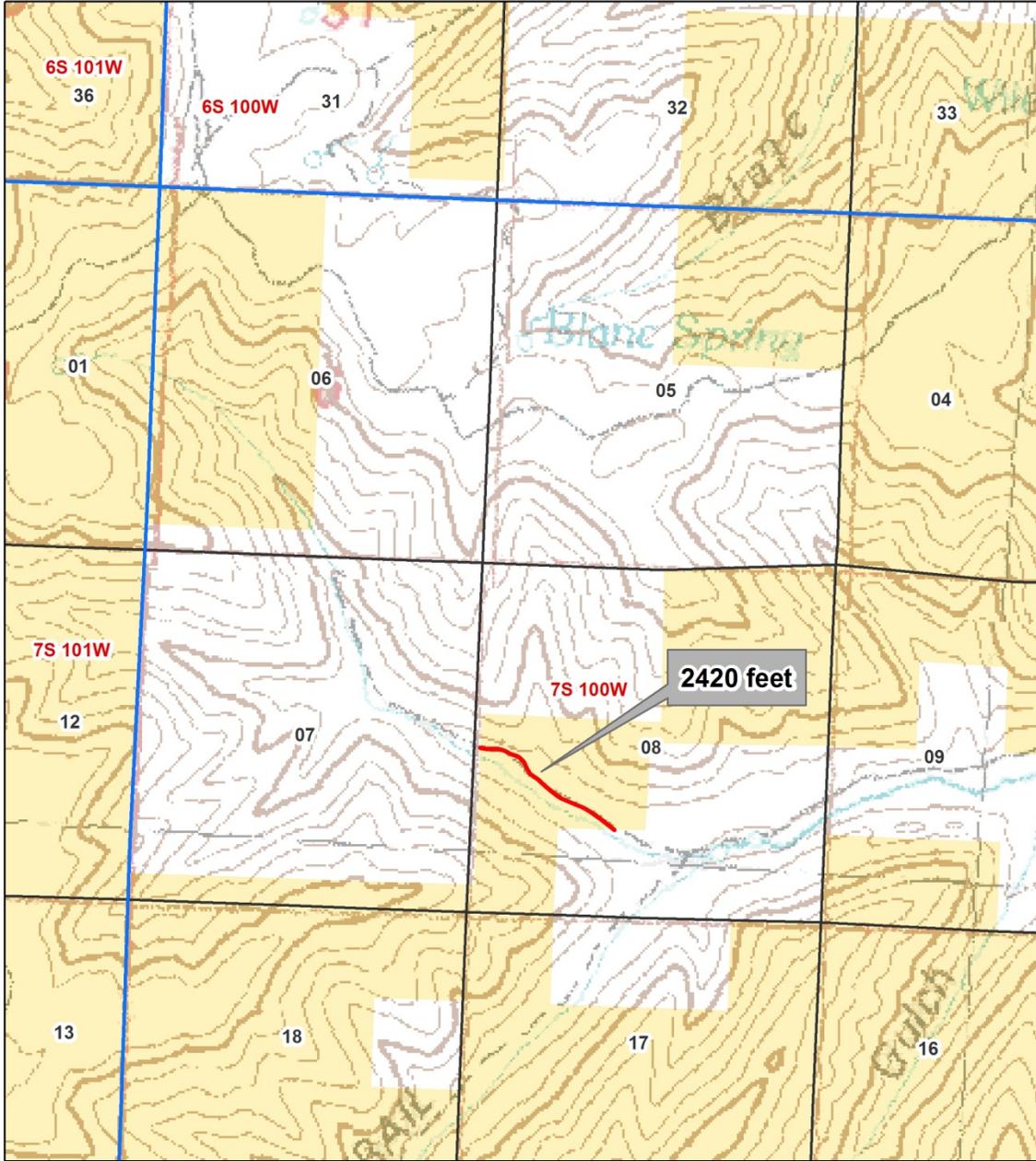
Katie A. Stevens
Field Manager
Grand Junction Field Office

8-18-15

Date

ATTACHMENTS: Exhibit A: Project Maps (9)
Exhibit B: Stipulations

Renew COC031657 Maralex Access Road to Albertson 7-1



ROW

- COC 031657
- Bureau of Land Management
- Private



N

No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual use or aggregation use with other data.

