APPENDIX B
REGULATORY AUTHORIZATIONS

AUTHORITY AND RESPONSIBILITY FOR ENERGY RESOURCE OPERATIONS

The Bureau of Indian Affairs (BIA) and Bureau of Land Management (BLM) have federal responsibility for environmental protection, public health and safety, and operation and production oversight related to mineral leasing and development on Indian lands ("tribal minerals). There are four principal pieces of legislation that give primary direction to the BIA and BLM for these operations: the Allotted Lands Leasing Act of March 3, 1909; Indian Mineral Leasing Act of May 11, 1938 (Tribal); 1982 Indian Mineral Development Act (IMDA); and National Environmental Policy Act (NEPA) of 1969. In addition, the federal government has a special trust or fiduciary responsibility to the Indian people when considering actions which will impact tribal resources and interests. Other legislation, most notably laws to protect cultural resources and endangered species, also affect various aspects of energy resource development. Table B-1 lists the major federal, state, and county authorizing actions that pertain to this project. NEPA directs all federal agencies to analyze and disclose to the public the impacts of federal actions. The Southern Ute Indian Tribe (SUIT), BIA, and BLM are preparing this environmental impact statement (EIS) to fulfill the mandate of NEPA.

Persons or companies may obtain rights to explore and develop tribal minerals, either by a traditional lease agreement or through geophysical exploration. Under the traditional lease agreement for tribal and allotted lands under the 1909 and 1938 acts, an application to lease lands may be submitted to the BIA. Leases are awarded through a sale process to the highest competitive bidder. Lessees pay a rental of $1.25 per acre per annum that may be credited to the royalty, which is a minimum of 12½ percent of the value or amount of production. The primary term of a lease is 10 years and may continue in effect as long as there is production in paying quantities. Rents and royalties accruing from the lease are returned to the SUIT or allottee.

Most recent grants of exploration and development rights on the Reservation have been issued under the IMDA, under which a mineral agreement is negotiated between the operator and the SUIT and then approved by the BIA. BLM also provides technical input on operational matters. An individual Indian allottee may include their mineral resources in an agreement subject to concurrence of the parties and approval of the Secretary of the Interior. The purpose of the IMDA is to provide tribes with more responsibility and flexibility to maximize their best economic interest and minimize adverse environmental or cultural impact. All terms of a mineral agreement (term, royalty, performance clauses, etc.) are negotiable. As with leases, proceeds from the agreement are returned to the SUIT or allottee. Although a minerals agreement may be more elaborate than a standard lease, it is often loosely referred to as a lease and is treated as a lease for the purposes of permitting operations and conducting compliance inspections.

Separate from leasing actions, geophysical explorers may explore for oil and gas on Indian land. Geophysical exploration on Indian land requires approval of the methods employed and mitigation of impacts. The BIA Agency Office must receive a copy of the proposal to perform geophysical operations on the Reservation. The exploration plan is

analyzed for conformance with the SUIT's natural resource management plan and existing leases, and mitigative measures and reclamation requirements are attached to the approval. Specialists examine the plan of operations and the site, line, or area to be explored in determining appropriate mitigative measures and reclamation requirements.
The majority of geophysical exploration operations on Indian lands are conducted by exploration companies. Some are associated with petroleum producers; many are not. Geophysical exploration operations also may be conducted on a lease held by the lessee with the same requirements for mitigation of impacts and reclamation.

A well must be drilled in order to produce oil and/or gas from a lease. Before drilling a well on the Reservation, the lessee or an operator for the lessee must file an Application for Permit to Drill (APD). The operator must file the application with the BLM's San Juan Field Office. Copies of the APD are also sent to the SUIT and the BIA Agency Office in Ignacio, Colorado. The application must include a drilling plan and a surface use plan. The drilling plan contains information as to the depth of the well, how it will be constructed, how groundwater and other mineral resources will be protected, and how blow-outs and other emergencies will be prevented or handled. The surface use plan addresses such concerns as the location and amount of surface disturbance and how that disturbance will be reduced or eliminated. It identifies mitigation of impacts on wildlife, cultural resources, vegetation, soil, surface water, and other land uses and values. The operator is responsible for setting forth its plans for addressing these matters in the proposed APD. If the APD does not have the appropriate information and mitigation incorporated, the application may be modified or rejected. In approving an APD, BLM may impose requirements related to these issues as Conditions of Approval (COAs).

