

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

DOCUMENTATION OF LAND USE PLAN CONFORMANCE AND NEPA ADEQUACY

NUMBER: DOI-BLM-CO-N010-2015-0034-DNA

PESTICIDE USE PROPOSAL NUMBER: CON010-15-009-P, CON010-15-010-P

PROJECT NAME: Pesticide use proposals for herbicide applications for bare ground treatment and control of noxious weeds at oil and gas facility locations.

LOCATION:

CON010-15-09-P: See attached map and list of locations (Attachment #2).

CON010-15-010-P: See attached list of locations (Attachment #2).

APPLICANT:

CON010-15-009-P: PMG - Vegetation Control for Whiting Petroleum

CON010-15-010-P: Davis Construction for Merit Energy

A. Describe the Proposed Action

Herbicide applications would be made to control noxious weeds and vegetation along right of ways, access roads, pipelines, and well pads. These sites have been previously leveled, graded or disturbed and may be in various stages of reclamation. Bareground herbicide application would aid in fire prevention, operation, and maintenance of facilities. Noxious weed control helps prevent establishment and spread of weed species of concern. Herbicide would be ground applied by handgun as well as truck, tractor or ATV mounted boom sprayers. In addition to the herbicides, BLM approved surfactants and dyes may be used. The PUP forms describe further details associated with the proposed action.

PUP # CON010-15-009-P (PMG Vegetation Control for Whiting Petroleum)

Trade Name	Common Name	Application Rate (Formulated Product)	Application Rate (Chemical)
Bromacil/Diuron 40/40	Bromacil & diuron	8-10 lb/ac	3.2 – 4.0 lb ai/ac
Diron 80 DF	Diuron	5 – 7.5 lb /ac	4-6 lb ai/ac
SFM 75	Sulfometuron methyl	0.75 - 3.0 oz/ac	0.035 – 0.14 lb ai/ac
MSM 60	Metsulfuron methyl	0.8 oz/ac	0.03 lb ai/ac
Chlorsulfuron 75	Chlorsulfuron	0.5-1.0 oz/ac	0.023 – 0.047 lb ai/ac
Glyphosate 4+	Glyphosate	1-2 qt/ac	0.75 – 1.5 lb ae/ac
Cruise Control	Dicamba	0.25 – 1.0 qt/ac	0.25 – 1.0 lb ae/ac
Weedar 64	2,4-D	2 – 2.5 pints.ac	0.95 – 1.2 lb ae/ac
Panoramic 2SL	Imazapic	4.0 – 6.0 oz/ac	0.062 – 0.09 lb ae/ac

Estimated Acres: Less than a total of 25 acres would be treated across 8 sites.

PUP # CON010-15-010-P (Davis Construction for Merit Energy)

Trade Name	Common Name	Application Rate (Formulated Product)	Application Rate (Chemical)
Direx 4L	Diuron	2 gal/ac	8 lb ae/ac
Cimarron Plus	Metsulfuron methyl	1 oz/ac	0.03 lb ai/ac
	Chlorsulfuron		0.009 lb ai.ac
Vision	Dicamba	16 oz/ac	0.475 ae/ac

Estimated Acres: 120 acres on about 24 sites.

Application of all herbicides would conform to the stipulations in Attachment #1.

Applicants will be responsible for all required certifications and permits necessary to apply herbicides in the State of Colorado.

B. Land Use Plan (LUP) Conformance

LUP Name: Little Snake Record of Decision and Resource Management Plan (RMP)

Date Approved: October, 2011

Final RMP/EIS, August, 2010

Draft RMP/EIS, January, 2007

The proposed action is in conformance with the applicable LUPs because it is specifically provided for in the following LUP decisions:

The proposed action implements Vegetation Goals and Objectives on page RMP-16 of the RMP to reduce the occurrence of noxious weeds and undesirable plant species by ensuring that all land use actions that could potentially increase the occurrence of noxious weeds are conducted by

using BMPs and applying principles of integrated pest management. Additionally, weed management will be integrated across landscape and ownership boundaries by pursuing whenever possible, the use of cooperative agreements to coordinate weed management actions and identify ways of partnering with resource users and other stakeholders to reduce the occurrence of noxious weeds. The proposed action has been reviewed for conformance with this plan (43 CFR 1610.5, BLM MS 1601.03). The proposed action of approving a Pesticide Use Proposal is in conformance with the Little Snake Record of Decision and Approved Resource Management Plan.

Other Documents:

Colorado Public Land Health Standards and Guidelines for Livestock Grazing

Date Approved: February 12, 1997

The Federal Land Policy and Management Act of 1976, as Amended (43 USC 1752)

Rangeland Reform Final Environmental Impact Statement, December 1994.

The proposed action also conforms with county use plans.

C. Identify applicable NEPA documents and other related documents that cover the proposed action.

Vegetation Treatments on BLM Lands in 17 Western States Programmatic Environmental Impact Statement (PEIS) (June, 2007).

