

**Finding of No Significant  
Impact & Decision Record:  
Matlock #9 APD**

**Bureau of Land Management; Worland Field  
Office  
May 2010**



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# **Chapter 1. Finding of No Significant Impact**



## 1.1. Environmental Assessment DOI-BLM-WY-R010-2010-0001-EA

The proposed action would use existing oil field roads to the proposed well location. The well pad would be approximately .13 acres of disturbance. The installation of flowlines and power lines has been included in the review of the proposed project. Impacts were described for site specific, local, and regional levels over the short and long term in DOI-BLM-WY-R010-2010-0001-EA. I have reviewed this environmental assessment including the explanation and resolution of any potentially significant environmental impacts. I have determined that the proposed action will not have any significant impacts on the human environment and that an EIS is not required. I find that implementation of the proposed action would not result in unnecessary or undue degradation of the Public Lands. I have determined that the proposed action is in conformance with the appropriate approved land use plans. It is my decision to implement the proposed action, as modified by the recommended mitigation.

Based on the analysis of potential environmental impacts DOI-BLM-WY-R010-2010-0001-EA, I have determined that the proposed action with the mitigation measures described below will not have any significant impacts on the environment and an environmental impact statement is not required.

## 1.2. Signatures:

Approved by:

/s/ Don Krump

Don Krump

5/17/2010

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Signature

AFM; M&L

Date



# **Chapter 2. Decision Record**



## 2.1. DECISION

It is my decision to approve the associated Application for Permit to Drill (APD) as described as Alternative 2 of Environmental Assessment No. DOI-BLM-WY-R010-2010-0001-EA, and to include those measures proposed by the operator in the Application for Permit to Drill and 12-point surface use plan for the development well, including the associated access route and applicable flowline installation. This Authorization will be granted subject to the Conditions of Approval, as attached.

## 2.2. ALTERNATIVES CONSIDERED

The Environmental Assessment (EA) for the Project considered three alternatives. Alternative 1, the “Proposed Action” alternative, assessed and disclosed the projected effects of the operator’s proposal as detailed in the “Proposed Action” portion of the environmental assessment.

The “Proposed Action with Conditions of Approval” (2) alternative assessed the proposed action, BLM staff specialists input, and the observations made at the joint field inspection. It was felt that certain Conditions of Approval were necessary and proper to provide adequate protection of the surface and subsurface. For the purpose of analysis, the Conditions of Approval are part of this alternative.

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

An alternative including the use of alternate surface locations was considered, but not analyzed further.

## 2.3. RATIONALE FOR DECISION

The decision to approve the proposed action is based upon the following: 1) consistency with resource management plan and land use plan; 2) national policy; 3) agency statutory requirements; 4) relevant resource and economic issues; 5) application of measures to avoid or minimize environmental impacts; 6) finding of no significant impact; and 7) public comments. Alternative 2 was chosen as being the most environmentally sound alternative.

1. **National Policy:** TITLE 43--PUBLIC LANDS: INTERIOR CHAPTER II--BUREAU OF LAND MANAGEMENT, DEPARTMENT OF THE INTERIOR PART 3160-ONSHORE OIL AND GAS OPERATIONS. These regulations are issued under the authority of section 302 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1732, 1733, and 1782).
2. **Resource Management Plan Conformance:** This decision is in conformance with the Grass Creek Resource Management Plan (September 1998).
3. **Agency Statutory Requirements:** The decision is consistent with all federal, state, and county authorizing actions required for implementation of the Proposed Action.
4. **Relevant Resource and Economic Issues:** Potential environmental impacts to surface and subsurface resources from the proposal were identified in the EA and are considered acceptable. Economic benefits to area communities derived from implementation of the Proposed Action in the form of continuing employment opportunities, equipment, services, and potential revenue are considered important.

5. **Opportunity for Public Involvement:** The Application for Permit to Drill was received by the Worland Field Office March 29, 2010. In accordance with 43 CFR 3162.3-1 (g), the notice was made available to the public for comment for 30 days ending April 29, 2010. There were no issues raised by the public during this review. The proposed plan was posted in the WFO public room.
6. **Conditions of Approval:** Conditions of Approval deemed appropriate and necessary for this action are attached and are considered a part of the approval of this alternative.

## 2.4. RATIONALE

Alternative 2 was chosen as being the most environmentally sound alternative. This decision is in conformance with the Grass Creek Resource Management Plan. Conditions of Approval necessary for this action are attached and are considered a part of this approval.

## 2.5. APPEALS

Under BLM regulations, this decision is subject to administrative review in accordance with 43 CFR 3165. Any request for administrative review of this decision must include information required under 43 CFR 3165.3(b) (State Director Review), including all supporting documentation. Such a request must be filed in writing with the State Director, Bureau of Land Management, P.O. Box 1828, Cheyenne, Wyoming 82003, no later than 20 business days after this Decision Record is received or considered to have been received.

