

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

## CATEGORICAL EXCLUSION

### *D & G Roustabout Service Access Road Renewal* DOI-BLM-CO-N05-2015-0115-CX

#### Identifying Information

**Project Title:** D & G Roustabout Service Access Road Renewal

**Legal Description:** Sixth Principal Meridian,

T. 4S., R. 103W.,

sec. 17, SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;

sec. 18, NE $\frac{1}{4}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$ ;

sec. 20, NW $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ W $\frac{1}{2}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;

sec. 21, SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;

sec. 28, W $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ ;

Rio Blanco County, Colorado.

**Applicant:** D & G Roustabout Service

**Casefile:** COC39337

#### Issues and Concerns

The original grant does not authorize all existing roads. The re-issue needs to include all off-lease portions of the road from the intersection with County Road 25 to the Federal 33-1 well.

#### Conformance with the Land Use Plan

The Proposed Action is subject to and is in conformance (43 CFR 1610.5) with the following land use plan:

**Land Use Plan:** White River Record of Decision and Approved Resource Management Plan (ROD/RMP), as amended by the White River Field Office Oil and Gas Development Approved Resource Management Plan Amendment (ROD/RMPA)

**Date Approved:** July 1997, amended August 2015

**Decision Language:** “Make federal oil and gas resources available for leasing and development in a manner that provides reasonable protection for other resource values.” (ROD/RMPA, page 2-34)

“Manage BLM public lands, including the siting of public and private facilities through the issuance of applicable land use authorizations, in a manner that balances the needs of oil and gas development with the management for other resources values. (ROD/RMPA, page 2-39)

Respond to internal and external requests for land use authorizations (e.g., pipelines, access routes, utility lines, communication sites, leases, and permits). (ROD/RMPA, page 2-39)

Emphasize efficient use of and colocation with existing ROWs to protect resources and resource uses. Consider the establishment of new ROW corridors to meet demand for oil and gas activities.” (ROD/RMPA, page 2-39)

## **Proposed Action**

### ***Project Components and General Schedule***

D & G Roustabout Service (D &G) submitted an application for the renewal of right-of-way (ROW) grant COC39337. This grant was originally issued to ARCO Oil and Gas Company on 11/5/1984, for the construction, operation, maintenance and termination of an access road to the Federal #33-1 well off an existing lease road already issued to ARCO under ROW grant COC39327.

On 2/9/1993, ROW grant COC39337 was assigned to D & G. At the time of assignment, the existing lease road COC39327 did not transfer to D & G, nor was COC39337 amended to include this section of the access road. Also, the aerial imagery shows that the road authorized under COC39337 starts on BLM lands then extends on-lease where no ROW is needed. There is a section of this road that then extends off-lease, again onto BLM land, before entering the lease one last time. This section of road that extends off-lease is not currently included in ROW grant COC39337. Therefore, with the reissuance of COC39337, the ROW would include all the above mentioned off-lease sections of the access road for the 33-1 well.

There are no proposed improvements and no additional disturbance would be authorized by this action. In total this ROW would be 21,651 feet long, more or less, by 35 feet wide, containing 17.4 acres. All applicable terms and conditions of the original ROW COC39337 would be carried forward and in full force and effect. This ROW would be issued for 30 years.

### ***BLM Required Terms and Conditions to Mitigate Impacts to Cultural and Paleontological Resources***

1. The applicant is responsible for informing all persons who are associated with the project that they will be subject to prosecution for knowingly disturbing archaeological sites or for collecting artifacts.
2. If any archaeological materials are discovered as a result of operations under this authorization, activity in the vicinity of the discovery will cease, and the BLM WRFO

Archaeologist will be notified immediately. Work may not resume at that location until approved by the AO. The applicant will make every effort to protect the site from further impacts including looting, erosion, or other human or natural damage until BLM determines a treatment approach, and the treatment is completed. Unless previously determined in treatment plans or agreements, BLM will evaluate the cultural resources and, in consultation with the State Historic Preservation Office (SHPO), select the appropriate mitigation option within 48 hours of the discovery. The applicant, under guidance of the BLM, will implement the mitigation in a timely manner. The process will be fully documented in reports, site forms, maps, drawings, and photographs. The BLM will forward documentation to the SHPO for review and concurrence.