At a minimum, each APD is reviewed by a BLM geologist, petroleum engineer, and surface reclamation specialist; a BIA realty/minerals specialist; tribal minerals and surface reclamation personnel; and the management for the agencies and the SUIT. The geologist evaluates the need for groundwater and other mineral resource protection and the structural competency of casing point formations. The petroleum engineer evaluates the drilling plan, well construction, and safety of the operation. The surface reclamation specialist evaluates the surface plan, checks the proposal against other guidance, conducts the on-site inspection, analyzes impacts, proposes mitigation, and writes the environmental assessment (EA) or Decision of NEPA Adequacy (DNA). The surface reclamation specialist also calls upon other expertise as needed in the analysis of impacts and recommendation of mitigation and reclamation requirements. For example, an archaeologist would recommend any needed mitigation for impacts on cultural resources.

Each lease where an APD is proposed is checked to see if a bond has been posted to cover abandonment of the well should the lessee/operator default on their obligations under the lease. Each application is evaluated as described above, and subjected to a field inspection of all proposed disturbed areas.

Upon making the decision to drill a well on a leasehold involving Tribal minerals or surface, permits from the SUIT, BIA, and BLM must be obtained by an operator before any ground disturbance can take place. Agreements have been signed by the SUIT, Colorado Oil and Gas Conservation Commission (COGCC), BIA, and BLM to simplify

the process of approving actions within the exterior boundaries of the SUIR, without compromising any agency's jurisdiction.

There are eight different ownership possibilities which may occur and each situation requires different processes for completion of all required documentation, including NEPA, APD's, Rights of Ways (ROW's)/Surface Leases, etc. Following is a list of the different ownership possibilities:

1. Tribal Surface - Tribal Minerals
Federal action is APD
NEPA- is prepared by the BLM using a Decision of NEPA Adequacy (DNA)

2. Tribal Surface - Fee Minerals

On-site is done with Tribal staff to address disturbance to tribal surface resources
Federal action is Surface lease prepared by BIA
APD is approved through state COGCC
NEPA - EA is done by third party vendor

3. Fee Surface - Tribal Minerals

BLM does a separate on-site to address downhole and surface issues then develops a DNA with a threatened and endangered (T&E) species and cultural clearance (due to Tribal minerals)
Federal action is approval of APD by BLM
NEPA - BLM prepares a DNA

4. Allotted Surface - Tribal Minerals Wells

BLM addresses downhole and surface issues
Two federal actions - APD approval by BLM and Surface Lease by BIA
NEPA- BLM prepares a DNA

5. Allotted Surface - Allotted Minerals Wells

BLM addresses downhole and surface issues
Federal action is APD
NEPA - BLM prepares a DNA
*requires owners consent for permission to survey and approval of surface lease

6. <u>Allotted Surface - Fee Minerals</u>

Although this situation could occur, it is highly unlikely.

7. <u>Tribal Surface - Allotted Minerals</u>

Two federal actions- APD approval by BLM and Surface Lease by BIA
NEPA - BLM prepares a DNA

8. <u>Fee Surface - Allotted Minerals</u>

APD is federal action
NEPA - BLM prepares a DNA

The following is the general sequence of events for completion of documentation for the eight ownership possibilities:

1) For proposed wells located on **<u>Tribal surface/Tribal minerals</u>**, an application for Permission to Survey is submitted to the BIA prior to staking a location. This application for permission to survey initiates the Tribal/BIA NEPA scoping process, called the Proposed Project Notification (PPN) process). Then the operator files a Notice of Staking (NOS) with the BLM. An on-site inspection for the proposed well pad is conducted and the Surface Use Plan (SUP) is reviewed to ensure that the well pad would have minimal impact on topography, hydrology, threatened and endangered species, general wildlife, sensitive plants, vegetation, archeology, and paleontology. Participants in the on-site inspection typically include representatives of the BLM, BIA, SUIT Department of Energy (DOE), SUIT Department of Natural Resources (DNR), the applicant, contract biologists and archeologists.