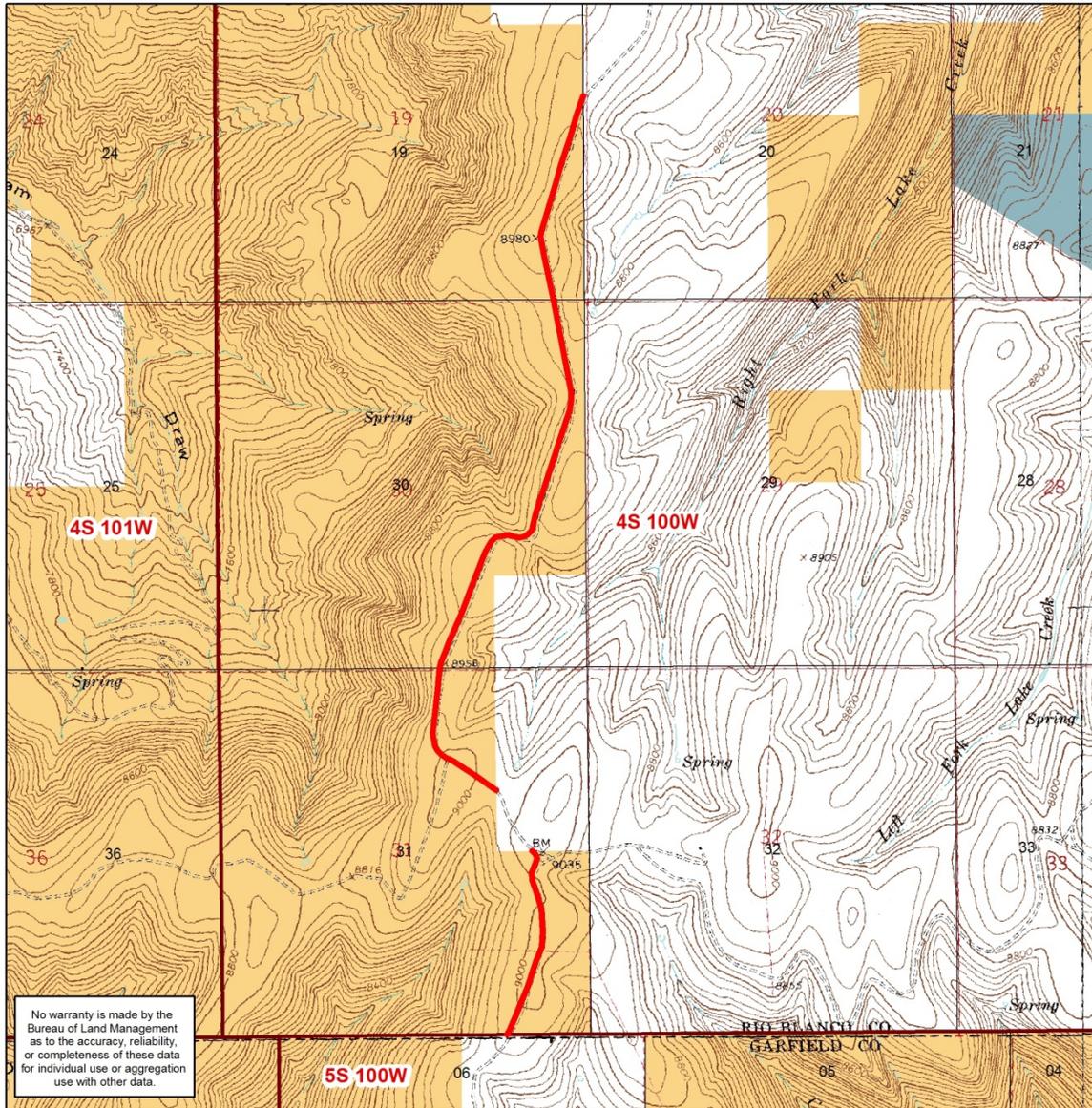
0 0.25 0.5 1

J Doll Miles 1:24,000



Grand Junction Field Office

COC 035177 Access Roads to Trail Canyon, Soldier Canyon, Bear Gulch & Gasaway Wells (1 of 2)