3. Pursuant to 43 CFR 10.4(g), the applicant must notify the AO, by telephone and 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), the operator must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the AO.
4. The applicant is responsible for informing all persons who are associated with the project operations that they will be subject to prosecution for disturbing or collecting vertebrate or other scientifically-important fossils, collecting large amounts of petrified wood (over 25lbs./day, up to 250lbs./year), or collecting fossils for commercial purposes on public lands.
5. If any paleontological resources are discovered as a result of operations under this authorization, the applicant or any of his agents must stop work immediately at that site, immediately contact the BLM Paleontology Coordinator, and make every effort to protect the site from further impacts, including looting, erosion, or other human or natural damage. Work may not resume at that location until approved by the AO. The BLM or designated paleontologist will evaluate the discovery and take action to protect or remove the resource within 10 working days. Within 10 days, the operator will be allowed to continue construction through the site, or will be given the choice of either (a) following the Paleontology Coordinator's instructions for stabilizing the fossil resource in place and avoiding further disturbance to the fossil resource, or (b) following the Paleontology Coordinator's instructions for mitigating impacts to the fossil resource prior to continuing construction through the project area.

### **Categorical Exclusion Review**

The Proposed Action qualifies as a categorical exclusion under 516 DM 11.9, E(16) *"Acquisition of easements for an existing road or issuance of leases, permits, or rights-of-way for the use of existing facilities, improvements, or sites for the same or similar purposes."*

The Proposed Action has been reviewed with the list of extraordinary circumstances (43 CFR 46.215) described in the table below.

Extraordinary Circumstance	YES	NO
a) Have significant adverse effects on public health and safety.		X

Extraordinary Circumstance	YES	NO
b) Have significant impacts 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.		X
c) Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources.		X
d) Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X
e) Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		X
f) Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		X
g) Have significant impacts on properties listed, or eligible for listing, in the National Register of Historic Places as determined by the bureau.		X
h) Have significant impacts 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.		X
i) Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.		X
j) Have a disproportionately high and adverse effect on low income or minority populations.		X
k) Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly affect the physical integrity of such sacred sites.		X
l) 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.		X

## Interdisciplinary Review

The Proposed Action was presented to, and reviewed by, the White River Field Office interdisciplinary team on 8/4/2015. A complete list of resource specialists who participated in this review is available upon request from the White River Field Office. The table below lists resource specialists who provided additional review or remarks concerning cultural resources and special status species.

Name	Title	Resource	Date
Michael Selle	Archaeologist	Cultural Resources, Native American Religious Concerns	8/5/2015
Ed Hollowed	Wildlife Biologist	Special Status Wildlife Species	8/11/2015
Heather Woodruff	Ecologist	Special Status Plant Species	8/11/2015
Keesha Cary	Realty Specialist	Project Lead	9/4/2015
Heather Sauls	Planning and Environmental Coordinator	NEPA Compliance	9/17/2015

**Cultural Resources:** The proposed ROW renewal route has been inventoried at the Class III (100 percent pedestrian) level by a number of projects over the years of development (Baer *et al.* 2010 compliance dated 12/10/2010, Jennings 2004 compliance dated 9/16/2004, Knox 1981

compliance dated 8//12/1981, O'Neil 1984 compliance dated 9/25/1984). There are no cultural resources identified in the ROW area or immediate vicinity therefore there would be no new impacts to any known cultural resources from the renewal.

**Native American Religious Concerns:** No Native American Religious Concerns are known in the area, and none have been noted by Tribal authorities. Should recommended inventories or future consultations with Tribal authorities reveal the existence of such sensitive properties, appropriate mitigation and/or protection measures may be undertaken.

**Threatened and Endangered Wildlife Species:** The ROW is part of a long-established road network and access renewal would involve no action that would measurably influence wildlife resources.

**Threatened and Endangered Plant Species:** The ROW occurs on an existing access road, since no disturbance is occurring at this time there are no special status plant species concerns associated with the Proposed Action. However, if maintenance is required in the future and disturbance would be occurring, special status plant surveys might be required prior to any disturbance.

#### **References cited:**

Baer, Sarah, Norma Crumbley, Heidi Guy Hays, Josh McNutt, Karen Reed, Scott C. Phillips, Michael Cregger, Paul Burnett, Jason Burkard, Michelle Delmas, Ashley Fife, Katie Drumm, Marshall Millett, Phil Hanes, and Joel J. Tyberg

- 2010 Class III Cultural Resource Inventory of the Columbine Springs 3-D Geophysical Exploration Project Area, Garfield and Rio Blanco Counties Colorado and Uinta County, Utah. SWCA Environmental Consultants, Broomfield, Colorado. (10-127-02: OAHP # MC.LM.R616)

Jennings, Sarah L.

