

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

SECTION 390 CATEGORICAL EXCLUSION FOR OIL AND GAS DEVELOPMENT

WPX's 19 New Wells on One New Well Pad: RGU 32-36-198

DOI-BLM-CO-N05-2016-0023-CX	DOI-BLM-CO-N05-2016-0033-CX
DOI-BLM-CO-N05-2016-0024-CX	DOI-BLM-CO-N05-2016-0034-CX
DOI-BLM-CO-N05-2016-0025-CX	DOI-BLM-CO-N05-2016-0035-CX
DOI-BLM-CO-N05-2016-0026-CX	DOI-BLM-CO-N05-2016-0036-CX
DOI-BLM-CO-N05-2016-0027-CX	DOI-BLM-CO-N05-2016-0037-CX
DOI-BLM-CO-N05-2016-0028-CX	DOI-BLM-CO-N05-2016-0038-CX
DOI-BLM-CO-N05-2016-0029-CX	DOI-BLM-CO-N05-2016-0039-CX
DOI-BLM-CO-N05-2016-0030-CX	DOI-BLM-CO-N05-2016-0040-CX
DOI-BLM-CO-N05-2016-0031-CX	DOI-BLM-CO-N05-2016-0041-CX
DOI-BLM-CO-N05-2016-0032-CX	

Identifying Information

Project Title: WPX's 19 New Wells on One New Well Pad: RGU 32-36-198

Legal Description: T1S R98W Section 36

Applicant: WPX Energy

Casefile/Project Number: COC-60735
COC -73648
COC77433 (Bargath pipeline ROW)
COC77433-01 (Bargath pipeline TUP)

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.

Respond to internal and external requests for land use authorizations (e.g., pipelines, access routes, utility lines, communication sites, leases, and permits).

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

WPX Energy (WPX), the operator of the Ryan Gulch unit, is proposing to construct, drill, operate and maintain 19 new gas wells on one new well pad on BLM surface lands (Figure 1). Well pad RGU 32-36-198 would have the following 19 wells: RGU 524-25-198, RGU 531-36-198, RGU 332-36-198, RGU 532-36-198, RG 441-36-198, RG 42-36-198, RG 442-36-198, RGU 22-36-198, RG 542-36-198, RG 342-36-198, RG 541-36-198, RG 341-36-198, RGU 322-36-198, RGU 621-36-198, RGU 432-36-198, RGU 632-36-198, RGU 32-36-198, RGU 431-36-198, and RGU 31-36-198. Twelve wells would draw federal minerals from lease COC-60735 and seven wells would draw federal minerals from lease COC-73648.

As shown in Table 1 and Figure 2, for well pad 32-36-198, the pad will be constructed on 7.8 acres, straddling leases 60735 and 73648. Approximately 6.6 acres will be reclaimed and 1.2 acres will remain for the life of the wells. Thirty-eight feet of road are needed to tie into the existing road, this is within the boundary of the well pad so is incorporated with those disturbance figures. A gas and a water pipeline will be buried along 3,080 feet of existing road. The 70 foot pipeline ROW includes the 25 foot road, plus 45 feet of new disturbance, for 3.2 acres of new disturbance. All but 0.1 acres of pipeline disturbance fall within lease COC-60735. Temporary fraclines will be placed on the surface during completion activities.

Table 1. Summary of disturbance (acres) for RGU 32-36-198 pad, road and pipeline.

	New disturbance on Lease COC-60735	New disturbance on Lease COC-73648	Interim reclamation	Disturbance through production phase
32-36-198 Pad	4.4	3.4	6.6	1.2
32-36-198 Pipeline	3.1	0.1	3.2 (final reclamation)	0
Total	7.5	3.5	9.8	1.2

Pad, road and pipeline construction is expected to take three months, and drilling is expected to take nine months. A closed loop system would be used for drilling with a dry cuttings trench. During production, the working pad surface would contain the wells, an equal number of separators, and tank battery.

The lease COC-60735 is stipulated with protection for oil shale and a timing limitation from December 1 through April 30 for protection of big game severe winter range. The lease COC-73648 is stipulated with a consultation requirement for endangered species and a timing limitation from December 1 through April 30 for protection of big game severe winter range. WPX proposes an exception to the timing limitations so the project could proceed at the above schedule.

Design Features

1. All non-County Roads used to access the well will be maintained in their current condition or better than current condition before operations began. WPX Energy works in cooperation with the county and any other operators regarding maintenance along County Roads with due diligence on dust control and any other maintenance required to access drilling pads. Water application may be implemented if necessary to minimize the amount of fugitive dust.
2. Typical estimated fresh water volumes needed for drilling operations would be approximately 8,000 bbls. Estimated water volumes needed for dust control as needed during time of drilling and all other operational phases (construction in this case), would be approximately 5,000 bbls. Estimated recycled water required for completion operations (including fracing) would be up to approximately 70,000 bbls per well.
3. WPX will inform 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.

4. If any paleontological resources are discovered as a result of operations under this authorization, WPX and any of its agents will stop work immediately at that site, and the BLM Paleontology Coordinator will be notified immediately. WPX will 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, WPX 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.
5. If 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. WPX will make every effort to protect the site from further impacts including looting, erosion, or other human 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. WPX, 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.
6. Pursuant to 43 CFR 10.4(g), WPX will notify the AO, by telephone and written confirmation, immediately upon discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to CFR 10.4(c) and (d), WPX will stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the AO.
7. RGU 32-36-198 will be frac'd remotely from the RGU 24-25-198 frac pad. Three 4.5-inch surface frac lines will run for 3080 feet along the north side of the road, in the road. A 560 foot, 14 inch temporary frac surface water supply line will be installed from the existing water infrastructure near the main pipeline corridor to the RGU 24-25-198 pad.
8. WPX uses a closed-loop drilling system. Drill cuttings will be stored and buried in the cuttings trench. All cuttings will be tested prior to burial. Testing results or the Colorado Oil and Gas Conservation Commission (COGCC) pit closure approval will be submitted to BLM prior to burial. If cuttings do not pass COGCC testing requirements then subsequent remediation will have to take place before burial. Frac sand will be managed in accordance with COGCC regulations.
9. The sites are anticipated to be active for up to 35 years. Reclamation/seeding will comply with Federal (BLM) and state (COGCC) regulations.

BLM Required Conditions of Approval 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. A paleontological monitor will be present to monitor leveling of the well pad and excavation of the cuttings trench before that work begins and shall be present until it is completed.

Categorical Exclusion Review

The Energy Policy Act of 2005 (P.L. 109-58) prescribed five categorical exclusions (CX) for activities whose purpose is for the exploration of oil or gas.

The Proposed Action qualifies as a categorical exclusion under the Section 390 of the Energy Policy Act, #1: *“Individual surface disturbances of less than five acres so long as the total surface disturbance on the lease is not greater than 150 acres and site-specific analysis in a document prepared pursuant to the NEPA has been previously completed.”*

The BLM NEPA Handbook (H-1790-1) provides specific instructions for using this CX.