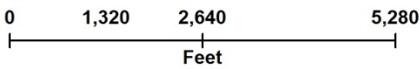


— COC 035177 Total Length: 15,318 FT

Bureau of Land Management

Private

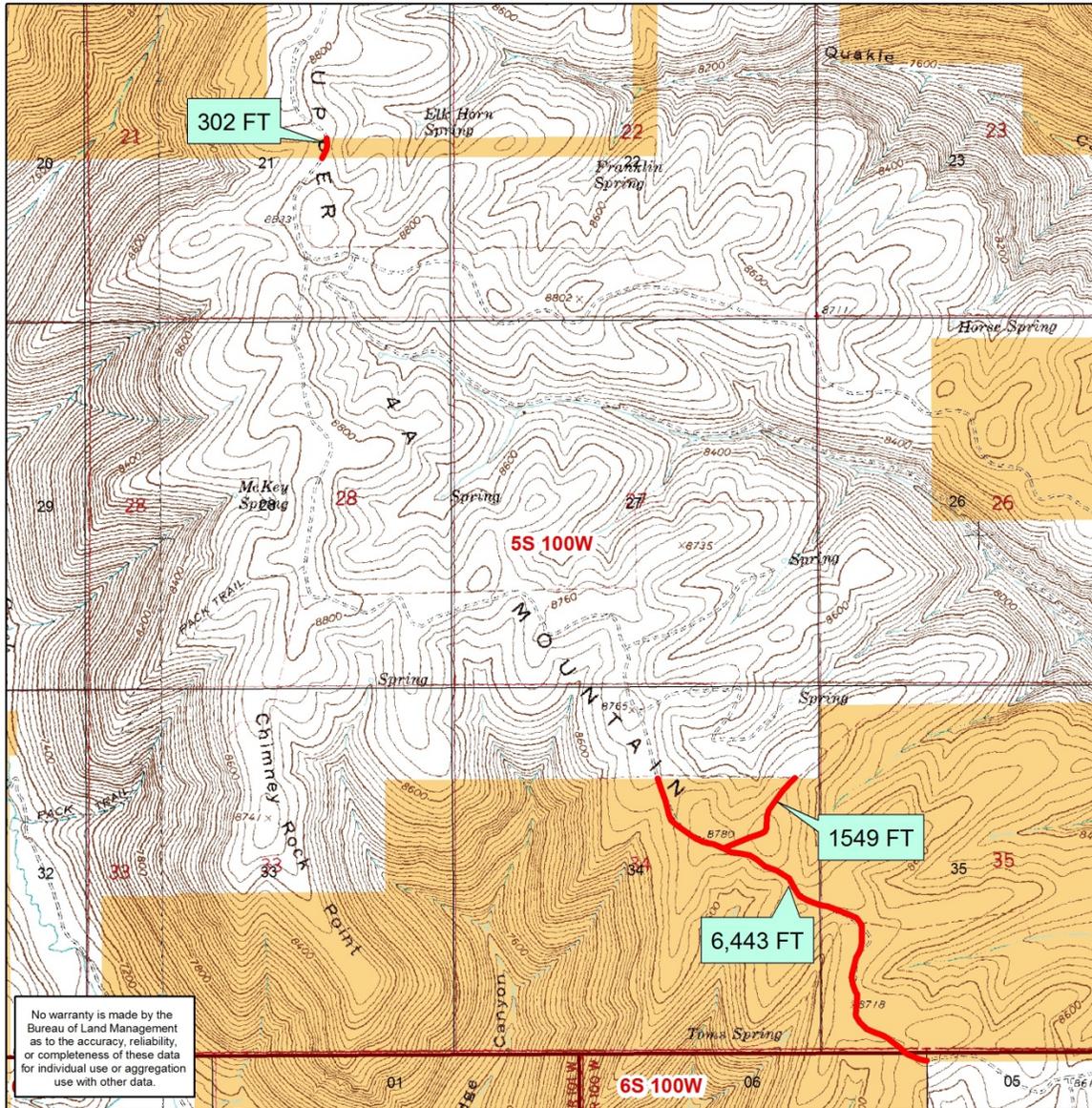
State Park or Wildlife Area



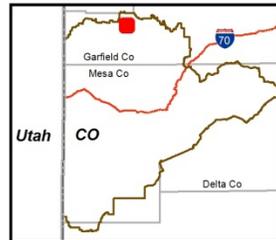
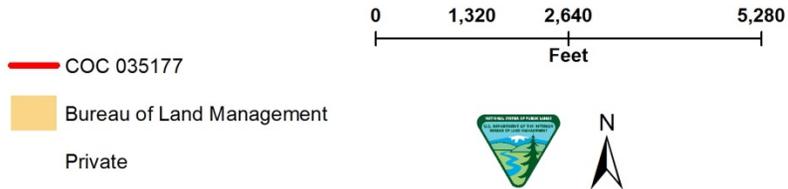
This map was produced by the BLM Grand Junction Field Office August, 2015

Location of the Project in the Grand Junction Field Office

COC 035177 Access Roads to Trail Canyon, Soldier Canyon, Bear Gulch & Gasaway Wells (2 of 2)



No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual use or aggregation use with other data.