- 2004 Evergreen Resources, Inc.: Class III Cultural Resource Inventories of Six Proposed Columbine springs Federal Well, Access, and Pipeline Developments, (2C-9-4S-103, 7C-24-4S-104, 9C-33-4S-103, 13C-14-4S-104, 15C-9-5S-103 and 16C-24-4S-104) and the Proposed Columbine Springs Federal 10C-26-4S103 Pipeline in Rio Blanco and Garfield Counties, Colorado. (04-54-32: OAHP # MC.LM.R418)

Knox, Donna J.

- 1981 Letter Report to Prill Mecham re: Coseka Well Location #3-28-4-104 and Access. Gordon and Kranzush, Inc., Boulder, Colorado. (81-13-26)

O'Neil, Brian

- 1984 A Cultural Resource Survey for ARCO Oil & (sic) Gas Company, Federal 33-1, Well pad and Access, Rio Blanco County, Colorado. Powers Elevation Company, Denver, Colorado. (84-14-01: OAHP # RB.LM.NR11)

## Mitigation

1. All applicable terms, conditions, and stipulations contained in the original ROW grant and any amendments shall be carried forward and remain in full force and effect. No new construction is authorized.
2. At least 90 days prior to termination of the right-of-way, the holder shall contact the Authorized Officer to arrange a joint inspection of the right-of-way. The inspection will result in the development of an acceptable termination and rehabilitation plan submitted by the holder. This plan shall include, but is not limited to, removal of facilities, drainage structures, and surface material; recontouring; topsoiling; or seeding. The Authorized Officer must approve the plan in writing prior to the holder's commencement of any termination activities.
3. The holder shall conduct all activities associated with the operation and termination of the right-of-way within the authorized limits of the right-of-way.
4. Any proposal involving additional surface disturbance outside of the existing right-of-way disturbance requires an application to the BLM for analysis and authorization. New stipulations for construction would be applied to projects subject to the regulations and policies existing at the time of authorization.
5. The holder shall monitor all disturbed and reclaimed areas through final abandonment for the presence of invasive, non-native, and/or noxious plant species. The holder will be responsible for control of noxious weeds that occur on site using materials and methods approved in advance by the Authorized Officer.
6. The holder shall notify the authorized officer at least 60 days prior to non-emergency activities that would cause surface disturbance in the right-of-way. A "Notice to Proceed" shall be required prior to any non-emergency activities that would cause surface disturbance on the right-of-way. Any request for a "Notice to Proceed" must be made to the authorized officer, who will review the Proposed Action for consistency with resource management concerns such as wildlife, big game winter range, paleontology, special status species, and cultural resource protection. The authorized officer may require the completion of special status species surveys or other resource surveys. Additional measures may be required to protect special status species or other resources.
7. Application of herbicides will comply with the WRFO Integrated Weed Management Plan.
8. Pesticide Use Proposals (PUPs) will be submitted to and approved by the BLM before applying herbicides on BLM lands. The PUP will include target weed species, the herbicides to be used, application rates and timeframes, estimated acres to be treated, as well as maps depicting the areas to be treated and known locations of weeds.

9. Application of herbicides must be under field supervision of an EPA-certified pesticide applicator. Herbicides must be registered by the EPA and application proposals must be approved by the BLM.

### Tribes, Individuals, Organizations, or Agencies Consulted

None

### Compliance with NEPA

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, E16. 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 46.215 apply.