Any party who is adversely affected by the State Director's decision may appeal that decision to the Interior Board of Land Appeals, as provided in 43 CFR 3165.4

/s/ Don Krump	Don Krump	5/17/2010
Signature	AFM; M&L	Date

# **Chapter 3. Conditions of Approval**



The following Conditions of Approval are for the construction, drilling, production maintenance, and final abandonment of the wells, their associated access, flowline, and power line installation.

### **3.1. General**

#### **3.1.1. Wildlife**

To avoid potential grizzly bear human interactions, particularly during spring and fall periods (3/1–6/15 & 9/15–12/1): All human and prepared livestock and pet food, beverages, garbage, cooking grease, and other odorous substances must be stored, handled and disposed of in such a manner as to make it totally unavailable to bears at night and during the day when unattended. Unavailable means stored in a bear-resistant container or stored in a closed vehicle constructed of solid non-pliable material.

#### **3.1.2. Erosion Control**

Operators are required to obtain a National Pollution Discharge Elimination System (NPDES) Storm Water Permit from the Wyoming DEQ for any projects that disturb one acre or more. This general construction storm water permit must be obtained from the WDEQ prior to any surface disturbing activities and can be obtained by following direction on the WDEQ website at <http://deq.state.wy.us>. Further information can be obtained by contacting the NPDES coordinator at (307) 775-7570.

The Operator shall ensure all appropriate measures are taken to control erosion. Upon completion of construction the operator shall initiate the approved Storm Water Discharge Plans on the location and associated access.

Runoff and erosion control shall be implemented on slopes in excess of 10 percent.

#### **3.1.3. Cultural**

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

- whether the materials appear eligible for the National Register of Historic Places;
- the mitigation measures the operator will likely have to undertake before the site can be used (assuming in situ preservation is not necessary); and,
- a time frame for the AO to complete an expedited review under 36 CFR 800.11 to confirm, through the State Historic Preservation Officer, that the findings of the AO are correct and that mitigation is appropriate.

If the operator wishes, at any time, to relocate activities to avoid the expense of mitigation and/or the delays associated with this process, the AO will assume responsibility for whatever recordation and stabilization of the exposed materials may be required. Otherwise, the operator will be responsible for mitigation costs. The AO will provide technical and procedural guidelines

for the conduct of mitigation. Upon verification from the AO that the required mitigation has been completed, the operator will then be allowed to resume construction.

### **3.1.4. Paleontology**

The operator is responsible for informing all persons in the area who are associated with this project that they will be subject to prosecution for knowingly disturbing paleontological localities, or for collecting vertebrate fossils. If paleontological materials are uncovered during operations, the operator is to immediately stop work that might further disturb such materials, and contact the authorized officer (AO).

Within five (5) working days the AO will evaluate the discoveries and take necessary actions to protect or remove the resource. Decisions regarding the appropriate measures to mitigate effects to such resources will be made in consultation with the operator.

### **3.1.5. One-Call**

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

## **3.2. Construction & Drilling**

1. The operator shall contact the authorized officer a minimum of 5 days prior to beginning any construction activity
2. Topsoil shall be removed from all areas to be disturbed and from areas where subsoil materials will be stored. Topsoil shall be stripped to an average depth of 6 inches.
3. Prior to any construction activities, the operator shall assure that all slope stakes, culvert location and grade stakes, and other construction control stakes as deemed necessary by the authorized officer are in place, to ensure construction in accordance with the plan of development. If stakes are disturbed, they shall be replaced before proceeding with construction.
4. All equipment and vehicles used in the construction or reclamation activities shall be cleaned prior to entering or leaving a management area. (i.e. - Pressure washing or other means in a designated area).
5. Construction activity shall not be conducted using frozen or saturated soil material or during periods when watershed damage or excessive rutting is likely to occur.
6. No construction or routine maintenance activities shall be performed during periods when the soil is too wet to adequately support construction equipment. If such equipment creates ruts in excess of 4 inches deep, the soil shall be deemed too wet to adequately support construction equipment.
7. The Operator and their contractors shall comply with all applicable federal and state laws and regulations as they relate to hazardous materials. Hazardous materials being those chemicals listed in Title III List of Lists, EPA's Consolidated List of Chemicals Subject to Emergency Planning and the Community Right to Know Act (EPCRA) and Section 112(r) of the Clean Air Act, as amended, or the 40CFR 302.4 Table-List of Hazardous Substances and Reportable

Quantities, as amended. In the event any hazardous materials are used, they would be handled in an appropriate manner to prevent environmental contamination. Any release of hazardous materials of reportable quantities, would be reported both to the National Response Center (NRC), as required in the National Oil and Hazardous Materials Contingency Plan (40 CFR 300), and the Worland Field Office, as per the Hazardous Materials Contingency Plan.