Following the on-site, a Biological Assessment (BA) is completed by a biologist and Section 106 compliance is completed by an archeologist. The draft BA is sent to the SUIT Wildlife Division and the BIA for review and concurrence. The cultural (archaeological) survey report is sent to the SUIT Lands Division, the BIA Southwest Regional Office, and the Colorado State Historic Preservation Office (SHPO), for review and concurrence.

After the on-site is complete, a draft APD is then filed by the operator with the BLM, who then distributes the draft APD to the BIA and Tribe.

The on-site information, including general and site specific surface stipulations developed by the BIA and SUIT (when tribal surface is impacted) is utilized by the BLM in the preparation of a Draft DNA. This Draft DNA is then submitted to the BIA for review. Once the BLM receives an APD concurrence letter from the BIA stating that the BA and Section 106 compliance have been approved, the BLM then prepares the final DNA for the well and associated facilities, and then submits the final DNA to the BIA when the APD is approved.

Typically, the BIA issues the APD concurrence letter to the BLM first; and then issues the ROW/surface lease upon the receipt of an approved Southern Ute Tribal resolution and ROW/Surface Lease stipulations. All NEPA clearances and ROW/surface lease applications should be on file with the BIA prior to receipt of the Tribal resolution.

2) Proposed wells on **Tribal surface/Fee minerals** are overseen by the BIA and COGCC. An application for Permission to Survey is submitted to the BIA prior to staking a location. This application for permission to survey initiates the Tribal/BIA NEPA scoping process, called the PPN process). Then the operator files a Notice of Staking (NOS). An on-site inspection for the proposed well pad is conducted and the SUP is reviewed to ensure that the well pad would have minimal impact on topography, hydrology, threatened and endangered species, general wildlife, sensitive plants, vegetation, archeology, and paleontology. Participants in the on-site inspection typically include representatives of the BIA, SUIT DOE, SUIT DNR, the applicant, contract biologists and archeologists. To the extent practicable, the proposed 770 wells are to be co-located on existing well pad sites. However, in some instances, the development of new well locations may be necessary, due to technological limitations of drilling from an existing well pad as well as due to environmental concerns such as unstable slopes, the presence of jurisdictional wetlands, threatened and endangered species habitat or culturally sensitive areas associated with co-location of wells.

Following the on-site, a BA is completed by a biologist and Section 106 compliance is completed by an archeologist. The draft BA is sent to the SUIT, Wildlife Division and the BIA for review and concurrence. The cultural (archeological) survey report is sent to the SUIT, Lands Division, the BIA, Southwest Regional Office, and the Colorado SHPO, for review and concurrence.

After the on-site is complete, a draft APD is then filed by the operator with the BLM, who then distributes the draft APD to the BIA and Tribe.

The on-site information, including general and site specific surface stipulations developed by the BIA and SUIT, when tribal surface is impacted, is utilized by the BLM in the preparation of a Draft DNA. This Draft DNA is then submitted to the BIA for review. Once the BLM receives an APD concurrence letter from the BIA stating that the BA and Section 106 compliance have been approved, the BLM then prepares the final DNA for the well and associated facilities, and then submits the final DNA to the BIA for concurrence.

Typically, the BIA issues the APD concurrence letter to the BLM first; and then issues the ROW/surface lease upon the receipt of an approved Southern Ute Tribal resolution and ROW/Surface Lease stipulations. All NEPA clearances and ROW/surface lease applications should be on file with the BIA prior to receipt of the Tribal resolution.

3) Proposed wells located on **Fee surface/Tribal minerals** are permitted by the BLM. Then the operator files a NOS. BLM does a separate on-site to address downhole and surface issues then develops a draft DNA with a threatened and endangered species and cultural clearance. The draft DNA is submitted to the BIA along with the draft APD for

review and concurrence. On privately owned surface some construction requirements may differ from Tribal or federal requirements based on the landowner's preference. As a reminder, because Trust minerals are impacted, T&E and archaeological clearance are still required.