1. Is surface disturbance associated with the Proposed Action less than five acres?

Yes. The BLM NEPA Handbook directs that “if more than one action is proposed for a lease (for example, two or more wells), each activity is counted separately and each may disturb up to five acres” (page 141). As shown in Table 1, there would be 7.5 acres of new disturbance on Lease COC-60735. Averaged over the twelve wells drawing from this lease, this equals approximately 0.6 acres of disturbance per well. There would be 3.5 acres of new disturbance on Lease COC-73648, which, averaged over the remaining seven wells, equals about 0.5 acres of disturbance per well.

2. Is there less than 150 acres of surface disturbance, including the Proposed Action, on the entire leasehold?

Yes, acreage for COC-60735 disturbance was calculated using GIS and 2013 NAIP imagery on June 23, 2015 and the total disturbance was calculated at approximately 96 acres. Another 2.5 acres of new disturbance has been permitted, but not yet constructed, for an expansion of the 13-36-198 well pad (DOI-BLM-CO-N050-2015-0068 thru 0081 CX), and 8.8 acres of disturbance is under consideration for the proposed RGU 32-35-198 pad (DOI-BLM-CO-N050-2016-0002 thru 0022 CX). This totals 107.3 acres of disturbance, well below the 150-acre limitation.

COC-73648 is only 116 acres, so by definition cannot have more than 116 acres of disturbance.

3. Is the Proposed Action within the boundaries of an area included in a site-specific NEPA document? (The NEPA document must have analyzed the exploration and/or

development of oil and gas (not just leasing) and the action/activity being considered must be within the boundaries of the area analyzed in the environmental assessment (EA) or environmental impact statement (EIS). The NEPA document need not have addressed the specific permit or application being considered.)

Oil and gas development in the project area has been analyzed in many previous NEPA documents. A well pad in T 2S, R 98W, Sec. 2 was analyzed in CO-110-2005-155-EA. Well pads in T 1S, R 97W, Sec. 31 were analyzed in CO-110-2005-219-EA. A well pad in T 1S, R 98W, Sec. 36 was analyzed in CO-110-2006-240-EA. Well pads in T 1S, R 98W, Sec. 23-25, 34, and 35 and T 2S, R 98W, Sec. 1 were analyzed in CO-110-2006-252-EA. Another well pad in T 2S, R 98W, Sec. 1 was analyzed in DOI-BLM-CO-110-2009-0035-EA and a pipeline through T 1S, R 98W, Sec 25, 33-36 was analyzed in DOI-BLM-CO-110-2009-0105-EA.

Interdisciplinary Review

The Proposed Action was presented to, and reviewed by, the White River Field Office interdisciplinary team on October 6, 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	12/2/2015
Ed Hollowed	Wildlife Biologist	Special Status Wildlife Species	11/4/2015
Heather Woodruff	Ecologist	Special Status Plant Species	11/10/2015
Tracy Perfors	Natural Resource Specialist	Project Lead	12/9/2015
Heather Sauls	Planning and Environmental Coordinator	NEPA Compliance	1/4/2016

Cultural Resources: The proposed well pad location and access route have been inventoried at the Class III (100 percent pedestrian) level by all or portions of three inventory projects (Berg *et al* 2007 compliance date 6/26/2008, Conner *et al.* 2014 compliance date 11/17/2014, Hauck 2001 compliance date 6/22/2001). Three cultural resources were identified in the 40 acre block inventoried for the well pad location, an isolated find which is not considered important, an open camp which has been determined not eligible for the National Register of Historic Places and an isolated thermal feature which is well outside the well pad development area and not easily identifiable from the work area. This feature is deemed to need more information before an informed determination of eligibility can be made for it. The BLM will require that the site be totally avoided and WPX will be responsible for site integrity for the life of the well pad.

There will be some cumulative loss of data from the regional archaeological database from the loss of the isolated find and the small open camp. Recordation of the two resources has recovered the majority of the data recoverable with current technology so the loss of data is not considered unacceptable.

Native American Religious Concerns: No Native American religious concerns are known in the area, and none have been noted by Northern Ute 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.

Paleontological Resource Concerns: The proposed action is located in an area generally mapped as the Uinta Formation (Tweto 1979) which the BLM has classified as a Potential Fossil Yield Classification (PFYC 5) formation. PFYC 5 formations are generally known to produce many fossil of scientific interest (c. Armstrong and Wolny 1989).

Inventory for the well pad location identified an important vertebrate fossil locality, 5RB.8441, just off the proposed well pad location. It is likely that the stratigraphic layer that produced the bones during inventory extends into the well pad development area. Any excavations necessary to level the well pad or excavate any reserve/blooi/cuttings pits has the potential to come in contact with the bone bearing layer and expose additional vertebrate fossil remains.

There will be some unavoidable cumulative loss of data from the regional paleontological database however, with mitigation and proper recovery of remains that might be exposed the loss can be reduced to a level that is not considered unacceptable with current technological abilities.

Threatened and Endangered Wildlife Species: Given that development of each proposed well would result in the depletion of an estimated 10.1 acre-feet of water (i.e., 192 total acre-feet) from the Colorado River basin, this project falls under BLM Colorado's 2008 Programmatic Biological Assessment (PBA) for water depleting activities associated with BLM's fluid minerals program in the Colorado River basin in Colorado.

In response to BLM's PBA, the U. S. Fish and Wildlife Service (FWS) issued a Programmatic Biological Opinion (PBO)(ES/GJ-6-CO-08-F-0006) on December 19, 2008, which concurred with BLM's determination that water depletions are "Likely to Adversely Affect" the Colorado pikeminnow, humpback chub, bonytail, and razorback sucker. Likewise, the project is also likely to adversely affect designated critical habitats for these endangered fish along the Green, Yampa, White, Colorado, and Gunnison rivers. However, the FWS also determined that BLM water depletions from the Colorado River Basin are not likely to jeopardize the continued existence of the Colorado pikeminnow, humpback chub, bonytail, or razorback sucker, and that BLM water depletions are not likely to destroy or adversely modify designated critical habitat.

A Recovery Implementation Program for Endangered Fish Species in the Upper Colorado River Basin was initiated in January 1988. The Recovery Program serves as the reasonable and prudent alternative to avoid jeopardy and aid in recovery efforts for these endangered fishes resulting from water depletions from the Colorado River Basin. The PBO addresses water depletions associated with fluid minerals development on BLM lands, including water used for well drilling, hydrostatic testing of pipelines, and dust abatement on roads. The PBO includes reasonable and prudent alternatives developed by the FWS, which allow BLM to authorize oil and gas wells that result in water depletion while avoiding the likelihood of jeopardy to the endangered fishes and avoiding destruction or adverse modification of their critical habitat. As a reasonable and prudent alternative in the PBO, FWS authorized BLM to solicit a one-time monetary contribution to the Recovery Implementation Program for Endangered Fish Species in

the Upper Colorado River Basin (Recovery Program) in the amount equal to the average annual acre-feet depleted by fluid minerals activities on BLM lands. As a means of accurately monitoring and reporting water use attributable to ongoing fluid mineral development, it is important that BLM be apprised of water volumes and their source (e.g., imported fresh, production, or recycled) for individual wells. These values will be entered into the WRFO fluid minerals water depletion log which will be submitted to the Colorado State Office at the end of the Fiscal Year.