This map was produced by the BLM Grand Junction Field Office August, 2015

Location of the Project in the Grand Junction Field Office

Maralex access road to Bear Gulch Well #29-2 Renew COC 35186



ROW 1:24,000

- COC 35186
- Bureau of Land Management
- Private



N

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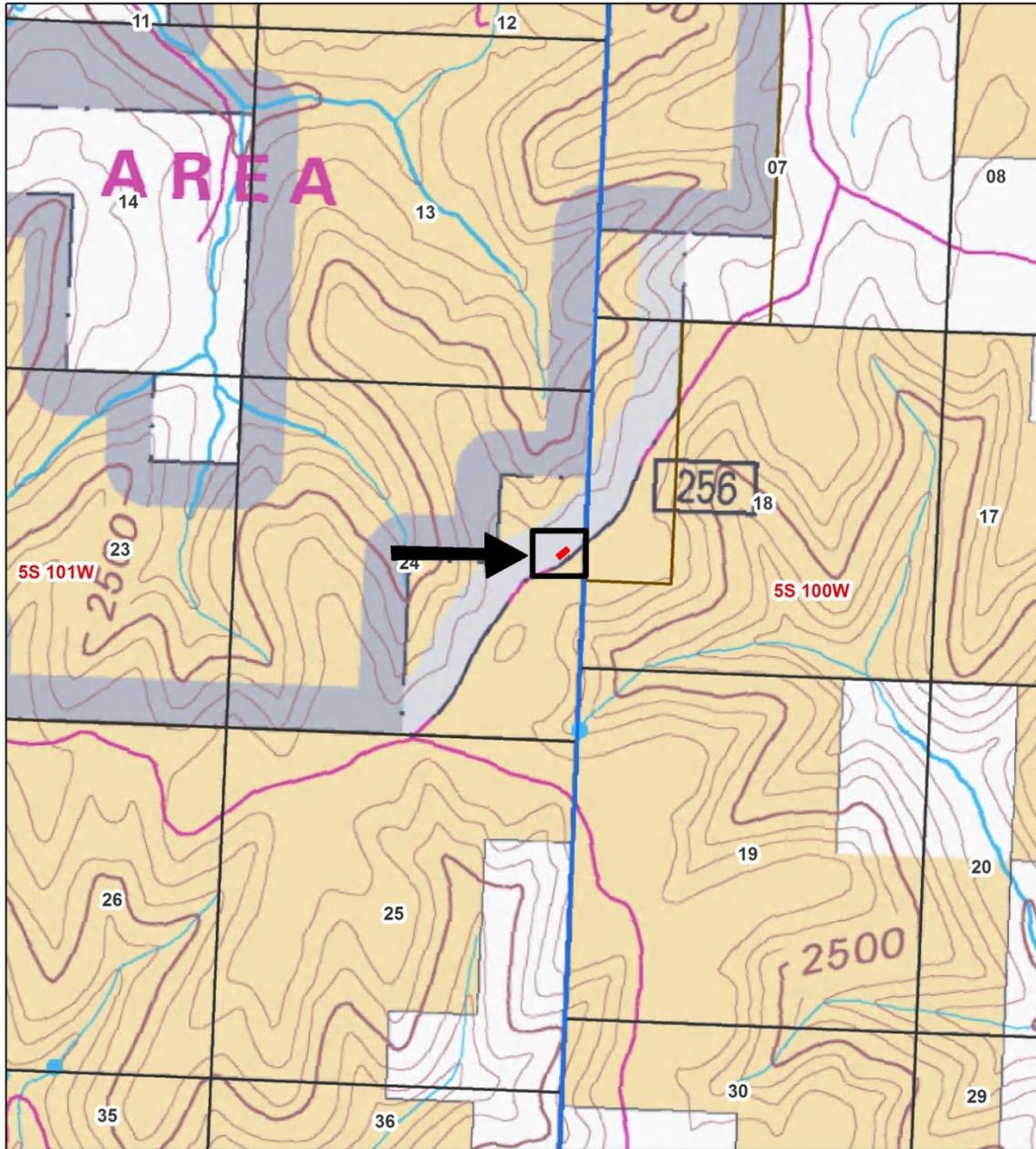
0 0.25 0.5 1