4) For proposed wells located on **Allotted surface/Tribal minerals**, an application for Permission to Survey is submitted to the BIA prior to staking a location and then the BIA must obtain the permission of the allottees to proceed with the project. The operator files a NOS. An on-site is conducted with BIA and Tribal staff to address disturbance to allotted surface resources and the BLM to address downhole and surface issues. Following the on-site, a BA is completed by a biologist and Section 106 compliance is completed by an archaeologist. The draft BA is sent to the SUIT Wildlife Division and the BIA for review and concurrence. The cultural (archeological) survey report is sent to the SUIT Lands Division, the BIA Southwest Regional Office, and the Colorado SHPO, for review and concurrence.

After the on-site is complete, a draft APD is then filed by the operator with the BLM, who then distributes the draft APD to the BIA and Tribe.

The on-site information, including general and site specific surface stipulations developed by the BLM, BIA and SUIT is utilized by the BLM in the preparation of a Draft DNA. This Draft DNA is then submitted to the BIA for review. Upon receipt of written consent from the allottees, BIA issues the APD concurrence letter to the BLM; and concurrently issues the ROW/surface lease (upon receipt of all required NEPA clearances; ROW/surface lease documents; and Owners Consent forms). Once the BLM receives an APD concurrence letter from the BIA stating that the BA and Section 106 compliance have been approved, the BLM then prepares the final DNA for the well and associated facilities, and then submits the final DNA to the BIA when the APD is approved.

5) For proposed wells located on **Allotted Surface/Allotted Minerals**, an application for Permission to Survey is submitted to the BIA prior to staking a location and then the BIA must obtain the permission of the allottees to proceed with the project. The operator files a NOS with the BLM. An on-site is conducted with BIA and Tribal staff to address disturbance to allotted surface resources and the BLM to address downhole and surface issues. Following the on-site, a BA is completed by a biologist and Section 106 compliance is completed by an archeologist. The draft BA is sent to the SUIT Wildlife Division and the BIA for review and concurrence. The cultural (archeological) survey report is sent to the SUIT Lands Division, the BIA Southwest Regional Office, and the Colorado SHPO, for review and concurrence.

After the on-site is complete, a draft APD is then filed by the operator with the BLM, who then distributes the draft APD to the BIA and Tribe.

The on-site information, including general and site specific surface stipulations developed by the BIA and SUIT is utilized by the BLM in the preparation of a Draft DNA. This Draft DNA is then submitted to the BIA for review. Once the BLM receives

an APD concurrence letter from the BIA stating that the BA and Section 106 compliance have been approved, the BLM then prepares the final DNA for the well and associated facilities, and then submits the final DNA to the BIA when the APD is approved.

Upon receipt of written consent from the allottees, BIA issues the APD concurrence letter to the BLM; and concurrently issues the ROW/surface lease (upon receipt of all required NEPA clearances; ROW/surface lease documents; and Owners Consent forms)

6) Proposed wells on **Allotted Surface /Fee minerals,** are overseen by the BIA and COGCC. An application for Permission to Survey is submitted to the BIA prior to staking a location and then the BIA must obtain the permission of the allottees to proceed with the project.

An on-site is conducted with BIA and Tribal staff to address disturbance to allotted surface resources and downhole issues. Following the on-site, a BA is completed by a biologist and Section 106 compliance is completed by an archeologist. The draft BA is sent to the SUIT Wildlife Division and the BIA for review and concurrence. The cultural (archeological) survey report is sent to the SUIT Lands Division, the BIA Southwest Regional Office, and the Colorado SHPO, for review and concurrence.

After the on-site is complete, a draft APD is then filed by the operator with the BIA and Tribe. The on-site information, including general and site specific surface stipulations developed by the BIA and SUIT is utilized in the preparation of a Draft EA. Once the draft EA is reviewed by the BIA and SUIT a final EA is produced.

7) For proposed wells located on **Tribal Surface/Allotted Minerals,** an application for Permission to Survey is submitted to the BIA prior to staking a location. The operator files a NOS with the BLM. This application for permission to survey initiates the Tribal/BIA NEPA scoping process, called the PPN process. Then the operator files a Notice of Staking (NOS) with the BLM. An on-site inspection for the proposed well pad is conducted and the SUP is reviewed to ensure that the well pad would have minimal impact on topography, hydrology, threatened and endangered species, general wildlife, sensitive plants, vegetation, archeology, and paleontology. Participants in the on-site inspection typically include representatives of the BLM, BIA, SUIT DOE, SUIT DNR, the applicant, contract biologists and archeologists.