The Proposed Action is wholly encompassed by big game severe winter range, whose most important functions take place primarily from December 1 through April 30. Severe winter ranges, by definition, sustain a large majority of an area's big game population during the rigors of winter and are critical to the long term support of the area's big game population.

The distance at which big game consistently react (e.g., flight, avoidance, heightened vigilance) to human and vehicular activity, including those attributable to fluid mineral development, ranges from about 330 feet to over 2,600 feet depending on the species, cover, and the nature of the disturbance. Avoidance of human activity, regardless of form, has important ramifications on big game energetics (e.g., avoidance movements, heightened state of alert) and nutrition (e.g., reduced time foraging and access to available forage, displacement from preferred foraging sites) that, in turn, have consequences on fitness and performance (e.g., survival, reproduction) at the individual and population level. As effective forage availability becomes increasingly constrained by removal or avoidance response, and animal use is incrementally relegated to smaller proportions of more optimal seasonal range, it is inevitable that the capacity of the range to support former numbers of animals would deteriorate, and eventually increase the probability of density dependent adjustments in animal abundance.

While deer are simultaneously contending with the nutritional challenges (declining quality and access to forage) and elevated energy requirements of winter (maintaining homeothermy, reducing energy expenditures to extend fat stores), human disturbance and displacement to unfamiliar grounds divert from time and energy that would otherwise be expended in more efficient procurement of forage and managing energy expenditures (e.g., reducing heat loss, reducing travel across steep slopes or heavy snowpack). Deer exist in a negative energy balance for 4 to 6 months of the year and it is important to minimize energy expenditures and use available forage efficiently to stave off excessive weight loss which ultimately reduces prospects for winter survival or successful birthing and rearing of young.

In the absence of efforts to constrain or manage the distribution of fluid mineral development activity in space and time, the behavioral influences associated with the development and production of oil and gas resources in the Mesa Verde Play Area are expected to become pervasive with substantive population-level consequences expected to be imposed on big game (RMPA 2015). Traditional use of timing limitations that reduce the duration and intensity of human activities during the period of occupation are effective at reducing impacts associated with avoidance. The Proposed Action would be subject to stipulations for an RMP-approved winter timing limitation extending from December 1 through April 30 (i.e., the primarily period of occupation). Exceptions and modifications to this Condition of Approval may be considered

as expressed in WR-TL-12 in the WRFO Record of Decision and Approved Resource Management Plan Amendment for Oil and Gas Development (2015).

In the context of raptors, the most prevalent habitat-related risk attending fluid mineral development in the WRFO extends to the clearing or modification of woodland stands as nest substrate and habitat for woodland nesting raptors. Redevelopment of canopy structure or stand conformation is protracted (150+ years) in these communities and reductions in the availability of suitable nest habitat can accumulate rapidly at the landscape scale. The proposed action is located in a large vintage woodland chaining and would involve the removal of an isolated one-acre inclusion of mature woodland immediately adjacent to an existing well access road. This stand has little, if any, potential to contribute substantially to the local habitat base for woodland associated raptors.

Raptors as a group are afforded protection under the Migratory Bird Treaty Act and traditionally receive pronounced management attention due to their relative scarcity, low reproductive potential, and susceptibility to reproductive failure caused by human disturbances. RMP-approved NSO and TLs are applied to known nest sites, as necessary, to prevent disruption of ongoing nest efforts, including development-induced absences of adult birds sufficient to jeopardize egg or nestling survival, and to maintain the integrity and availability of woodland stands suitable for subsequent nesting use and reoccupation by woodland raptors.

Nest stands subtending the proposed action are known to have recently supported nesting Cooper's hawks. Project-specific woodland nest surveys consistent with most current WRFO nest survey protocols would be required prior to vegetation clearing, pad and pipeline construction, and drilling/completion operations to determine contemporary locations of nests relative to proposed development activities and as the basis for considering whether exceptions or modifications to NSO and/or TL measures may be warranted.

A number of migratory birds nest in the project area primarily from May 15 through July 15, including the BLM-sensitive Brewer's sparrow (sagebrush associate) and woodland-associated pinyon jay and juniper titmouse (FWS Birds of Conservation Concern). Although these birds are common and widely distributed throughout the Piceance Basin and northwest Colorado, the abundance and richness of both woodland and shrubland associated birds are substantially reduced in shrubland communities transitioning to early-seral woodlands (providing marginal habitat for either group). Surface disturbance associated with the Proposed Action would involve clearing about 10 acres of former pinyon-juniper woodlands (widely chained in 1960's) and an isolated 1-acre woodland remnant. These communities are now characterized by sagebrush-dominated shrubland with redeveloping pinyon and juniper woodland (60-80 stems per acre). In addition, most disturbance associated with pad and pipeline installation would take place immediately adjacent (within 150 feet) to an established well access road where, in response to disruptive vehicle activity, nest densities are substantially suppressed.

Under site-specific circumstances involving suboptimal habitat largely within 150 feet of existing well access, it is considered unlikely that nesting attempts of more than 1-3 Brewer's sparrow pairs would be exposed to disturbances capable of compromising nesting outcomes in the event pipeline or pad construction activities coincided with the core nesting season. There is little, if any, likelihood of project-related disturbances directly or indirectly affecting mature-

woodland associates, such as juniper titmouse or pinyon jay. Project-related effects on migratory bird nesting activities are considered minor at the local landscape scale and do not warrant the application of timing limitations.

Threatened and Endangered Plant Species: The proposed project is located within potential habitat for special status plant species (SSPS). During the onsite for well pad 32-36-198 the acting ecologist determined that no *Physaria* spp. or BLM sensitive plant habitat was within the proposed project area for the well pad and access road, no additional SSPS surveys were needed. Portions of the proposed pipeline have had SSPS surveys on it and no occupied populations or habitat was identified (Roberts 2014, WestWater 2012). There are no special status plant species (SSPS) issues or concerns associated with the Proposed Action.

Forestry: The RGU 32-36-198 well pad and associated infrastructure will remove approximately 3.5 acres of young productive exposure pinyon/juniper woodlands. All wood cordage must be purchased from the WRFO prior to well pad and infrastructure construction. It is estimated that 18 cords will be removed as a result of the proposed project.

References cited:

Armstrong, Harley J., and David G. Wolny

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2007 Class III Cultural Resource Inventory of the Proposed Duke Energy Land Acquisition, Williams Ryan Gulch Project, Rio Blanco County, Colorado. SWCA Environmental Consultants, Broomfield, Colorado.)08-127-04: OAH # RB.LM.R1051)

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Class III Cultural Resource Inventory Report for the Proposed RGU 32-36-198 Well Location and Related Linear Route (Gas, Water and Temporary Surface Frac Lines) in Rio Blanco County, Colorado for WPX Energy Rocky Mountain, LLC. Grand River Institute, Grand Junction, Colorado. (14-11-16: OAH # #RB.LM.R1395)

Hauck, F. Richard

2001 Cultural Resource Evaluation of 11 Proposed Mallard Well Locations & Associated Pipeline/Access Corridors in the Piceance Creek Locality of Rio Blanco County, Colorado. Archeological-Environmental Research Corporation (AERC), Bountiful, Utah. (01-38-08: OAH # RB.LM.R441)

Roberts, Rusty.