Miles



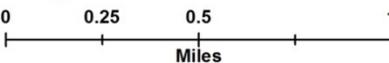
Grand Junction Field Office

Renew COC 35191 Maralex Storage Yard: 120 ft X 70 ft



ROW 1:24,000

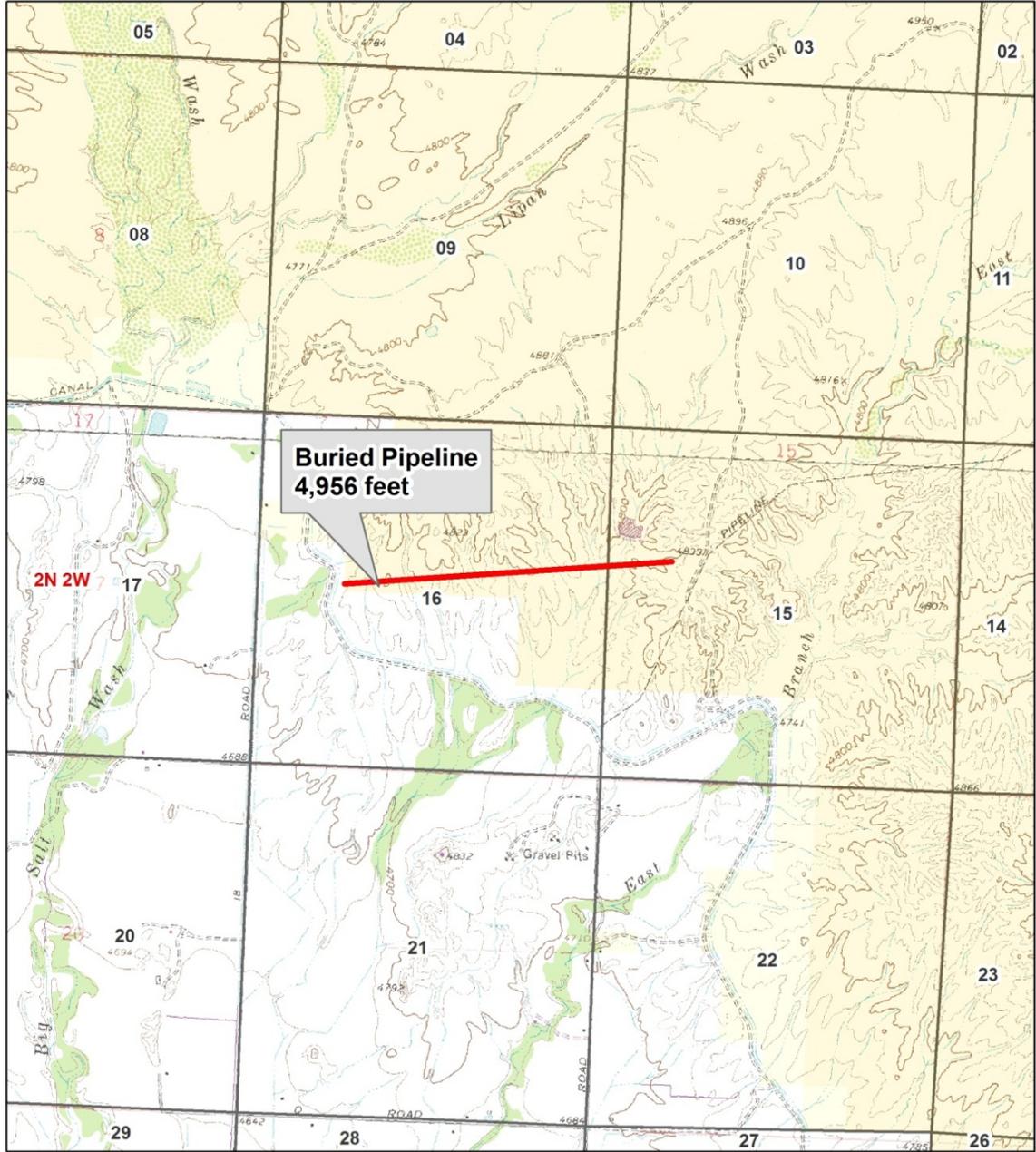
- COC 35191
- Bureau of Land Management
- Private



No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual use or aggregation use with other data.

Grand Junction Field Office

Renew COC 36746 Maralex Buried Pipeline

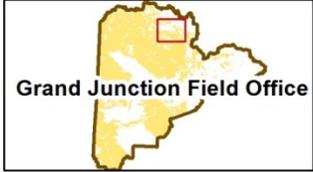
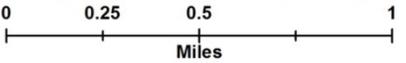