*E. M. McG*

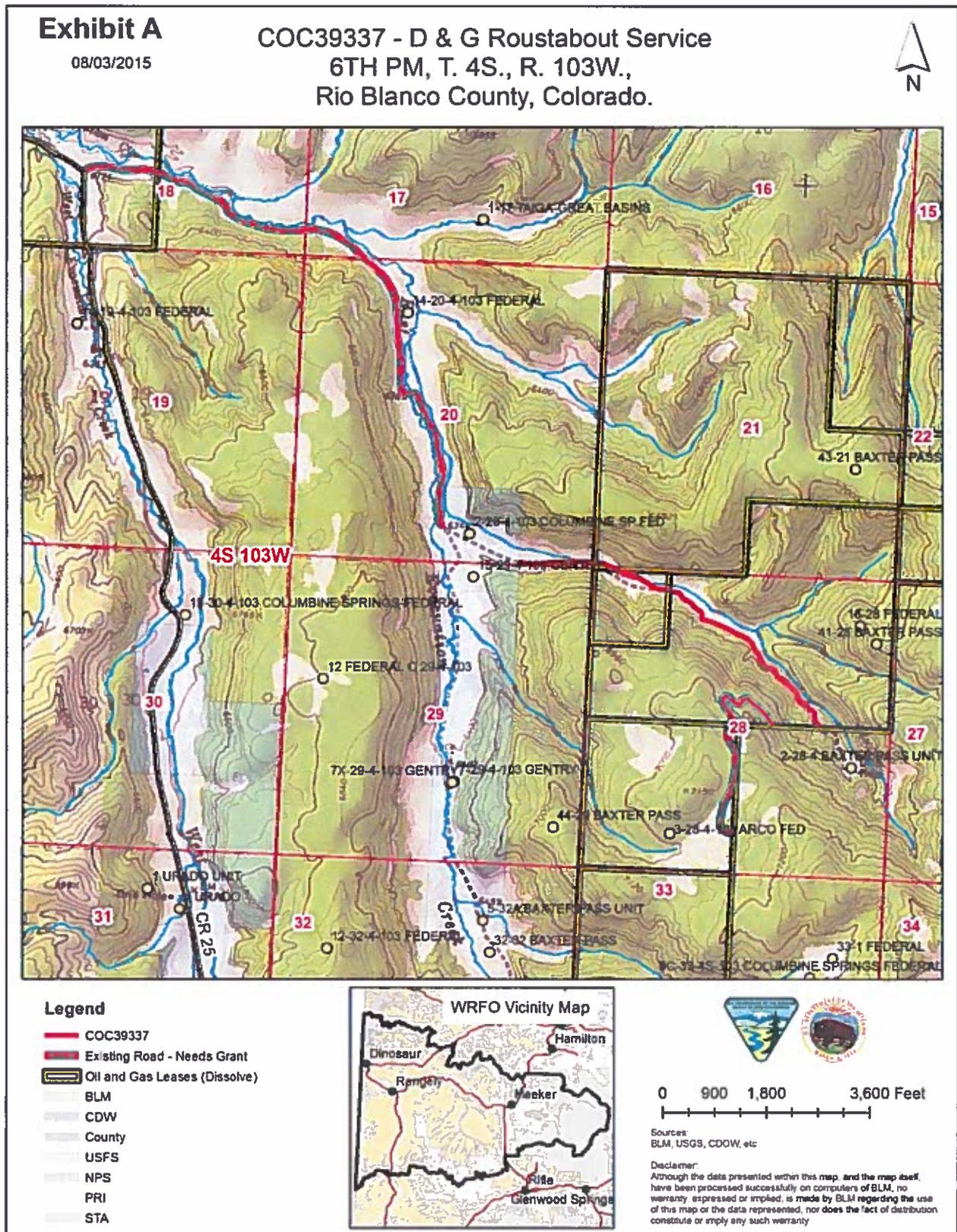
ACTING

Field Manager

*9/18/2015*

Date

# Appendix A. Figures



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

## **DECISION RECORD**

### ***D & G Roustabout Service Access Road Renewal*** **DOI-BLM-CO-N05-2015-0115-CX**

#### **Decision**

It is my decision to implement the Proposed Action as described in DOI-BLM-CO-N05-2015-0115-CX, re-issue the COC39337 grant including all access roads for a 30-year term.

#### ***Terms and Conditions***

1. The applicant is responsible for informing all persons who are associated with the project that they will be subject to prosecution for knowingly disturbing archaeological sites or for collecting artifacts.
2. If any archaeological materials are discovered as a result of operations under this authorization, activity in the vicinity of the discovery will cease, and the BLM WRFO Archaeologist will be notified immediately. Work may not resume at that location until approved by the AO. The applicant will make every effort to protect the site from further impacts including looting, erosion, or other human or natural damage until BLM determines a treatment approach, and the treatment is completed. Unless previously determined in treatment plans or agreements, BLM will evaluate the cultural resources and, in consultation with the State Historic Preservation Office (SHPO), select the appropriate mitigation option within 48 hours of the discovery. The applicant, under guidance of the BLM, will implement the mitigation in a timely manner. The process will be fully documented in reports, site forms, maps, drawings, and photographs. The BLM will forward documentation to the SHPO for review and concurrence.
3. Pursuant to 43 CFR 10.4(g), the applicant must notify the AO, by telephone and 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), the operator must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the AO.
4. The applicant is responsible for informing all persons who are associated with the project operations that they will be subject to prosecution for disturbing or collecting vertebrate or other scientifically-important fossils, collecting large amounts of petrified wood (over 25lbs./day, up to 250lbs./year), or collecting fossils for commercial purposes on public lands.

