

January 9th 2014 Atlantic Rim Review Team meeting note – Final

Warren Resources Annual Operating Plan Presentation:

Warren E&P will be required to drill 48 obligation wells this year; 23 on state/fee and the remainder on federal jurisdiction. They are still in the planning process, and hope to have it finalized soon. They are looking at the geology differently than Anadarko did and have hired new geologists to take a look and help them figure out the best places to drill. Warren E&P has been reminded that as part of the Record of Decision (ROD) this information is required to be presented to the Review Team annually.

As a reminder, the ROD states “[p]roposals should span several years or stages of development and must include the entire proposal including well sites, compressor stations, utility and pipeline corridors, roads, status and success of reclamation efforts for a specific area, and any other disturbances planned and their timing.” (Atlantic Rim ROD page 18).

All of the wells that Warren drilled last year have had topsoil spread and have been seeded. There were approximately 50 existing wellpads that had identified concerns/issues; about half of those have been reseeded and the issues attended to.

Double Eagle Annual Operating Plan Presentation:

Double Eagle is still up to date on their drilling and they are not required to drill any obligation wells this year, therefore they have no plans to drill at this point in time. The locations that were drilled in 2008 have been initially reclaimed and reseeded; livestock grazing was again brought up as an issue that hindered successful reclamation.

Background:

Due to the relative newness of some of the participants on the team, a request was made for some background information to be presented on the Atlantic Rim ROD and the Review Team process. A short discussion ensued on the history of the Team and the project:

The Review Team was designed to function as a way to implement adaptive management and encourage innovative ideas and techniques to monitor and manage impacts to sensitive resources in the project area. Performance goals that the Operators are responsible for achieving were described in the ROD and pertain to big game, livestock, sensitive fish, and other resources. The ROD also set up working groups that are comprised of BLM, WGFD, DEQ, Department of Agriculture, and Conservation District representatives. The Operators are responsible for demonstrating successful achievement of the Performance Goals. The Review Team then considers proposals from the working groups, and makes recommendations to the BLM on whether the proposal should be adopted and/or implemented; the BLM retains ultimate discretion on which decisions or proposals are actually implemented.

Last year, three Instruction Memorandums (IMs) were signed by the BLM Field Manager and are in the process of being implemented; these included the identification of impact thresholds for the big game, songbirds, and Muddy Creek sensitive fish performance goals. These are not stipulations, but rather identified thresholds that would indicate the need for the implementation of adaptive management.

The timing stipulations for big game that were added on the several APDs that Warren submitted last year were not unique to Atlantic Rim; rather, they will be applied to the entire Field Office where necessary. It just so happened that the first time they were used was in Atlantic Rim. It should be clear that the addition of these timing stipulations to the APDs was not a result of the IM that was implemented last year. The Rawlins Resource Management Plan (RMP) gave the Field Office the ability to implement a number of best management practices for big game that would result in the protection of big game migration

corridors. These were defined by the BLM and the WGFD (not the Working Group), and it is coincidental that they were first applied in the Atlantic Rim project area. These migration corridors will continue to be monitored when possible, and existing migration routes may be modified depending on the data that are collected. The mule deer study has been ongoing since 2005, and will continue to need funding to see if the patterns that were identified are constant, or if they shift again.

Grouse Working Group Update:

A meeting is scheduled for the 24th of January at which the working group will review the research that has been completed to date and work on developing thresholds for grouse, similar to what has been done for big game and songbirds. There are two research papers that have been recently completed, one is the trend analysis modeling developed by Brad Fedy and the identification of wintering areas in Atlantic Rim completed by Jeff Beck.

Big Game Working Group Update:

The big game working group developed a 5-year plan for big game monitoring which has been brought to the Review Team in the past but no decision has yet been made. This may need to be presented again to the Review Team at the next meeting. The big game working group has been looking at ways to facilitate continued monitoring, but none of it has been presented to the Review Team yet.

After the signing of the big game IM that identified impact thresholds, the Review Team directed the working group to develop ideas on adaptive management and what actions could be taken to mitigate impacts as it was determined that the thresholds had been exceeded. There are 11 existing BMPs for big game that have been adopted as Conditions of Approval by the BLM:

1. Surface occupancy or use in an identified big game migration corridors will be prohibited unless the Operator and the BLM arrive at an acceptable plan for mitigating impacts.
2. Surface disturbing activities are prohibited between March 1st and May 15th and Oct 15 to Dec 15 in identified big game migration corridors.
3. Roads will not parallel migration corridors.
4. Gaps in snow berms will be required every ¼ mile and must be at least 100 feet wide.
5. Remote sensing will be used
6. Minimize visual auditory impacts to big game using migration corridors by locating projects below ridgelines or behind topographical features.
7. Use pipelines instead of trucks to transport fluids.
8. Gate single purpose roads and/or close/reclaim unnecessary roads.
9. Install housing and/or mufflers around noisy equipment that may cause disturbance to big game using migration corridors.
10. Traffic speeds and volumes should be limited.
11. Work schedules and shift changes should be modified to protect migration movements.

The working group presented two ideas on adaptive management: phased development and reclamation/habitat enhancement.

The phased development idea would require the cooperation of the BLM's Reservoir Management Group (RMG) and the Operators. The idea behind it would be to concentrate development in one area, and to completely develop that area before moving onto another area, as a way to guide development to minimize impacts to one area at a time. The working group is still waiting on the RMG's response to this idea before moving forward to the Operators. It was stressed that any action would be cooperative between the BLM and the Operators.