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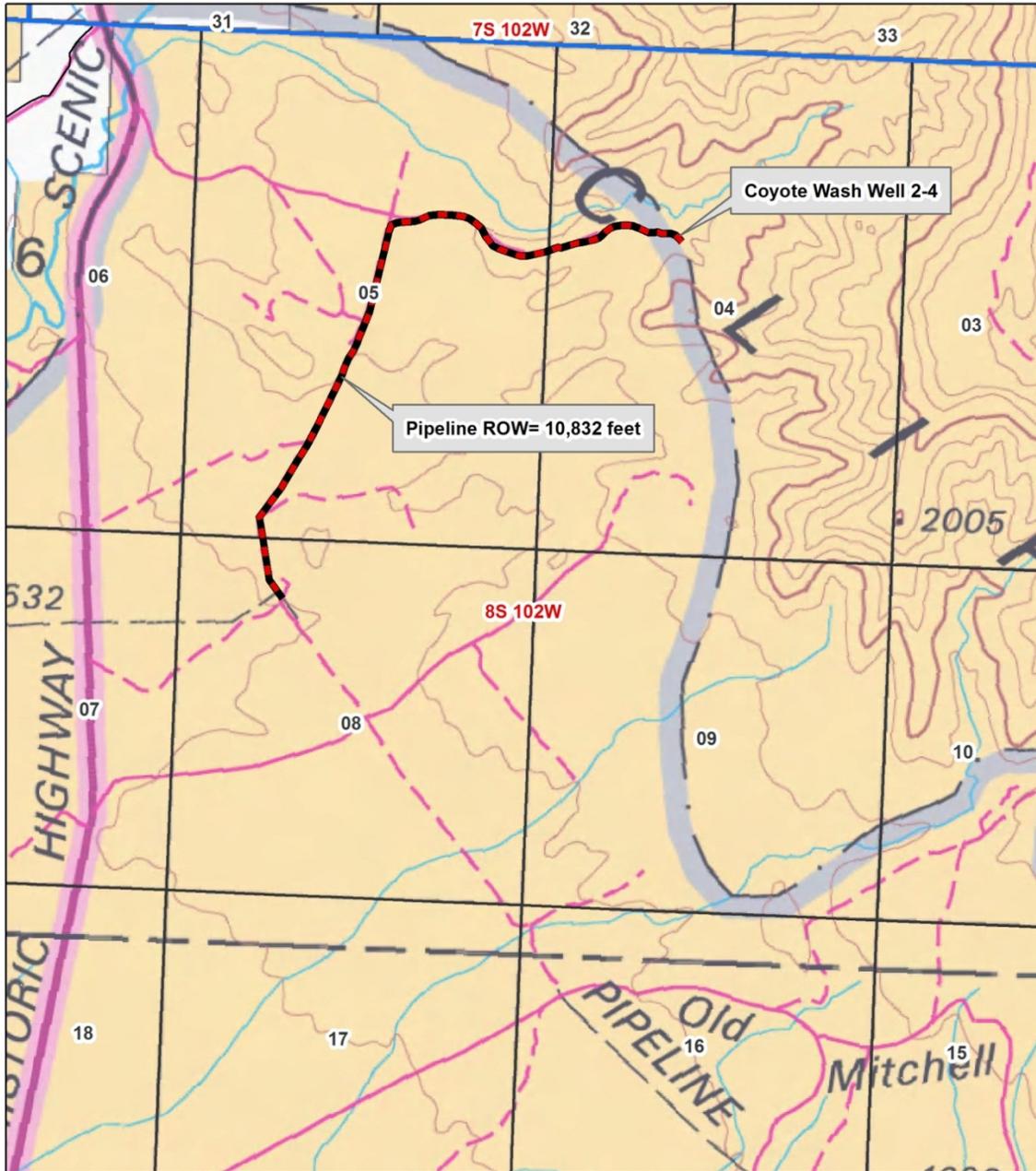
- COC036746
- Bureau of Land Management
- Private



No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual use or aggregation use with other data.



Renew COC 036758 Maralex 2" Gas Pipeline to Coyote Wash Well 2-4

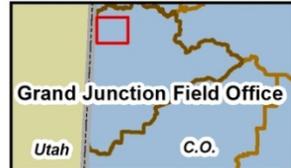
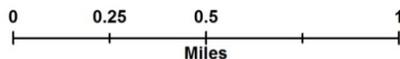