DOI-BLM-CO-N010-2009-0025-EA, Little Snake Field Office Integrated Pest Management Plan resulted in a Finding of No Significant Impact. This Environmental Assessment considered the options of Integrated Pest Management as outlined in the FEIS and adopted the standard operation procedures for vegetation treatment program implementation in the LSFO.

D. NEPA Adequacy Criteria

1. Is the current proposed action substantially the same action (or is a part of that action) as previously analyzed? Is the current proposed action located at a site specifically analyzed in an existing document?

Yes. There are no changes from the proposed action analyzed in DOI-BLM-CO-N010-2009-0025-EA, congruent with pesticide use proposal stipulations (see Attachment #1). The Pesticide Use Proposals that are reviewed and approved based on the existing NEPA documents complete the site-specific analysis for these herbicide applications.

2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the current proposed action, given current environmental concerns, interests, and resource values?

Yes. The density of some invasive noxious and undesirable plant species has been reduced in some areas, and although noxious and undesirable weeds have been identified in new locations,

there have been no changes in environmental concerns, interests or resource values since DOI-BLM-CO-N010-2009-0025-EA.

3. Is the existing analysis valid in light of any new information or circumstances?

Yes. The proposed action would have no disproportionate impacts on minority populations or low income communities per Executive Order (EO) 12898 and would not adversely impact migratory birds per EO 13186.

Subject to WO-IM 2011-154 and in accordance with BLM policy, the proposed projects are in areas that did not meet the minimum size requirements for inventory finding of the presence of lands with wilderness characteristics. Size requirements are based on whether parcels are within roadless areas greater than 5,000 acres or are directly adjacent to designated wilderness or WSAs.

4. Do the methodology and analytical approach used in the existing NEPA document(s) continue to be appropriate for the current proposed action?

Yes. The methodology and analytical approach used in the existing NEPA documents continue to be appropriate for the current proposed action. Impacts to all resources were analyzed.

5. Are the direct and indirect impacts of the current proposed action substantially unchanged from those identified in the existing NEPA document(s)? Does the existing NEPA document analyze site-specific impacts related to the current proposed action?

Yes. Direct and indirect impacts of the current proposed action are unchanged from those identified in the existing NEPA documents. The Pesticide Use Proposals that are reviewed and approved based on the existing NEPA documents complete the site-specific analysis for these herbicide applications.

6. Can you conclude without additional analysis or information that the cumulative impacts that would result from implementation of the current proposed action substantially unchanged from those analyzed in the existing NEPA document(s)?

Yes. The cumulative impacts that would result from implementation of the proposed action would remain unchanged from those identified in the existing NEPA documents.

7. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action?

Yes. Public outreach through scoping and involvement of the public and other agencies occurred in the development of the RMP/EIS and DOI-BLM-CO-N010-2009-0025-EA.

E. Interdisciplinary Analysis: Identify those team members conducting or participating in the preparation of this worksheet.

Title	Resource	Date
Hydrologist	Air Quality, Floodplains, Prime/Unique Farmlands, Surface Water Quality, Wetlands/Riparian Zones	8/06/15
Archaeologist	Cultural Resources, Native American Concerns	8/5/15
Realty Specialist	Environmental Justice	7/27/15
Environmental Coord. NEPA	Hazardous Materials	7/31/15
Rangeland Management Spec.	Invasive Non-native Species	7/23/15
Rangeland Management Spec.	Sensitive Plants, T&E Plant	8/3/15
Wildlife Biologist	T&E Animal	7/30/15
Hydrologist	Groundwater Quality	8/6/15
Recreation Specialist	WSAs, W&S Rivers, LWCs, ACECs	
Wildlife Biologist	Animal Communities	7/30/15
Wildlife Biologist	Special Status, T&E Animal	7/30/15
Rangeland Management Spec	Plant Communities	7/31/15
Rangeland Management Spec	Special Status, T&E Plant	8/3/15
Hydrologist	Riparian Systems	8/6/15
Hydrologist	Water Quality	8/6/15
Hydrologist	Upland Soils	8/6/15

Land Health Assessment

This action has been reviewed for conformance with the BLM's Public Land Health Standards adopted February 12, 1997. This action meets Public Land Health Standards. Land health assessments have been conducted in landscapes and watersheds within the Field Office Planning Area. Invasive plants, especially annual weeds have been found to be a problem on many sites and once established are a threat to the herbaceous component of the ecosystems.

Conclusion

Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the NEPA documentation fully covers the proposed action and constitutes BLM's compliance with the requirements of NEPA.

Signature of Lead Specialist Christina Rhyre Date 8/10/15

Signature of NEPA Coordinator Kathy McKinstry Date 8/11/15

Signature of the Authorizing Official W. J. Ronald Date 8/13/15

Note: The signed Conclusion on this document is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision. However, the lease, permit, or other authorization based on this DNA is subject to protest or appeal under 43 CFR Part 4 and the program-specific regulations.