2014 Botanical Survey for Special Status Species of Plants for Natural Soda's Proposed 2014 Exploration Drilling Program. Report prepared for Natural Soda and White River BLM Field Office. April 2014. Meeker, Colorado.

Tweto, Ogden

1979 Geologic Map of Colorado. United States Geologic Survey, Department of the Interior, Reston, Virginia.

WestWater Engineering (WestWater 2012).

2012 Special Status Species (SSS) of Plants for WPX Energy's Ryan Gulch Waterlines: Corridors 3, 4, 8, and 11. Report Prepared for WPX Energy and White River BLM Field Office. May 2012. Grand Junction, Colorado.

Mitigation

1. WPX will comply with all Federal, State and/or local laws, rules, regulations, statutes, standards and implementation plans. This includes, but is not limited to, Onshore Orders, Surface Use Plans, State and Rio Blanco County permits.
2. WPX must effectively coordinate with existing facility ROW holders.
3. The Operator will submit a sundry notice via WIS a minimum of 48-hours prior to commencing construction and/or reclamation work.
4. Air Emissions. Pursuant to BLM Instruction Memorandum No. CO-2015-009 issued on February 9, 2015, prior to beginning construction, the operator will either voluntarily submit an emissions inventory to the BLM using the online Emissions Tool, or provide the necessary data for the BLM to complete an emissions inventory. The BLM may direct the operator to implement appropriate mitigation measure(s) if the emissions inventory results indicate a threshold exceedance of any single criteria pollutant (PM10, PM2.5, CO, NOx, SOx).
5. Frac sands will be managed in accordance with COGCC regulations. Operator will submit to BLM, by Sundry, the testing results and/or COGCC approval of frac sand burial prior to burial. If frac sand is hauled to a 3rd Party Disposal site, operator will submit, by Sundry, to BLM the name and location of the disposal site.
6. Changes to stormwater BMPs (not as described in SUPO) will be submitted by sundry notice with its as built documentation within 30 days of construction completion, so long as the changes do not exceed the original approved area of disturbance.
7. Prior to beginning drilling operations, the operator will submit, by Sundry Notice, a description of the backflow preventer or other method used to protect water quality at diversion sites in the Piceance Creek watershed and a description of the point(s) of diversion for industrial water rights used for freshwater supply from the Piceance Creek watershed.
8. As a reasonable and prudent lessee/operator in the oil and gas industry, acting in good faith, all lessees/operators and right-of-way holders will report all emissions or releases that may pose a risk of harm to human health or the environment, regardless of a

substance's status as exempt or nonexempt and regardless of fault, to the BLM WRFO (970) 878-3800.

9. As a reasonable and prudent lessees/operator and/or right-of-way holder in the oil and gas industry, acting in good faith, all lessees/operators and right-of-way holders will provide for the immediate clean-up and testing of air, water (surface and/or ground) and soils contaminated by the emission or release of any substance that may pose a risk of harm to human health or the environment, regardless of that substance's status as exempt or non-exempt. Where the lessee/operator or right-of-way holder fails, refuses or neglects to provide for the immediate clean-up and testing of air, water (surface and/or ground) and soils contaminated by the emission or release of any quantity of a substance that poses a risk of harm to human health or the environment, the BLM WRFO may take measures to clean-up and test air, water (surface and/or ground) and soils at the lessee/operator's expense. Such action will not relieve the lessee/operator of any liability or responsibility.
10. If off-site materials (including gravel) are used during construction, WPX will submit to BLM a Sundry stating the quarter-quarter, Section, Township, and Range location information of the source materials, as well as the type of materials used.
11. When working on lands administered by the WRFO, notify Craig Interagency Dispatch (970-826-5037) in the event of any fire.
 - a. The reporting party will inform the dispatch center of fire location, size, status, smoke color, aspect, fuel type, and provide their contact information.
 - b. The reporting party, or a representative of, will remain nearby, in a safe location, in order to make contact with incoming fire resources, to expedite actions taken towards an appropriate management response.
 - c. The applicant and contractors will not engage in any fire suppression activities outside the approved project area. Accidental ignitions caused by welding, cutting, grinding, etc. will be suppressed by the applicant, only if employee safety is not endangered and if the fire can be safely contained using hand tools and portable hand pumps. If chemical fire extinguishers are used, the applicant must notify incoming fire resources on extinguisher type and the location of use.
 - d. Natural ignitions caused by lightning will be managed by federal fire personnel. If a natural ignition occurs within the approved project area, the fire may be initially contained by the applicant, only if employee safety is not endangered. The use of heavy equipment for fire suppression is prohibited, unless authorized by the Field Office Manager.
12. Surface disturbance and vehicular travel will be limited to the approved location and approved access route. Any additional area needed must be approved in advance via Sundry Notice (Form 3160-5).
13. In the event a producing well is established, all new production equipment which has open-vent exhaust systems, such as heater treaters, separators, dehydration units, and flare stacks, will be designed and constructed to prevent birds and bats from entering or

nesting in or on such units, and to the extent practical, to discourage birds from perching on the exhaust stacks.

14. The operator must coordinate with the livestock grazing permittee (Mantle Ranch, LOV Ranch) authorized to graze livestock within the project area a minimum of 72 hours prior to construction activities associated with this permit. Livestock grazing permittee contact information may be found at www.blm.gov/ras/ or by contacting the WRFO Range staff (970-878-3800). The operator will provide the grazing permittee the location, nature, and extent of the anticipated activity being completed.
15. Any range improvement projects such as fences, water developments, water lines, cattleguards, gates, or other livestock handling/distribution facilities that are damaged or destroyed either directly or indirectly as a result of implementation of the Proposed Action shall be promptly (at least prior to the livestock grazing permittee's need to utilize the range improvement) repaired or replaced by the operator to restore it to at least its pre-disturbance functionality. If the operator damages any range improvement project(s) the operator will notify the Authorized Officer through sundry notice (Form 3160-5) and identify the actions taken to repair the feature(s).
16. In accordance with the 1997 White River RMP/ROD, all trees removed in the process of construction shall be purchased from the BLM. Trees should first be used in reclamation efforts and then any excess material made available for firewood or other uses.
 - a) Woody materials required for reclamation shall be removed in whole with limbs intact and shall be stockpiled along the margins of the authorized use area separate from the topsoil piles. Once the disturbance has been recontoured and reseeded, stockpiled woody material shall be scattered across the reclaimed area where the material originated. Redistribution of woody debris will not exceed 20 percent ground cover. Limbed material shall be scattered across reclaimed areas in a manner that avoids the development of a mulch layer that suppresses growth or reproduction of desirable vegetation. Woody material will be distributed in such a way to avoid large concentrations of heavy fuels and to effectively deter vehicle use. Woody materials that are to be stockpiled along margins and not used in the topsoil should not exceed pile dimensions of 8 x 8 x 8 feet. Materials used in the stockpiles should be a variety of diameters, but should be no smaller than 6 inches in diameter. Additionally the piles should be no less than 30 feet apart.
 - b) Trees that must be removed for construction and are not required for reclamation shall be cut down to a stump height of 6 inches or less prior to other heavy equipment operation. These trees shall be cut in four foot lengths (down to 4 inches diameter) and placed in manageable stacks immediately adjacent to a public road to facilitate removal for company use or removal by the public.
17. Application of herbicides shall comply with the WRFO Integrated Weed Management Plan.