ROW LEGEND 1:24,000

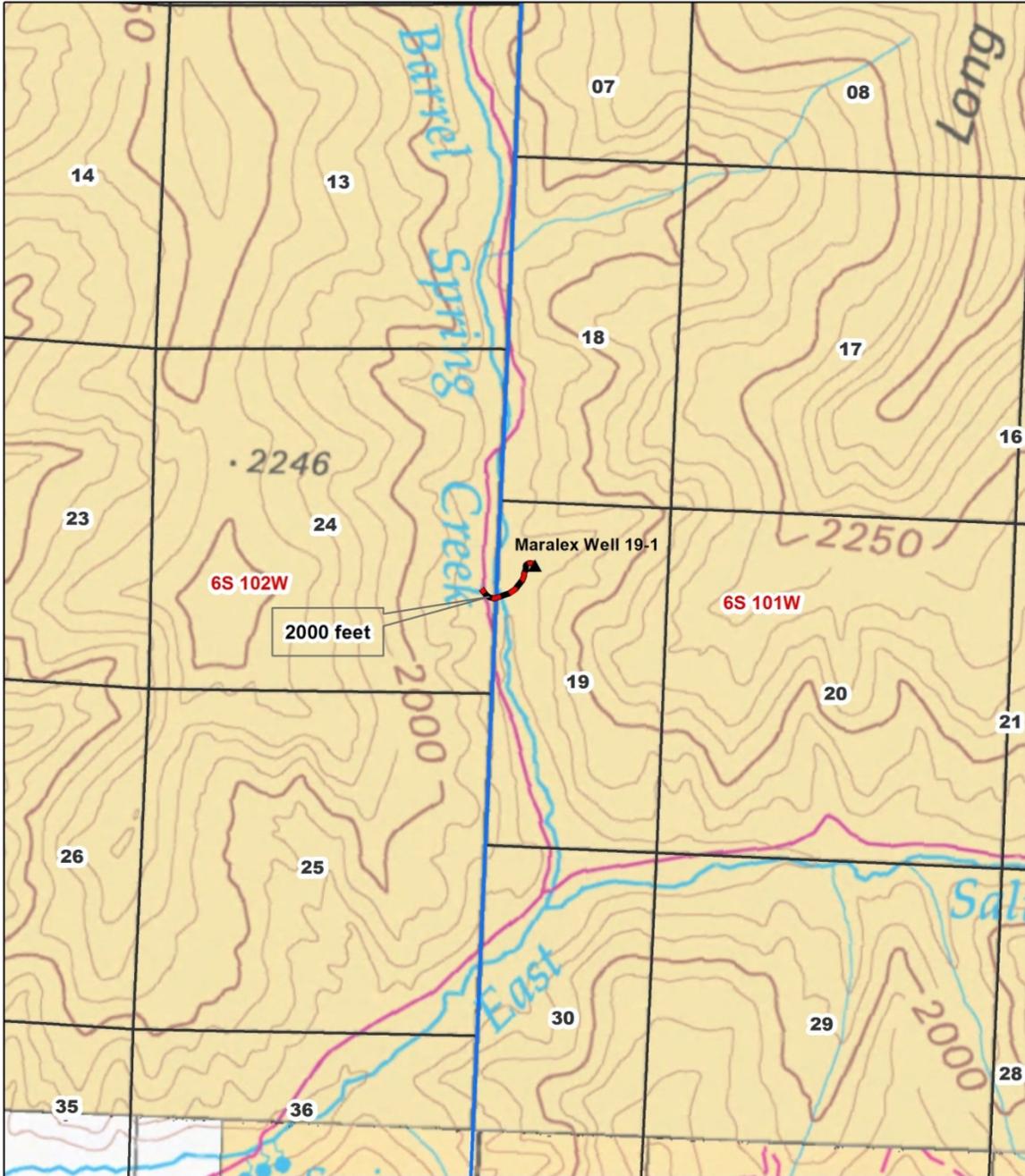
- COC 036758
- Coyote Wash Well 2-4-8-102



No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual use or aggregation use with other data.