Following the on-site, a BA is completed by a biologist and Section 106 compliance is completed by an archeologist. The draft BA is sent to the SUIT Wildlife Division and the BIA for review and concurrence. The cultural (archeological) survey report is sent to the SUIT Lands Division, the BIA Southwest Regional Office, and the Colorado SHPO, for review and concurrence.

After the on-site is complete, a draft APD is then filed by the operator with the BLM, who then distributes the draft APD to the BIA and Tribe.

The on-site information, including general and site specific surface stipulations developed by the BIA and SUIT, when tribal surface is impacted, is utilized by the BLM in the preparation of a Draft DNA. This Draft DNA is then submitted to the BIA for

review. Once the BLM receives an APD concurrence letter from the BIA stating that the BA and Section 106 compliance have been approved, the BLM then prepares the final DNA for the well and associated facilities, and then submits the final DNA to the BIA for concurrence.

Typically, the BIA issues the APD concurrence letter to the BLM first; and then issues the ROW/surface lease upon the receipt of an approved Southern Ute Tribal resolution and ROW/Surface Lease stipulations. All NEPA clearances and ROW/surface lease applications should be on file with the BIA prior to receipt of the Tribal resolution.

8) Proposed wells located on **Fee surface/Allotted Minerals,** are permitted by the BLM and no permission to survey is required. A NOS is filed with the BLM. BLM does a separate on-site to address downhole and surface issues then develops a draft DNA with a T&E species and cultural clearance. The draft DNA is submitted to the BIA along with the draft APD for review and concurrence. On privately owned surface some construction requirements may differ from Tribal or federal requirements based on the landowner's preference. As a reminder, because Trust minerals are impacted, T&E and archaeological clearance are still required.

Over the life of a well field, other operations, such as construction of power lines, pipelines, use of secondary and tertiary recovery methods, and other production facilities may become necessary. These projects may be approved under right-of-way by BIA or under Sundry Notice by BLM depending on whether the action is occurring on or off the lease and the lease interest is held by the operator. Each new surface disturbance is subjected to the same test. Each is analyzed to determine impacts and mitigation. New ideas and technology are incorporated into new mitigative measures as they become available and when they do not impact the lease rights granted. New ideas and technology may also require amendment or maintenance of the EIS prior to use as mitigation.

As a well reaches its economic limit, it is abandoned with Tribal concurrence and the disturbed area reclaimed. The operator must submit an abandonment notice for approval. The notice is evaluated by a BLM petroleum engineer to determine that the well will be plugged so as to protect freshwater zones, other mineral resources, and the surface from contamination by any oil or gas that might leak up from the depleted reservoir or other fluids and gases up hole or on the surface that could migrate through the old well bore (and casing if left in place).

The surface reclamation specialists for the SUIT, BLM, and BIA checks the final reclamation proposal to ensure it is in accordance with the original APD requirements, and, in some cases, incorporates the latest methods of reclamation. Reclamation is required to restore the well site, road and other disturbances to as original (or better) a condition as reasonably possible. The SUIT surface reclamation specialist also inspects the location once or twice at approximately one-year intervals to monitor the progress of reclamation. If the reclamation does not meet the requirement set out in the APD, the operator will revegetate those portions necessary to complete the goals for the reclaimed area. The well site will continue to be monitored until the SUIT surface reclamation specialist is satisfied that the reclamation has succeeded and the location is stable.

Field operations are inspected by various personnel from the SUIT, BIA, and BLM to ensure accountability for royalty obligations, compliance with the lease, permit safety, and environmental requirements. Field inspections are made at wells during the pre-drill, construction, drilling, and production phases. Inspections are also made during the plugging of the well, during reclamation, and periodically thereafter as necessary to ensure the reclamation is effective. Petroleum engineering technicians and surface reclamation specialists have primary responsibility for field inspections; however, other specialists may inspect wells as needed. Typically, these specialists include petroleum engineers, geologists, archaeologists, wildlife biologists, range conservationists, and others.

The primary function of the BLM petroleum engineering technicians is to account for accurate and complete measurement of production. They perform inspections to check the installation and calibration of measuring devices such as tanks for oil and flow meters for gas. BLM petroleum engineering technicians also inspect for routine environmental, public health, and safety concerns.

