

**UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Buffalo Field Office
Buffalo, Wyoming**

**SURFACE USE
CONDITIONS OF APPROVAL
EA # WY-070-08-156**

POD Name: Long Creek Add-On, ROF and Water Gap PODs

Operator: JM Huber Corporation

List of Wells:

	Well Name	Well #	Qtr/Qtr	Sec	TWP	RNG	Lease #
1	LONG CREEK ADD-ON	13CKW-9*	SWSW	9	56N	75W	WYW50618
2	LONG CREEK ADD-ON	15CKW-9	SWSE	9	56N	75W	WYW50618
3	LONG CREEK ADD-ON	17CKW-32	SESE	32	57N	75W	WYW50619
4	LONG CREEK ADD-ON	19CKW-32	SESW	32	57N	75W	WYW50619
5	LONG CREEK ADD-ON	17CKW-33	SESE	33	57N	75W	WYW50619
6	LONG CREEK ADD-ON	19CKW-33	SESW	33	57N	75W	WYW50619
7	ROF B & A	2LW-25*	NWNE	25	57N	75W	WYW132927
8	ROF B & A	4LW-25	NWNW	25	57N	75W	WYW132927
9	ROF B & A	8LW-25	SESE	25	57N	75W	WYW132927
10	ROF B & A	10LW-25	NWSE	25	57N	75W	WYW132927
11	ROF B & A	12LW-25	NWSW	25	57N	75W	WYW132927
12	ROF B & A	14LW-25	SESW	25	57N	75W	WYW132927
13	ROF B & A	16LW-25	SESE	25	57N	75W	WYW132927
14	ROF B & A	2LW-26	NWNE	26	57N	75W	WYW145589
15	ROF B & A	3LW-26	NENW	26	57N	75W	WYW145589
16	ROF B & A	8LW-26	SENE	26	57N	75W	WYW132927
17	ROF B & A	9LW-26	NESE	26	57N	75W	WYW132927
18	ROF FEDERAL	2LW-36	NWNE	36	57N	75W	WYW132927
19	ROF FEDERAL	3LW-36	NENW	36	57N	75W	WYW132927
20	ROF FEDERAL	5LW-36	SWNW	36	57N	75W	WYW132927
21	ROF FEDERAL	8LW-36	SENE	36	57N	75W	WYW132927
22	ROF FEDERAL	10LW-36	NESE	36	57N	75W	WYW132927
23	ROF FEDERAL	16LW-36	SESE	36	57N	75W	WYW132927
24	ROF FEDERAL	18LW-36	SWSE	36	57N	75W	WYW132927
25	ROF FEDERAL	6LW-25	SENE	25	57N	75W	WYW132927
26	ROF MANIGAULT	2LW-35	NWNE	35	57N	75W	WYW159195
27	ROF MANIGAULT	5LW-35	SWNW	35	57N	75W	WYW146819
28	WATER GAP	1CKW-34*	NENE	34	57N	76W	WYW144213

	Well Name	Well #	Qtr/Qtr	Sec	TWP	RNG	Lease #
29	WATER GAP	3LW-35	NENW	35	57N	76W	WYW144213
30	WATER GAP	5LW-35	NENW	35	57N	76W	WYW144213
31	WATER GAP	11LW-35	NESW	35	57N	76W	WYW144213
32	WATER GAP	20LW-35	SWSW	35	57N	76W	WYW144213
33	WATER GAP	18CKW-36	SWSE	36	57N	76W	WYW144213
34	WATER GAP MANIGAULT	1LW-35	NENW	35	57N	76W	WYW144213
35	WATER GAP MANIGAULT	15CKW-36	SWSE	36	57N	76W	WYW144213

List of Impoundments:

	IMPOUNDMENT Name / Number	Qtr/Qtr	Sec	T N	R W	Capacity (Acre Feet)	Status	Lease #
1	Bush Creek	SESW	36	57	75	6.2	Existing	State
2	B&A 4-25	SESW	24	57	75	49.8	Existing	WYW133211
3	Deadhorse Lake	NESW	30	57	75	314	Previously Approved	WYW132516

List of approved Right-of Ways:

	Right-of-Way # w/ related POD	Qtr/Qtr	Sec	T N	R W	Length X width	Surface Disturbance (Acres)	Use
1	WYW-169718 Water Gap	SWSW NENE N2NW	26 34 35	57	76	3,730/40	6.0	Produced water distribution to 1SR-34 storage & retrieval well.
2	WYW-169927 Water Gap	SWSW	26	57	76	825/30	.57	Move gas fm lease WYW-144213 to lease WYW-154948
3	WYW-169928 Long Creek Add-on	Lots 5, 8, 14	33	57	75	3,415/30	2.35	Move gas fm lease WYW-050619 to lease WYW-132261
4	WYW-169929 Long Creek Add-on	Lots 5, 8, 14	33	57	75	5,065/30	4.26	Elec & produced water distrib (assoc well: 19CKW-33)

I Programmatic mitigation measures identified in the PRB FEIS ROD

Surface Water

1. Channel Crossings:
 - a) Channel crossings by road and pipelines will be constructed perpendicular to flow. Culverts will be installed at appropriate locations for streams and channels crossed by roads as specified in the BLM Manual 9112-Bridges and Major Culverts and Manual 9113-Roads. Streams will be crossed perpendicular to flow, where possible, and all stream crossing structures will be designed to carry the 25-year discharge event or other capacities as directed by the BLM.
 - b) Channel crossings by pipelines will be constructed so that the pipe is buried at least four feet below the channel bottom.
2. Low water crossings will be constructed at original streambed elevation in a manner that will prevent any blockage or restriction of the existing channel. Material removed will be stockpiled for use in reclamation of the crossings.

Soils

1. The Companies, on a case by case basis depending upon water and soil characteristics, will test sediments deposited in impoundments before reclaiming the impoundments. Tests will include the standard suite of cations, ions, and nutrients that will be monitored in surface water testing and any trace metals found in the CBNG discharges at concentrations exceeding detectable limits.

Vegetation

1. Temporarily fence reseeded areas, if not already fenced, for at least two complete growing seasons to insure reclamation success on problematic sites (e.g. close to livestock watering source, erosive soils etc.).

Wetland/Riparian

1. Wetland areas will be disturbed only during dry conditions (that is, during late summer or fall), or when the ground is frozen during the winter.
2. No waste material will be deposited below high water lines in riparian areas, flood plains, or in natural drainage ways.
3. The lower edge of soil or other material stockpiles will be located outside the active floodplain.
4. Disturbed channels will be re-shaped to their approximate original configuration or stable geomorphological configuration and properly stabilized.
5. Reclamation of disturbed wetland/riparian areas will begin immediately after project activities are complete.

Wildlife

1. For any surface-disturbing activities proposed in sagebrush shrublands, the Companies will conduct clearance surveys for sage grouse breeding activity during the sage grouse's breeding season before initiating the activities. The surveys must encompass all sagebrush shrublands within 0.5 mile of the proposed activities.
2. The Companies will locate facilities so that noise from the facilities at any nearby sage grouse or sharp-tailed grouse display grounds does not exceed 49 decibels (10 dBA above background noise) at the display ground.

3. The Companies will construct power lines to minimize the potential for raptor collisions with the lines. Potential modifications include burying the lines, avoiding areas of high avian use (for example, wetlands, prairie dog towns, and grouse leks), and increasing the visibility of the individual conductors.
4. The Companies will locate aboveground power lines, where practical, at least 0.5 mile from any sage grouse breeding or nesting grounds to prevent raptor predation and sage grouse collision with the conductors. Power poles within 0.5 mile of any sage grouse breeding ground will be raptor-proofed to prevent raptors from perching on the poles.
5. The Companies will limit the construction of aboveground power lines near streams, water bodies, and wetlands to minimize the potential for waterfowl colliding with power lines.
6. All stock tanks shall include a ramp to enable trapped small birds and mammals to escape. See Idaho BLM Technical Bulletin 89-4 entitled Wildlife Watering and Escape Ramps on Livestock Water Developments: Suggestions and Recommendations.