18. All equipment that may act as a vector for weeds must be cleaned before entering the project area.
19. 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.
20. 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.
21. To reduce erosion and reduce the risk of weed establishment, interim reclamation will be initiated when either there are no drilling activities expected on the pad for the next six months or there has been no activity on the pad within the last six months, regardless of whether or not there are outstanding approved APDs
22. All disturbed areas (interim reclamation well pad and final pipeline) will be promptly (at the first appropriate seeding window between September 1 and March 15) seeded with recommended Native Seed Mix #3 Table 2. The elevation and vegetation community for this location are: pinyon/juniper woodland and rolling loam with an elevation of 6600. It is recommended that this site be seeded in accordance with the WRFO Surface Reclamation Plan (Appendix 3 of the WRFO RMPA ROD). If an alternate date of seeding is requested, contact the designated Natural Resource Specialist/Realty Specialist prior to seeding for approval. Seed mixture rates are Pure Live Seed (PLS) pounds per acre. Drill seeding is the preferred method of application and drill seeding depth shall be no greater than ½ inch. If drill seeding cannot be accomplished, seed should be broadcast at double the rate used for drill seeding, and harrowed or raked into the soil. Final reclamation of the well pad and road will be completed using the reclamation practices and seed mixes recommended at that time.

Table 2. Native Seed Mix #3 for Interim Reclamation on RGU 32-36-198 and Final Reclamation on Pipeline.

Rosana	Western Wheatgrass	<i>Pascopyrum smithii</i>	4
Whitmar	Bluebunch Wheatgrass	<i>Pseudoroegneria spicata</i> ssp. <i>inermis</i>	3.5
Rimrock	Indian Ricegrass	<i>Achnatherum hymenoides</i>	3
	Needle and Thread Grass	<i>Hesperostipa comata</i> ssp. <i>comata</i>	2.5
Maple Grove	Lewis Flax	<i>Linum lewisii</i>	1
	Sulphur Flower Buckwheat	<i>Eriogonum umbellatum</i>	1.5

23. The maximum extent of disturbance for the well pad (i.e., the well pad footprint) is recommended to be fenced. Fencing should remain in place through successful interim reclamation and again through successful final reclamation to promote re-vegetation and reduce weeds. Fences, cattleguards, and gates (all built to BLM specification per BLM manual H-1741-1 (see below)) will be installed, maintained, and removed by the operator

upon approval by the AO. The fence around the pad must also have a wire gate installed adjacent to the cattleguard or at another appropriate location to be used in the case of livestock becoming entrapped inside the pad area. As part of final abandonment the fence around this pad will be removed. The fence constructed around the well pad will be a BLM Type D 4-wire fence with the following specifications:

- a) 42 inches tall between the soil surface and top wire
- b) 14 inches between the soil surface and bottom wire
- c) 10 inches between the top wire and next wire below
- d) 9 inch spacing on the middle two wires

24. All seed tags will be submitted via Sundry Notice (SN)/letter to the designated Natural Resource Specialist/Realty Specialist within 14 calendar days from the time the seeding activities have ended. The SN will include the purpose of the seeding activity (i.e., seeding well pad, cut and fill slopes, seeding pipeline corridor, etc.). In addition, the SN will include the pipeline, well(s) or well pad number associated with the seeding activity, if applicable, the name of the contractor that performed the work, his/her phone number, the method used to apply the seed (e.g., broadcast, hydro-seeded, drilled), whether the seeding activity represents interim or final reclamation, the total acres seeded, an attached map that clearly identifies all disturbed areas that were seeded, and the date the seed was applied.
25. Each year by January 1st, WPX will submit a Reclamation Status Report to the WRFO via the most current BLM approved data management system that includes the pipeline name and/or well number, API number, legal description, UTM coordinates, project description (e.g., well pad, pipeline, etc.), reclamation status (e.g., interim or final), whether the well pad and/or pipeline has been re-vegetated and/or re-contoured, date seeded, photos of the reclaimed site, acres seeded, seeding method (e.g., broadcast, drilled, hydro-seeded, etc.), and contact information for the person responsible for developing the report. The report will include maps showing each point (i.e., well pad), polygon, and/or polyline (i.e., pipeline) feature that was included in the report. The data must be submitted in UTM Zone 13N, NAD 83, in units of meters. In addition, scanned copies of seed tags that accompanied the seed bags will be included with the report. Internal and external review of the WRFO Reclamation Status Report and the process used to acquire the necessary information will be conducted annually, and new information or changes in the reporting process will be incorporated into the report.
26. The operator/holder will be responsible for ensuring that all disturbance GIS and reclamation data will be submitted via White River data Management System (WRDMS) which can be accessed at <https://my.usgs.gov/wrfo/>
27. The operator must meet the following reclamation success criteria, and these standards apply to both interim and final reclamation:
 - a) Self-sustaining desirable vegetative groundcover consistent with the site Desired Plant Community (DPC) (as defined by the range site, WRFO Assessment, Inventory, and Monitoring (AIM) protocol site data (BLM TN 440), ecological site or an associated approved reference site) is adequately established, as described below, on disturbed surfaces to stabilize soils through the life of the project.

b) Vegetation with 80 percent similarity of desired foliar cover, bare ground, and shrub and/or forb density in relation to the identified DPC. Vegetative cover values for woodland or shrubland sites are based on the capability of those sites in an herbaceous state.

c) The resulting plant community must have composition of at least five desirable plant species, and no one species may exceed 70 percent relative cover to ensure that site species diversity is achieved. Desirable species may include native species from the surrounding site, species listed in the range/ecological site description, AIM data, reference site, or species from the BLM approved seed mix. If non-prescribed or unauthorized plant species (e.g., yellow sweetclover, *Melilotus officinalis*) appear in the reclamation site, BLM may require their removal.

d) Bare ground does not exceed the AIM data, range site description, or if not described, bare ground will not exceed that of a representative undisturbed DPC meeting the Colorado Public Land Health Standards.

28. Disruptive development activities, including, but not limited to: vegetation clearing, access and pad construction, drilling and completion activities, and pipeline installation would not be authorized to take place between December 1 through April 30. Exceptions and modifications to this Condition of Approval may be considered as expressed in WR-TL-12 in the WRFO Record of Decision and Approved Resource Management Plan Amendment for Oil and Gas Development (2015).
29. The operator will coordinate with the BLM to ensure woodland raptor nest surveys are conducted before construction and drilling in accordance with the most current WRFO raptor nest survey protocols. Surface-disturbing and disruptive activities will not be allowed within 0.25 mile and 0.5 mile, respectively, of active nest sites of non-special status and special status woodland nesting raptors during the period from nest territory establishment to dispersal of young from the nest (within a period from February 1 through August 31), subject to exception and modification criteria established in the WRFO Oil and Gas ROD/RMPA (2015). Application of these measures would be based on timely results (i.e., no later than the first full nesting season prior to the start of development) of woodland raptor nest surveys conducted in accordance with most current WRFO raptor nest survey protocols.
30. No surface occupancy or disturbance will be allowed within 0.19 mile (990 feet) and 0.5 mile, respectively, of functional nest sites of non-special status and special status raptors, subject to exception and modification criteria established in the WRFO WRFO Oil and Gas ROD/RMPA (2015). Application of these measures would be based on timely results (i.e., no later than the first full nesting season prior to the start of development) of woodland raptor nest surveys conducted in accordance with most current WRFO raptor nest survey protocols.