Operators are required to submit monthly production reports which go to the Minerals Management Service (MMS) and are available to the BLM inspectors electronically. The BLM verifies the report in the field to ensure the production volume is accurately reported. On the Reservation, the SUIT has a cooperative agreement with the MMS to verify that royalty payment is accurate. The three agencies work together to insure that all production is accounted for and that royalty is properly paid.

Operations within the jurisdiction of other federal agencies may also be field inspected by those agencies. The BLM has several agreements with other agencies that specify conditions where the BLM will notify the agency of violations within that agency's jurisdiction. In turn, the agency will notify the BLM of violations within its jurisdiction.

Agency and Permit/Approval	Nature of Action	Authority	Application
FEDERAL PERMITS, APPROVALS AND AUTHORIZING ACTIONS			
Bureau of Land Management			
Decision Record for Preferred Alternative	Evaluate environmental impacts of Preferred Alternative.	National Environmental Policy Act of 1969, 42 USC 4321 *et seq*. Council on Environmental Quality, 40 CFR 1501, 1502	Preferred Alternative
Permit to Drill, Deepen, or Plug Back (APD)	Provide for compliance with regulations and requirements during the drilling and completion phase of the well.	Mineral Leasing Act of 1920 (30 USC 181 et seq.), 43 CFR 3160; Federal Oil and Gas Royalty Management Act of 1982, 43 CFR Part 3160 series, subparts 3160.0-1 Purpose, 3160.0-1 Authority, and 3161.1 Jurisdiction; Secretarial Order No. 3087, Amendment No. 1, February 7, 1983; Indian Mineral Development Act of 1982, 4 3 CFR, Part 3160.0-3	Nitrogen injection wells and gas production wells
U.S. Bureau of Indian Affairs			
Approval of Unitization	Provide for efficient and timely development and production of Tribal oil and gas leases.	Indian Minerals Leasing Act of May 11, 1938, 25 USC 396a-396q, 25 CFR, Part 211; Act of March 3, 1909, 25 USC 396, 25 CFR, Part 212; Indian Mineral Development Act of December 22, 1982, 25 USC 21022108, 25 CFR Part 225	Unit area
Rights-of-Way	Grant rights-of-way and issue temporary permits.	Act of March 3, 1901, c.832 ss4.31.Stat.108; 209DM8 Secretaries Order 3150 and 3177, as amended, 10 BIAM, bulletin 13, as amended, and Albuquerque Area Addendum Release 9401	Pipelines, roads

Agency and Permit/Approval	Nature of Action	Authority	Application
Archaeological Clearance	Issue antiquities or archaeological resource permits to remove or excavate archaeological resources on land administered by BIA.	Antiquities Act of 1906, 16 USC Secs. 431-433; Archaeological Resources Protection Act of 1979 (16 USC Secs. 470a-47011), 43 CFR, Parts 3 and 7; National H istoric Preservation Act, Section 106 and 36 CFR Part 800	All Preferred Alternative components
U.S. Army Corps of Engineers			
Section 40 4 Permit	Issue a permit for placement of fill or dredged material in waters of the United States or their adjacent wetlands.	Sec. 404, Clean Water Act, 40 CFR Parts 122-123; 33 USC Sec. 1344; 33 CFR, Parts 323 and 325	Pipelines
U.S. Fish and Wildlife Service			
Consultation Process, Endangered or Threatened Species	Review of impact on federally listed and candidate threatened and endangered fish, wildlife, and plant species.	Sec. 7 of the Endangered Species Act of 1973, as amended (16 U.S.C. Sec 1344), 33 CFR Parts 323 and 325	See Appendix A. All Preferred Alternative surface-disturbing activities
U.S. Environmental Protection Agency			
Produced-Water Disposal	Issue a permit to allow for underground injection of produced water.	Safe Drinking Water Act (42 USC 300F-300-9), 40 CFR Parts 144 and 147	Underground injection control
Permit for Underground Injection Control	Regulate underground injection of nitrogen.	CRS 1973, 34-60-106(2)(d) and 3460-106(9)	Underground injection control l wells
Section 401 Water Quality Certification	Issue a permit to allow for discharge to State or Tribal waters, including wetlands	Section 401, Clean Water Act, 33 USC Section 1341	Well pads and pipelines; road construction.
TRIBAL PERMITS, APPROVALS, AND AUTHORIZING ACTIONS			
Southern Ute Indian Tribe			
Approval of Unitization	Provide for efficient and timely development and production of Tribal oil and gas leases.	Indian Minerals Leasing Act of May 11, 1938, 25 USC 396a-396q, 25 C.F.R., Part 211; Act of March 3, 1909, 25 USC 396, 25 CFR, Part 212; Indian Mineral Development Act of December 22, 1982, 25 USC 21022108, 25 CFR Part 225	Unit area