Reclamation and habitat enhancement was discussed in the context of developing more stringent guidelines for the reclamation of migration corridors and stopover sites and encouraging the planting of desirable forage species for big game. However, more monitoring is needed to determine if forage is the reason that big game stop at these sites, or if it is a combination of different variables such as topography, localized climate, or if it actually is vegetation, before this idea could be carried further.

Vegetation thinning, as a component of habitat enhancement, was also discussed. For example, juniper thinning has been demonstrated to encourage the growth of other browse species. The BLM already does some of this stuff, especially in the Dad area.

In order to aid with the planning effort based on the landscape scale, the RFO wildlife staff has created a map that presents layers of information about sensitive species that has been collected in Atlantic Rim. This map demonstrates the complexity of the area, and highlights how many issues and resources are present and must all be considered. The purpose of the map is not just to avoid the “hot spots” that have multiple resource conflicts, but also to consider the remainder of the map that illustrates the connectivity between the “hot spots” and the other resource values. In addition, the viewer must be reminded that there are other species out there that must also be considered, information on which is not available at this time. Therefore, this map is dynamic and will be modified when more information and data on species becomes available. This map also illustrates that the landscape is dynamic, and that connectivity is an important component of landscape scale planning efforts.

This map and shapefile will be available on the Atlantic Rim website once they have been reviewed by the working group.

Pronghorn Collaring Study Update:

This is a collaborate effort between the BLM, WGFD, and the University of Wyoming; 130 does were captured and ages and weights were recorded and blood samples were taken. This summer they are hoping to do behavioral observations on these does to determine what resources the animals are selecting, determining demographic information, and also pregnancy. The objective of this study was simply to determine if there are impacts to pronghorn and what those impacts are; they study aims to look at both environmental factors and potential anthropogenic impacts such as natural gas development.

Songbird Working Group Update:

As of yet, there is no funding secured for this year; analyzing two years’ worth of data and doing the monitoring will require at least \$15,000. A minimum of 5 years’ worth of data is required to begin to see trends.

Muddy Creek Working Group Update:

The Operators were successful in submitting their BMP reports to the BLM by December 1st. In the Warren development area, the overall BMP failure rate (failure being defined as a BMP that is no longer doing what it was designed to do) was approximately 9%. Double Eagle had a much higher rate of 97%; however, this was apparently reflective of an error in the data so they are arranging for the data to be resent and it can then be reevaluated.

Reclamation Working Group Update:

Most of the inspections and problems in the field this year were due to incorrect well signs, and the remainder of them were related to erosion and weed control. There were also some issues with culverts and trash; there were several written orders and minor incidences of noncompliance.

The Reclamation working group has been working on some difficult issues, including areas within the field that have been the most challenging to reclaim. The BLM is looking at the possibility of using non-natives in some of these areas; this will be a rather lengthy process and will involve analysis through the use of a NEPA document. The group has not yet identified which non-natives would be proposed, although Russian wild rye and intermediate wheatgrass has been discussed as possibilities. In addition, the Operators have proposed the use of grass-only seed mixes, to be interseeded at a later date with forbs and shrubs.

Changing the interim reclamation criteria identified in the ROD has been discussed in the past, but no steps have been taken to make this a reality. Industry is welcome to bring proposals to the BLM and the Review Team, such as changing the standards or proposing irrigation to assist with early reclamation.

Conservative Approach

The ROD states that if the performance goals are not being met, then the BLM will take a conservative approach when considering additional approvals. However, the ROD did not define what is meant by a conservative approach, and although the number of wells drilled to date is considerably below what was anticipated, this cannot be considered a conservative approach. Therefore, the working groups were tasked with getting together and working on the details of what constitutes a conservative approach.

General Concerns/Discussion

It was pointed out by the Operators that the Atlantic Rim EIS identified that significant impacts would occur to resources such as big game and sage grouse. In addition, it appears that even though the entire EIS area covers a large acreage, all the focus all of a sudden is on this “little island” where the Operators are currently active. However, the area that is the focus of development for the Operators at this time also coincides with the area with the most sensitive resource issues. In addition, there needs to be more of a focus on the landscape scale rather than the project scale. The goal should be to focus on the landscape scale, concentrate on the connectivity between the sensitive areas, and figure out how development in one area affects the resources in another area. It might seem that the focus is small scale, but the overall goal is a landscape approach that examines how one thing affects another thing somewhere else.

Adaptive management is about how can we best mitigate impacts but at the same time allowing for resource extraction – just because the EIS identified significant impacts did not mean that the BLM wasn't still responsible for assessing those impacts and mitigating them where possible. The goal is not to restrict development, but rather cooperate and come up for a mineral development plan that allows for extraction while at the same time protecting surface resources.

Finally, this area has been identified in the past as having specific sensitive resources and as being a challenge for mineral extraction. Big game, sage grouse, cultural resources, among others, are all present in this area and are all sensitive and require additional management. The sensitivity of this area is not a new development. Adaptive management is not just about the development of timing stipulations – it is about taking all the impacts and resources and development goals and looking at other ways to move forward while at the same time mitigating impacts.

The next Review Team meeting will occur prior to the summer and will involve discussions on grouse, performance goals, and what is meant by a conservative approach.