Tribes, Individuals, Organizations, or Agencies Consulted

Colorado SHPO, 11/20/2014 (inventory completed well in advance of submission of APDs)

Compliance with NEPA

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with Section 390 of the Energy Policy of 2005.

James R Roberts

Acting Field Manager

1/5/2016

Date

Appendix A - Figures

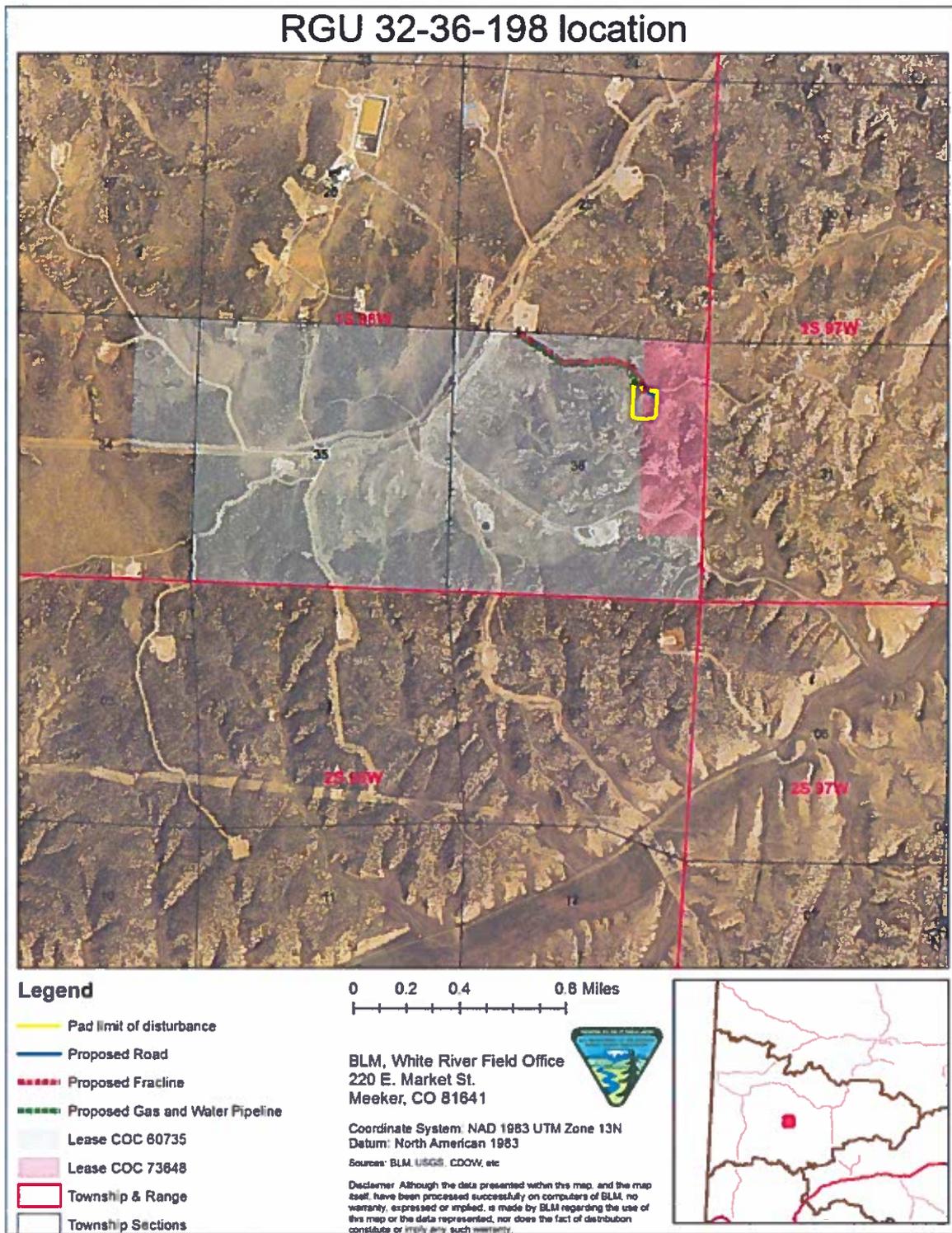


Figure 1. Project location and lease boundaries.