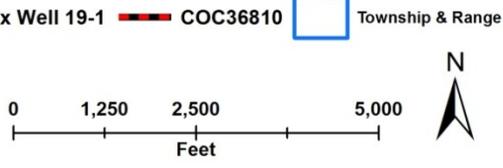


COC 036810 Maralex 2" Pipeline

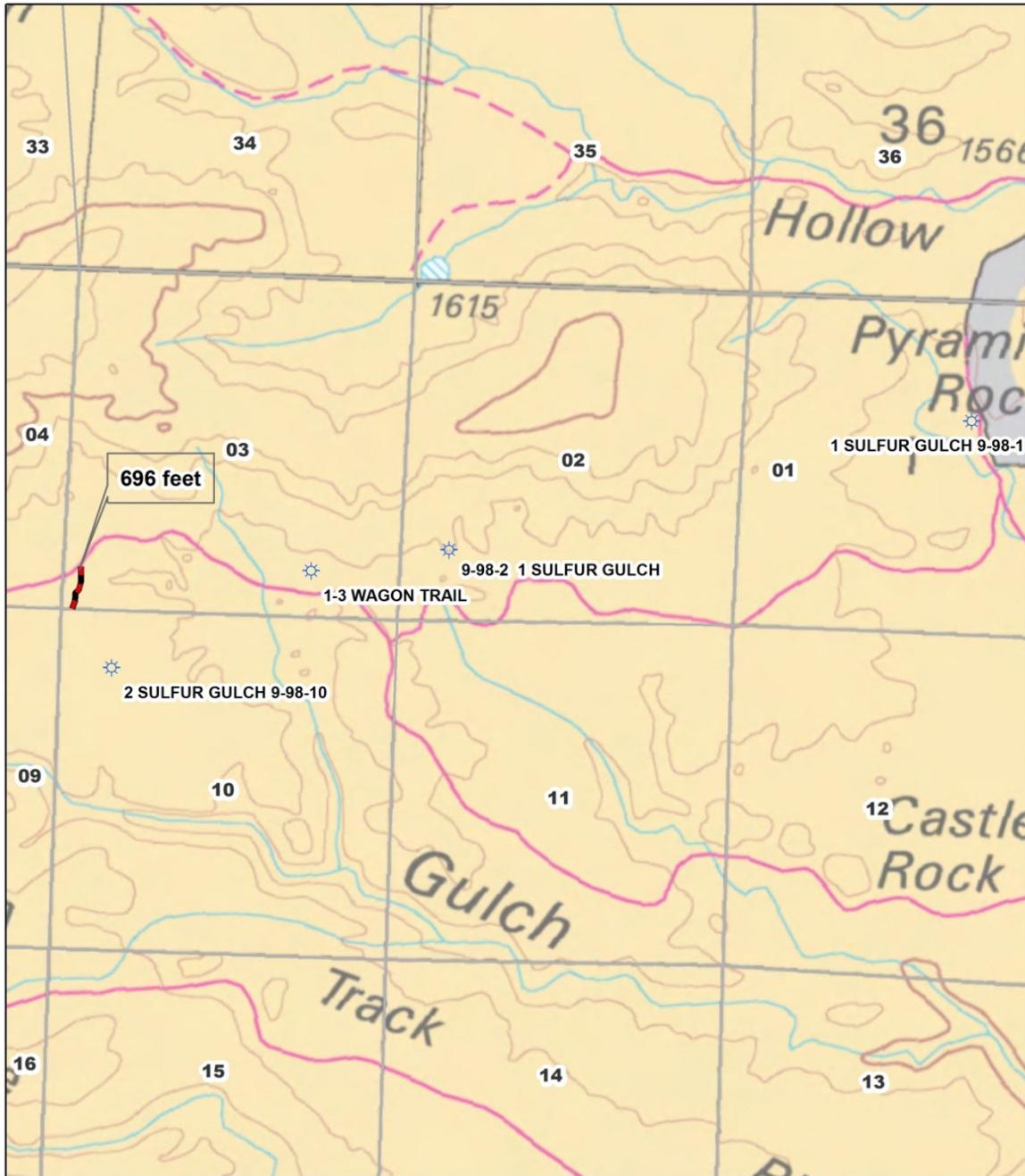


No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual use or aggregation use with other data.

1:24,000



Maralex COC 57666 Renewal of 3" Natural Gas Pipeline



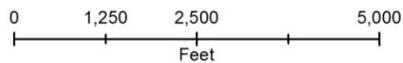
No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual use or aggregation use with other data.

1:24,000



 COC 57666 (Not on leased)

 Maralex wells associated 57666



COC 35158 Maralex Compressor Station (Calf Canyon)

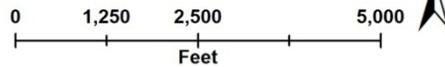


No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual use or aggregation use with other data.

1:24,000



 COC 35158



STANDARD STIPULATIONS

1. Any cultural and/or paleontological 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 any decision as to proper mitigation measures will be made by the authorized officer after consulting with the holder.
2. 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.
3. The operator or its contractor is responsible for informing all persons who are associated with the project 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 uncovered during any project or construction activity, the operator must stop work in the area of the discovery that might further disturb such materials and immediately contact the Administrative Officer. Within five working days, the AO will inform the operator as to the mitigation measures the operator will likely have to undertake before the site can be used (assuming in-place preservation is not necessary).
4. The holder shall notify the AO at least 60 days prior to non-emergency activities that would cause surface disturbance in the ROW or TUP. BLM will determine whether any special resource (cultural, plants, animal, etc.) inventories, treatments, or mitigation are required. The authorized officer may require the completion of a special status species surveys by a third party contractor at the expense of the holder, or the BLM may choose to complete the survey. The BLM may take actions or make recommendations to protect any special status plant populations identified near or on the right-of-way.
5. A "Notice to Proceed" stipulation shall be required for any non-emergency activities as defined above that would cause surface disturbance on the ROW. Any request for a "Notice to Proceed" should be made to the AO, who shall review the proposed action for consistency with resource management concerns such as wildlife, big game winter range, paleontology, threatened and endangered species, and cultural resource protection. Additional measures may be required to protect these resources.
6. On the Right-of-Way, the holder shall monitor and control those noxious weeds that may occur or be found, as listed in the booklet, Noxious Weeds of Mesa County. If chemical control is necessary, use of pesticides shall comply with the applicable Federal and State laws. Pesticides shall be used only in accordance with their registered uses and within

limitations imposed by the Secretary of the Interior. Prior to the use of pesticides, the holder shall obtain from the authorized officer written approval of a plan showing the type and quantity of material to be used, the pest(s) to be controlled, method of application, location of storage and disposal of containers, and any other information deemed necessary by the authorized officer. Emergency use of pesticides shall be approved in writing by the authorized officer prior to such use.

7. The holder shall comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated. In any event, the holder 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.
8. The holder shall comply with applicable State standards for public health and safety, environmental protection and siting, construction, operation and maintenance, if these State standards are more stringent than Federal standards for similar projects.
9. The holder shall conduct all activities associated with the construction, operation, and termination of the right-of-way within the authorized limits of the ROW.
10. Special Storm Water Management Measures shall be required where an Authorized Officer determines that riparian zones or wetlands will be affected by maintenance activities and protections are needed to minimize impacts to resources.