8. Only the surface disturbance for the well pad, access road, and pipe line, as submitted in the Surface Use plan, are authorized. All vehicles and equipment needed to drill, complete, and service this well will use the well pad, access road, or other existing resource road if needed, for parking. Vehicles and equipment are not authorized to park outside of the well pad/access road disturbance area. Unauthorized surface disturbance related to this action will result in an Incidents of Non-Compliance to the operator.

### **3.3. Flowline Construction**

1. Topsoil shall be removed at a depth of 4-6 inches from all areas of surface disturbance. Topsoil shall be clearly segregated from spoil material.
2. Following construction all disturbed areas shall be restored, topsoil replaced and areas reseeded as prescribed. To prevent erosion, waterbars, mulching, or other protective measures may be required. Backfill shall be thoroughly compacted. Topsoil shall be spread evenly over all areas to be reclaimed. No mounding shall be permitted.
3. Trenches shall be routinely inspected and maintained to ensure proper settling, stabilization and reclamation.
4. Construction holes left open for more than 24 hours shall be covered or left in a manner to allow for escape of any entrapped animal. Covers shall be secured in place and shall be strong enough to prevent livestock or wildlife from falling through and into a hole.
5. Construction or maintenance activities shall not be performed during periods when the soil is too wet to adequately support construction equipment. If such equipment creates ruts in excess of three (3) inches deep, the soil is considered to be too wet to continue construction activities, if maintenance activities require the immediate repair of the power line and the soil is too wet, the operator shall be responsible for the appropriate rehabilitation of disturbed ground.

### **3.4. Production**

1. Traffic shall be restricted to approved routes. Cross-country vehicle travel shall not be allowed.
2. The access road and drainage controls (culverts, drainage dips, ditching, crowning, wing ditches, surfacing, etc) shall be maintained to prevent soil erosion and accommodate safe, environmentally-sound access. A regular maintenance program will include, but is not limited to, blading, ditching, culvert installation, and surfacing.
3. Use only certified weed-free gravel and earthen materials for road surfacing and maintenance.
4. Interim reclamation of disturbed areas no longer needed for operations shall be initiated within six months of completion operations. This shall include, but is not limited to, blending these areas to best match surrounding terrain and seeding with the prescribed seed mix. Slopes shall be reduced to a minimum of 3:1.
5. Stockpiled soil for a period longer than one year shall be signed and stabilized with a vegetation cover crop.

6. A regular weed treatment program shall be developed and followed for the life of the well. This program is to be in accordance with BLM and State weed guidelines. 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 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, 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 prior to such use.
7. During the life of the producing well, all permanent above-ground structures such as production tanks and well head equipment, not subject to safety requirements shall be painted and maintained to blend with the natural color of the landscape. The paint used will be a color which simulates "Standard Environmental Colors." The color selected by the Worland Field Office, shall match Covert Green, or be an acceptable substitute pre-approved by the authorized officer. Standard environmental color charts are available from the local BLM office.

### 3.5. Abandonment

1. Reclamation shall be initiated within 6 months of final abandonment and adhere to reclamation requirements under the Wyoming Reclamation Policy. This shall include full reclamation of access routes, well pad, and associated facilities. Reclamation shall blend to the existing contour of the surrounding terrain and best match pre-disturbance topography.
2. When the site is abandoned, all refuse, hardware, and other waste material shall be removed from the site. The site shall be recontoured to conform to the surrounding terrain and best match pre-disturbance topography. Final cut and fill slopes shall be no steeper than 3:1, and shall be left rough or serrated. It shall be ripped or scarified to a depth of 18-24 inches, covered with stockpiled soil, and reseeded. To stop erosion, waterbars, mulching, or other protective measures may be required.
3. Upon completion of approved plugging, the well bore shall be covered with a metal plate at least ¼" thick and welded in place. A weep hole shall be left in the metal plate.
4. Use only certified weed-free hay, straw and/or any other materials used for erosion control and other reclamation activities.
5. Use certified weed-free seed for the reclamation/restoration of areas disturbed by related development activities.
6. All disturbed areas shall be drill seeded. Where drilling is impractical, seed shall be broadcast and the area raked or chained to cover seed. All disturbed areas shall be reseeded with the following mixture of all Pure Live Seed

Species	Pounds PLS/Acre
Bluebunch wheatgrass	4.0
Needleandthread	1.0
Indian ricegrass	1.0
Sandberg bluegrass	.50
Wyoming big sagebrush	.25

Fall seeding shall be completed after September 1, and prior to ground frost. Spring seeding shall be completed after the frost has left the ground and prior to May 15. Seeding shall be repeated if a satisfactory stand is not obtained.