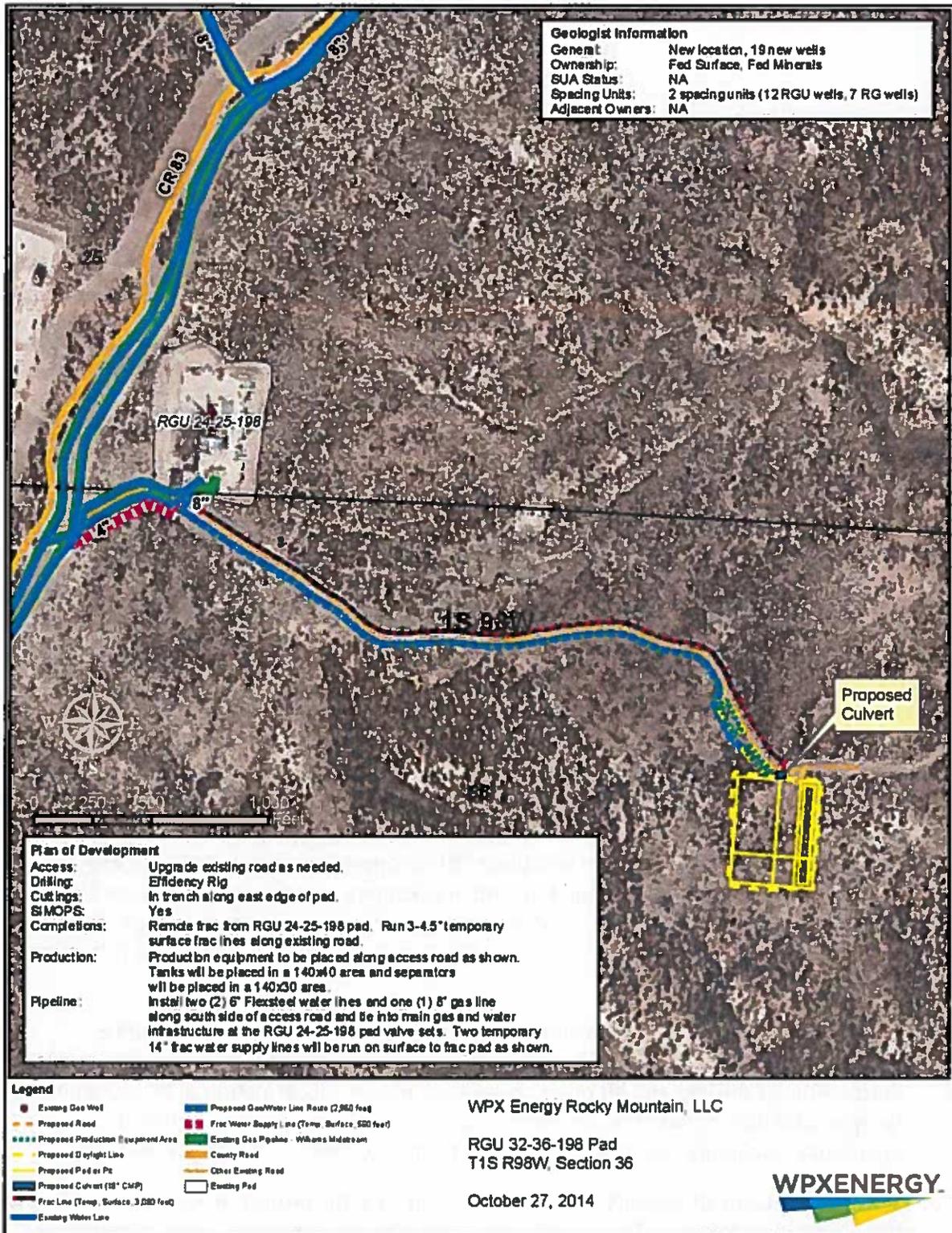


Figure 2. Diagram depicting RGU 32-36-198 drilling and production areas.

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

DECISION RECORD

WPX's 19 New Wells on One New Well Pad: RGU 32-36-198

DOI-BLM-CO-N05-2016-0023-CX	DOI-BLM-CO-N05-2016-0033-CX
DOI-BLM-CO-N05-2016-0024-CX	DOI-BLM-CO-N05-2016-0034-CX
DOI-BLM-CO-N05-2016-0025-CX	DOI-BLM-CO-N05-2016-0035-CX
DOI-BLM-CO-N05-2016-0026-CX	DOI-BLM-CO-N05-2016-0036-CX
DOI-BLM-CO-N05-2016-0027-CX	DOI-BLM-CO-N05-2016-0037-CX
DOI-BLM-CO-N05-2016-0028-CX	DOI-BLM-CO-N05-2016-0038-CX
DOI-BLM-CO-N05-2016-0029-CX	DOI-BLM-CO-N05-2016-0039-CX
DOI-BLM-CO-N05-2016-0030-CX	DOI-BLM-CO-N05-2016-0040-CX
DOI-BLM-CO-N05-2016-0031-CX	DOI-BLM-CO-N05-2016-0041-CX
DOI-BLM-CO-N05-2016-0032-CX	

Decision

It is my decision to implement the Proposed Action, as described in contiguous-numbered categorical exclusions DOI-BLM-CO-N05-2016-0023-CX through the DOI-BLM-CO-N05-2016-0041-CX, authorizing, the construction, operation, and maintenance of 19 gas wells to be drilled on one new well pad: RGU 32-36-198.

Design Features

1. All non-County Roads used to access the well will be maintained in their current condition, or better than current condition before operations began. WPX Energy works in cooperation with the county and any other operators regarding maintenance along County Roads with due diligence on dust control and any other maintenance required to access drilling pads. Water application may be implemented if necessary to minimize the amount of fugitive dust.
2. Typical estimated fresh water volumes needed for drilling operations would be approximately 8,000 bbls. Estimated water volumes needed for dust control as needed during time of drilling and all other operational phases (construction in this case), would be approximately 5,000 bbls. Estimated recycled water required for completion operations (including fracing) would be up to approximately 70,000 bbls per well.
3. WPX will inform 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.

4. If any paleontological resources are discovered as a result of operations under this authorization, WPX and any of its agents will stop work immediately at that site, and the BLM Paleontology Coordinator will be notified immediately. WPX will 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, WPX 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.
5. If 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. WPX will make every effort to protect the site from further impacts including looting, erosion, or other human 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. WPX, 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.
6. Pursuant to 43 CFR 10.4(g), WPX will notify the AO, by telephone and written confirmation, immediately upon discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to CFR 10.4(c) and (d), WPX will stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the AO.
7. RGU 32-36-198 will be frac'd remotely from the RGU 24-25-198 frac pad. Three 4.5-inch surface frac lines will run for 3080 feet along the north side of the road, in the road. A 560 foot, 14" temporary frac surface water supply line will be installed from the existing water infrastructure near the main pipeline corridor to the RGU 24-25-198 pad.
8. WPX uses a closed-loop drilling system. Drill cuttings will be stored and buried in the cuttings trench. All cuttings will be tested prior to burial. Testing results or the COGCC pit closure approval will be submitted to BLM prior to burial. If cuttings do not pass COGCC testing requirements then subsequent remediation will have to take place before burial. Frac sand will be managed in accordance with COGCC regulations.
9. The sites are anticipated to be active for up to 35 years. Reclamation/seeding will comply with Federal (BLM) and state (COGCC) regulations.

Mitigation Measures

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. A paleontological monitor shall be present to monitor leveling of the well pad and excavation of the cuttings trench before that work begins and shall be present until it is completed.
3. WPX will comply with all Federal, State and/or local laws, rules, regulations, statutes, standards and implementation plans. This includes, but is not limited to, Onshore Orders, Surface Use Plans, State and Rio Blanco County permits.
4. WPX must effectively coordinate with existing facility ROW holders.
5. The Operator will submit a sundry notice via WIS a minimum of 48-hours prior to commencing construction and/or reclamation work.
6. Air Emissions. Pursuant to BLM Instruction Memorandum No. CO-2015-009 issued on February 9, 2015, prior to beginning construction, the operator will either voluntarily submit an emissions inventory to the BLM using the online Emissions Tool, or provide the necessary data for the BLM to complete an emissions inventory. The BLM may direct the operator to implement appropriate mitigation measure(s) if the emissions inventory results indicate a threshold exceedance of any single criteria pollutant (PM10, PM2.5, CO, NOx, SOx).
7. Frac sands will be managed in accordance with COGCC regulations. Operator will submit to BLM, by Sundry, the testing results and/or COGCC approval of frac sand burial prior to burial. If frac sand is hauled to a 3rd Party Disposal site, operator will submit, by Sundry, to BLM the name and location of the disposal site.
8. Changes to stormwater BMPs (not as described in SUPO) will be submitted by sundry notice with its as built documentation within 30 days of construction completion, so long as the changes do not exceed the original approved area of disturbance.
9. Prior to beginning drilling operations, the operator will submit, by Sundry Notice, a description of the backflow preventer or other method used to protect water quality at diversion sites in the Piceance Creek watershed and a description of the point(s) of diversion for industrial water rights used for freshwater supply from the Piceance Creek watershed.
10. As a reasonable and prudent lessee/operator in the oil and gas industry, acting in good faith, all lessees/operators and right-of-way holders will report all emissions or releases that may pose a risk of harm to human health or the environment, regardless of a substance's status as exempt or nonexempt and regardless of fault, to the BLM WRFO (970) 878-3800.