Attachment #1

BLM LSFO PUP Stipulations

General Stipulations:

- All herbicide treatments on BLM administered lands will comply with applicable federal and state statutory and regulatory requirements.
 - Manufacturers label directions and guidelines, including but not limited to, application rates, uses, handling instructions, storage and disposal requirements, will be followed
 - All BLM procedures (BLM Handbook H-9011-1 Chemical Pest Control) and Manuals 1112 Safety, 9011 Chemical Pest Control, and 9015 Integrated Weed Management, and any other BLM requirements will be followed. Where more restrictive, BLMs requirements for rates, uses, and handling instructions will apply.
 - Only certified applicators, or those directly supervised by a certified applicator, may apply herbicide on BLM administered public lands.
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To ensure that risks to human health and the environment from herbicide treatments are kept to a minimum, and that all practicable means to avoid or minimize environmental harm have been adopted, the following will apply:

- All herbicide treatments will be consistent with the Standard Operating Procedures (SOPs) presented in the ROD of the 2007 Final *Vegetation Treatments Using Herbicides on BLM Lands in 17 Western States Programmatic Environmental Impact Statement* (PEIS).
 - Measures to mitigate potential adverse environmental effects as a result of herbicide treatments as found in the ROD of the PEIS.
 - All conservation measures, designed to protect plants and animals listed or proposed for listing as threatened or endangered under the Endangered Species Act, as found in the Biological Assessment of the PEIS.
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Stipulations for Cultural Resources and Native American Concerns

To protect archaeological sites, spraying with boom sprayers mounted on trucks, tractors, or ATVs must be conducted *only* when ground is dry. Any damage to archaeological sites resulting from violation of this stipulation must be mitigated at the expense of the operator/applicator in a manner determined by the BLM under authority of the Archaeological Resources Protection Act (ARPA).

Operators and applicators must inform all employees that collection of historic and archeological artifacts from BLM land is illegal under ARPA and that violators are subject to prosecution.

In conformance with the Native American Graves Protection and Repatriation Act, any human remains discovered during weed spraying operations should not be disturbed. Spraying in the vicinity of the discovery should cease and the BLM should be immediately informed of the discovery by calling (970) 826-5000.

SOURCE:

Brian Naze, LSFO Archaeologist
7/11/2014

Attachment #2 – Locations/Maps

CON010-15-009-P (PMG Vegetation Control for Whiting Petroleum)

Whiting Petroleum Company

BLM Locations

Little Snake Area, Colorado

SITE	LATTITUDE	LONGITUDE	APPROX. ACREAGE
Equity Federal 1-7 Central Battery	40.153722	-108.895778	2.5
Equity Federal 1-7	40.152444	-108.8931944	1
Federal 2-7	40.1521389	-108.88889	1
Pepper Pad	40.089794	-108.778002	1
Federal 12-6	40.08313889	-108.779861	0.5
Federal #1	40.085611	-108.7799722	1
Husky Hill #7-6	40.08691667	-108.7708333	1.5
LUFF 1-23	40.1275	-108.8171667	1.5
TOTAL ACREAGE			10

CON010-15-010-P (Davis Construction for Merit Energy)

Well	COGCC Status	API	Field	County	Merit Statu
Clark 21-9	SI	05-081-07177	TEARDROP	Moffat	SI
Evans Fed 22-28	PR	05-081-07102	TEARDROP	Moffat	PR
Evans Fed 24-21	PR	05-081-07147	TEARDROP	Moffat	SI
Evans Fed 24-28	PR	05-081-06975	TEARDROP	Moffat	PR
Evans Fed 41-29	PR	05-081-07106	TEARDROP	Moffat	SI
Evans Fed 43-28	PR	05-081-07101	TEARDROP	Moffat	PR
Evans Fed 44-29	PR	05-081-06977	TEARDROP	Moffat	PR
Federal 1-14-28	SI	05-081-06859	GREAT DIVIDE	Moffat	SI
Federal 12-21	SI	05-081-07195	TEARDROP	Moffat	SI
Federal 1-23-33	PR	05-081-06976	TEARDROP	Moffat	PR
Federal 1-33-7	PR	05-081-06858	NORTH BIG HOLE	Moffat	PR
Federal 1-43-32	PR	05-081-06916	TEARDROP	Moffat	PR
Federal 21-33	PR	05-081-07188	TEARDROP	Moffat	PR
Federal 33-21	PR	05-081-07196	TEARDROP	Moffat	PR
Federal 34-33	PR	05-081-07190	TEARDROP	Moffat	PR
Federal 41-32	PR	05-081-06962	TEARDROP	Moffat	PR
Federal 42-33	PR	05-081-07097	TEARDROP	Moffat	PR
Federal 43-20	PR	05-081-07197	TEARDROP	Moffat	SI
Iverson 32-5	PR	05-081-06874	TEARDROP	Moffat	PR
Pankey 41-7	SI	05-081-07108	WILDCAT	Moffat	SI
Pilgram 1-10	SI	05-081-06393	TEARDROP	Moffat	SI
Rodewald 11-4	PR	05-081-07139	TEARDROP	Moffat	PR
Rodewald 43-5	PR	05-081-07140	TEARDROP	Moffat	PR
Smith 1-35	PR	05-081-06843	NORTH BIG HOLE	Moffat	PR