Agency and Permit/Approval	Nature of Action	Authority	Application
Rights-of-W ay and Permits to Drill	Approve rights-of-way, temporary permits, and permits to drill.	Act of March 3, 1901, c.832 ss4.31.Stat.1084; 209DM8 Secretaries Order 3150 and 3177, as amended, 10 BIAM, Bulletin 13, as amended, and Albuquerque Area Addendum Release 9401	Pipeline, facility, and well locations
Air emission s inventory data2	Accumulating emissions data.	Clean Air A ct.	All air pollutant emission sources
Stormwater Permits	Regulate discharge of stormwater.	Clean Water Act, 40 CFR Section 401;	Any disturbance over 1.0 acre for oil and gas activity
STATE PERMITS, APPROVALS AND AUTHORIZING ACTIONS			
Colorado State Historic Preservation Office			
Archaeological Clearance	Programmatic agreement and/or consultation for cultural resource inventory, evaluation, and mitigation.	National H istoric Preservation Act, Section 106 and 36 CFR Part 800	Pipeline and unit area
Colorado Department of Public Health and Environment			
Air Pollutant Emissions Permit	Issue an air pollutant emissions permit which limits emissions from new or modified sources.	CRS 25-7-112 ; 5 CCR 1001-5	All air pollutant emission sources.
Colorado Department of Highways			
Transport Permit	Issue a permit for oversize, over-length and overweight loads.	CRS 42-4-409 ; 2 CCR 602-4	Transportation of equipment and materials on state roads
Utility Permit	Issue a permit for right-of-way easement crossing state highways.	CRS - 43-1-105	Pipeline highway crossings
Colorado Department of Natural Resources - Oil and Gas Conservation Commission			
Permit to Drill, Deepen or Re-Enter and Operate an Oil and G as Well	State approval of drilling on all non-federal lands within the state.	CRS 1973, 34-60-106(2)(d) and 3460-106(9)	Nitrogen injection wells
Produced-Water Disposal	Issue a permit to allow for underground injection of produced water.	Safe Drinking Water Act (42 USC 300F-300-9), 40 CFR Parts 144 and 147	Underground injection control
Permit for Underground Injection Control	Regulate underground injection of nitrogen.	CRS 1973, 34-60-106(2)(d) and 3460-106(9)	Underground injection control wells and production wells converted to injection wells

Agency and Permit/Approval	Nature of Action	Authority	Application
Approval of Unitization	Provide for efficient and timely development and production of non-federal and non-Tribal oil and gas leases.	Cause 112, Order #112-122 issued June 9, 1996	Unit area
Utility Notification Center of Colorado			
Point of Contact Before Excavating	Advise on existence and locale of underground facilities.	CRS 9-15-103	Pipelines and wells
LOCAL PERMITS, APPROVALS, AND AUTHORIZING ACTIONS			
La Plata County			
Special Use Permit	Issue a permit for surface facilities on private lands not connected with downhole operation.	Land Development Code	All Preferred Alternative components in La Plata County not located on Tribal land
Road U se Permit	Issue a permit to allow for overweight and overlength loads on County roads.	Land Development Code	Transportation of equipment and materials on County roads
Road and Bridge Application for Permit to Work on County Right-of-way	Issue permit for crossing county roads.	Land Development Code	Pipelines

1 This permit and approval list is not all inclusive. It is the responsibility of the operator to ensure that all permits and approvals are secured before the project may proceed. 2 The Southern Ute Indian Tribe and state of Colorado are cooperatively developing a joint commission through which to manage air quality within the exterior boundaries of the Reservation.

Source: USDI 2002