

FILING OF NO SIGNIFICANT IMPACT ACT

Piceance State Wildlife Area

Colorado Division of Wildlife Federal Assistance Project (W-33-L)

The U.S. Fish and Wildlife Service (Service) has prepared this document in accordance with the procedures for compliance with the National Environmental Policy Act as it applies to the Federal Aid In Wildlife Restoration Act (16 U.S.C. Sec. 669 *et. seq.*). The Colorado Division of Wildlife (CDOW) proposes to amend Federal Assistance Grants W-33-L and W-120-L to exchange land with the Shell Oil and Gas Company, Inc. (Shell). Service approval of the proposed amendments constitutes a federal action which requires compliance with the NEPA.

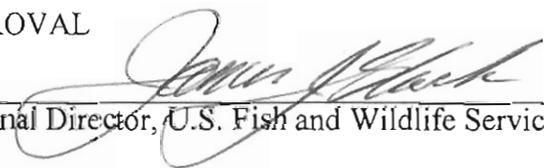
The property exchange will resolve management and inholding issues at Piceance State Wildlife Area and Oak Ridge State Wildlife Area. The Division will deed approximately 3,108 acres of land, associated water rights, and seventeen severed water rights to Shell. In exchange, Shell will deed 1800 acres of land that occur as two adjoining parcels and inholdings at Oak Ridge State Wildlife Area to CDOW. The Piceance parcels and water rights have an appraised value of \$3,009,000; the Shell parcels have been appraised at \$2,880,000. Shell will make up the difference in value with a \$129,000 cash payment to CDOW.

The CDOW prepared an Environmental Assessment (EA) entitled "Piceance Property Exchange Involving Lands and Water Rights Owned by the Colorado Division of Wildlife and Shell Frontier Oil & Gas, Inc." for the Service in compliance with the NEPA. The EA includes a discussion and analysis of the land exchange between CDOW and Shell, including four alternative actions: the preferred action, no action, and two alternative actions that were considered and discarded. The analysis shows that the effects of the preferred action do not represent a significant impact on the quality of the human environment. The EA was released to the public on March 1, 2007 for a 30-day commenting period that expired on April 1, 2007. No comments were received.

Occurrences of Dudley Bluffs bladderpod (*Lesquerella congesta*) have been identified on the two Duck Creek tracts at the Piceance State Wildlife Area that will be deeded to Shell. CDOW and Shell will enter into a Memorandum of Agreement which provides for the long-term protection and conservation of this federally-endangered plant species and its habitat on the two parcels. Per Section 7 of the Endangered Species Act, FA determined that the proposed project may affect, but is not likely to adversely affect the Dudley Bluffs bladderpod or adversely modify its critical habitat. FA informally consulted with the Service's Division of Ecological Services Grand Junction Field Office. The Field Office's May 8, 2007 concurrence with the "may effect" determination is on file at the Region 6 FA Office

Based on review of the EA, I have determined that the proposed land transfer between the CDOW and Shell is not a major federal action which would significantly affect the quality of the human environment within the meaning of Section 102 (2) (c) of the National Environmental Policy Act of 1969. Accordingly, preparation of an Environmental Impact Statement on the proposed action is not required.

APPROVAL


Regional Director, U.S. Fish and Wildlife Service, Region 6

5-18-07
Date