11. As a reasonable and prudent lessees/operator and/or right-of-way holder in the oil and gas industry, acting in good faith, all lessees/operators and right-of-way holders will provide for the immediate clean-up and testing of air, water (surface and/or ground) and soils contaminated by the emission or release of any substance that may pose a risk of harm to human health or the environment, regardless of that substance's status as exempt or non-exempt. Where the lessee/operator or right-of-way holder fails, refuses or neglects to provide for the immediate clean-up and testing of air, water (surface and/or ground) and soils contaminated by the emission or release of any quantity of a substance that poses a risk of harm to human health or the environment, the BLM WRFO may take measures to clean-up and test air, water (surface and/or ground) and soils at the lessee/operator's expense. Such action will not relieve the lessee/operator of any liability or responsibility.
12. If off-site materials (including gravel) are used during construction, WPX will submit to BLM a Sundry stating the quarter-quarter, Section, Township, and Range location information of the source materials, as well as the type of materials used.
13. When working on lands administered by the WRFO, notify Craig Interagency Dispatch (970-826-5037) in the event of any fire.
 - a. The reporting party will inform the dispatch center of fire location, size, status, smoke color, aspect, fuel type, and provide their contact information.
 - b. The reporting party, or a representative of, will remain nearby, in a safe location, in order to make contact with incoming fire resources, to expedite actions taken towards an appropriate management response.
 - c. The applicant and contractors will not engage in any fire suppression activities outside the approved project area. Accidental ignitions caused by welding, cutting, grinding, etc. will be suppressed by the applicant, only if employee safety is not endangered and if the fire can be safely contained using hand tools and portable hand pumps. If chemical fire extinguishers are used, the applicant must notify incoming fire resources on extinguisher type and the location of use.
 - d. Natural ignitions caused by lightning will be managed by federal fire personnel. If a natural ignition occurs within the approved project area, the fire may be initially contained by the applicant, only if employee safety is not endangered. The use of heavy equipment for fire suppression is prohibited, unless authorized by the Field Office Manager.
14. Surface disturbance and vehicular travel will be limited to the approved location and approved access route. Any additional area needed must be approved in advance via Sundry Notice (Form 3160-5).
15. In the event a producing well is established, all new production equipment which has open-vent exhaust systems, such as heater treaters, separators, dehydration units, and flare stacks, will be designed and constructed to prevent birds and bats from entering or nesting in or on such units, and to the extent practical, to discourage birds from perching on the exhaust stacks.

16. The operator must coordinate with the livestock grazing permittee (Mantle Ranch, LOV Ranch) authorized to graze livestock within the project area a minimum of 72 hours prior to construction activities associated with this permit. Livestock grazing permittee contact information may be found at www.blm.gov/ras/ or by contacting the WRFO Range staff (970-878-3800). The operator will provide the grazing permittee the location, nature, and extent of the anticipated activity being completed.
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around this pad will be removed. The fence constructed around the well pad will be a BLM Type D 4-wire fence with the following specifications:

- e) 42 inches tall between the soil surface and top wire
- f) 14 inches between the soil surface and bottom wire
- g) 10 inches between the top wire and next wire below
- h) 9 inch spacing on the middle two wires

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29. The operator must meet the following reclamation success criteria, and these standards apply to both interim and final reclamation:
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 - b) Vegetation with 80 percent similarity of desired foliar cover, bare ground, and shrub and/or forb density in relation to the identified DPC. Vegetative cover values for

woodland or shrubland sites are based on the capability of those sites in an herbaceous state.

c) The resulting plant community must have composition of at least five desirable plant species, and no one species may exceed 70 percent relative cover to ensure that site species diversity is achieved. Desirable species may include native species from the surrounding site, species listed in the range/ecological site description, AIM data, reference site, or species from the BLM approved seed mix. If non-prescribed or unauthorized plant species (e.g., yellow sweetclover, *Melilotus officinalis*) appear in the reclamation site, BLM may require their removal.

d) Bare ground does not exceed the AIM data, range site description, or if not described, bare ground will not exceed that of a representative undisturbed DPC meeting the Colorado Public Land Health Standards.

30. Disruptive development activities, including, but not limited to: vegetation clearing, access and pad construction, drilling and completion activities, and pipeline installation would not be authorized to take place between December 1 through April 30. Exceptions and modifications to this Condition of Approval may be considered as expressed in WR-TL-12 in the WRFO Record of Decision and Approved Resource Management Plan Amendment for Oil and Gas Development (2015).
31. The operator will coordinate with the BLM to ensure woodland raptor nest surveys are conducted before construction and drilling in accordance with the most current WRFO raptor nest survey protocols. Surface-disturbing and disruptive activities will not be allowed within 0.25 mile and 0.5 mile, respectively, of active nest sites of non-special status and special status woodland nesting raptors during the period from nest territory establishment to dispersal of young from the nest (within a period from February 1 through August 31), subject to exception and modification criteria established in the WRFO Oil and Gas ROD/RMPA (2015). Application of these measures would be based on timely results (i.e., no later than the first full nesting season prior to the start of development) of woodland raptor nest surveys conducted in accordance with most current WRFO raptor nest survey protocols.
32. No surface occupancy or disturbance will be allowed within 0.19 mile (990 feet) and 0.5 mile, respectively, of functional nest sites of non-special status and special status raptors, subject to exception and modification criteria established in the WRFO WRFO Oil and Gas ROD/RMPA (2015). Application of these measures would be based on timely results (i.e., no later than the first full nesting season prior to the start of development) of woodland raptor nest surveys conducted in accordance with most current WRFO raptor nest survey protocols.

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/Approved Resource Management Plan.

Public Involvement

This project was posted on the WRFO's on-line National Environmental Policy Act (NEPA) register on October 27, 2015. As of December 30, 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 Section 390 of the Energy Policy of 2005. Approval of 19 wells on a single well pad allows for recovery of the mineral resource with a reduced amount of surface disturbance (compared to single well pads).

Monitoring and Compliance

On-going compliance inspections and monitoring of drilling, production, and post-production activities will be conducted by White River Field Office staff during construction of well pads, access roads, and pipelines. Specific mitigation developed in the associated Categorical Exclusion and the lease terms and conditions will be followed. The Operator will be notified of compliance related issues in writing, and depending on the nature of the issue(s), will be provided 30 days to resolve such issues.

Administrative Remedies

There are different administrative remedy processes for authorizations issued under the authority of 43 CFR 3100 (on-lease oil and gas development) or 43 CFR 2800 (rights-of-way).

On-Lease Oil and Gas Development

State Director Review

Under regulations addressed in 43 CFR 3165.3(b), any adversely affected party that contests a decision of the Authorized Officer may request an administrative review, before the State Director, either with or without oral presentation. Such request, including all supporting documentation, shall be filed in writing with the BLM Colorado State Office at 2850 Youngfield Street, Lakewood, Colorado 80215 within 20 business days of the date such decision was received or considered to have been received. Upon request and showing of good cause, an extension may be granted by the State Director. Such review shall include all factors or circumstances relevant to the particular case.

Appeal

Any party who is adversely affected by the decision of the State Director after State Director review, under 43 CFR 3165.3(b), of a decision may appeal that decision to the Interior Board of Land Appeals pursuant to the regulations set out in 43 CFR Part 4.

Right-of-way COC-77227

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

James R. Robert

Field Manager

Acting

1/5/2016

Date