5. If any paleontological resources are discovered as a result of operations under this authorization, the applicant or any of his agents must stop work immediately at that site, immediately contact the BLM Paleontology Coordinator, and make every effort to protect the site from further impacts, including looting, erosion, or other human or natural damage. Work may not resume at that location until approved by the AO. The BLM or designated paleontologist will evaluate the discovery and take action to protect or remove the resource within 10 working days. Within 10 days, the operator will be allowed to continue construction through the site, or will be given the choice of either (a) following the Paleontology Coordinator's instructions for stabilizing the fossil resource in place and avoiding further disturbance to the fossil resource, or (b) following the Paleontology Coordinator's instructions for mitigating impacts to the fossil resource prior to continuing construction through the project area.
6. All applicable terms, conditions, and stipulations contained in the original ROW grant and any amendments shall be carried forward and remain in full force and effect. No new construction is authorized.
7. At least 90 days prior to termination of the right-of-way, the holder shall contact the Authorized Officer to arrange a joint inspection of the right-of-way. The inspection will result in the development of an acceptable termination and rehabilitation plan submitted by the holder. This plan shall include, but is not limited to, removal of facilities, drainage structures, and surface material; recontouring; topsoiling; or seeding. The Authorized Officer must approve the plan in writing prior to the holder's commencement of any termination activities.
8. The holder shall conduct all activities associated with the operation and termination of the right-of-way within the authorized limits of the right-of-way.
9. Any proposal involving additional surface disturbance outside of the existing right-of-way disturbance requires an application to the BLM for analysis and authorization. New stipulations for construction would be applied to projects subject to the regulations and policies existing at the time of authorization.
10. The holder shall monitor all disturbed and reclaimed areas through final abandonment for the presence of invasive, non-native, and/or noxious plant species. The holder will be responsible for eradication of noxious weeds that occur on site using materials and methods approved in advance by the Authorized Officer.
11. The holder shall notify the authorized officer at least 60 days prior to non-emergency activities that would cause surface disturbance in the right-of-way. A "Notice to Proceed" shall be required prior to any non-emergency activities that would cause surface disturbance on the right-of-way. Any request for a "Notice to Proceed" must be made to the authorized officer, who will review the Proposed Action for consistency with resource management concerns such as wildlife, big game winter range, paleontology, special status species, and cultural resource protection. The authorized officer may

require the completion of special status species surveys or other resource surveys. Additional measures may be required to protect special status species or other resources.

12. Application of herbicides will comply with the WRFO Integrated Weed Management Plan.
13. Pesticide Use Proposals (PUPs) will be submitted to and approved by the BLM before applying herbicides on BLM lands. The PUP will include target weed species, the herbicides to be used, application rates and timeframes, estimated acres to be treated, as well as maps depicting the areas to be treated and known locations of weeds.
14. Application of herbicides must be under field supervision of an EPA-certified pesticide applicator. Herbicides must be registered by the EPA and application proposals must be approved by the BLM.

### **Compliance with Laws & Conformance with the Land Use Plan**

This decision is in compliance with the Endangered Species Act and the National Historic Preservation Act. It is also in conformance with the 1997 White River Record of Decision and Approved Resource Management Plan (ROD/RMP), as amended by the White River Field Office Oil and Gas Development Approved Resource Management Plan Amendment (ROD/RMPA).

### **Public Involvement**

This project was posted on the WRFO's on-line National Environmental Policy Act (NEPA) register on 8/5/2015. No comments or inquiries have been received.

### **Rationale**

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, E16. 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 46.215 apply.

### **Monitoring and Compliance**

On-going compliance inspections and monitoring will be conducted by the BLM White River Field Office staff during and after construction. Specific mitigation developed in this document will be followed. The holder will be notified of compliance related issues, and depending on the nature of the issue(s), will be provided 30 days to resolve such issues.

### **Administrative Remedies**

This decision shall take effect immediately upon the date it is signed by the Authorized Officer and shall remain in effect while any appeal is pending unless the Interior Board of Land Appeals issues a stay (43 CFR 2801.10(b)). Any appeal of this decision must follow the procedures set

forth in 43 CFR Part 4. Within 30 days of the decision, a Notice of Appeal must be filed in the office of the Authorized Officer at White River Field Office, 220 East Market St., Meeker, CO 81641 with copies sent to the Regional Solicitor, Rocky Mountain Region, 755 Parfet St., Suite 151, Lakewood, CO 80215, and to the Department of the Interior, Board of Land Appeals, 801 North Quincy St., MS300-QC, Arlington, VA, 22203. If a statement of reasons for the appeal is not included with the notice, it must be filed with the Interior Board of Land Appeals at the above address within 30 days after the Notice of Appeal is filed with the Authorized Officer.

**Signature of Authorized Official**

**ACTING** *Est M M: gl*  
Field Manager

*9/18/2015*  
Date