Threatened, Endangered, or Sensitive Species

Bald Eagle

1. Special habitats for raptors, including wintering bald eagles, will be identified and considered during the review of the APD/POD or Sundry Notices.
2. Surveys for active bald eagle nests and winter roost sites will be conducted within suitable habitat by a BLM approved biologist. Surface disturbing activities will not be permitted within one mile of suitable habitat prior to survey completion.
3. A disturbance-free buffer zone of 0.5 mile (i.e., no surface occupancy) will be established year-round for all bald eagle nest sites. A seasonal minimal disturbance buffer zone of one mile will be established for all bald eagle nest sites (February 1 – August 15).
4. A disturbance-free buffer zone of 0.5 mile (i.e., no surface occupancy) will be established year-round for all bald eagle winter roost sites. A seasonal minimal disturbance buffer zone of 1 mile will be established for all bald eagle winter roost sites (November 1 – April 1). These buffer zones and timing may be adjusted based on site-specific information through coordination with, and written approval from, the USFWS.
5. Within ½ mile of bald eagle winter roost sites additional measures such as remote monitoring and restricting maintenance visitation to between 9:00 and 3:00 may be necessary to prevent disturbance (November 1 – April 1).
6. Additional mitigation measures may be necessary if the site-specific project is determined by a BLM biologist to have adverse effects to bald eagles or their habitat.

Black-footed Ferret

1. If any black-footed ferrets are located, the USFWS will be consulted. Absolutely no disturbance will be allowed within prairie dog colonies inhabited by black-footed ferrets.
2. Additional mitigation measure may be necessary if the site-specific project is determined by a BLM biologist to have adverse effects to black-footed ferrets or their habitat. In the event that a mountain plover is located during construction or operation, the USFWS' Wyoming Field Office (307-772-

2374) and the USFWS' Law Enforcement Office (307-261-6365) will be notified within 24 hours.

Mountain Plover

1. A mountain plover nesting survey shall be conducted following U.S. Fish and Wildlife Service protocol within occupied black-tailed prairie dog colonies prior to permit authorization.

Outside of occupied black-tailed prairie dog colonies, a mountain plover nesting survey following U.S. Fish and Wildlife Service protocol is encouraged prior to construction initiation, as project modifications can be made if necessary to protect nesting plovers and natural gas production. If requested in writing, then authorization may be granted for construction activities to occur between August 1 and March 15, outside the mountain plover breeding season. A mountain plover nesting survey following U.S. Fish and Wildlife Service protocol shall be conducted during the first available survey period (May 1 – June 15). Additional measures such as monitoring and activity restrictions may be applied if mountain plovers are documented.

2. A disturbance-free buffer zone of 0.25 mile will be established around all occupied mountain plover nesting habitat between March 15 and July 31.
3. Project-related features that encourage or enhance the hunting efficiency of predators of mountain plover will not be constructed within 1/2 mile of occupied mountain plover nesting habitat.
4. Construction of ancillary facilities (for example, compressor stations, processing plants) will not be located within ½ mile of known nesting areas. The threats of vehicle collision to adult plovers and their broods will be minimized, especially within breeding aggregation areas.
5. Work schedules and shift changes will be set to avoid the periods from 30 minutes before to 30 minutes after sunrise and sunset during June and July, when mountain plovers and other wildlife are most active.
6. Creation of hunting perches or nest sites for avian predators within 0.5 mile of identified nesting areas will be avoided by burying power lines, using the lowest possible structures for fences and other structures and by incorporating perch-inhibiting devices into their design.
7. When above ground markers are used on capped and abandoned wells they will be identified with markers no taller than four feet with perch inhibiting devices on the top to avoid creation of raptor hunting perches within 0.5 mile of nesting areas.
8. Reclamation of areas of previously suitable mountain plover habitat will include the seeding of vegetation to produce suitable habitat for mountain plover.

Ute Ladies'-tresses Orchid

1. Suitable habitat will be avoided wherever possible.
2. Moist soils near wetlands, streams, lakes, or springs in the project area will be promptly revegetated if construction activities impact the vegetation in these areas. Revegetation will be designed to avoid the establishment of noxious weeds.

Visual Resources

1. The Companies will mount lights at compressor stations and other facilities on a pole or building and direct them downward to illuminate key areas within the facility while minimizing the amount of light projected outside the facility.

Air Quality

1. During construction, emissions of particulate matter from well pad and resource road construction will be minimized by application of water, or other dust suppressants, with at least 50 percent control efficiency. Roads and well locations constructed on soils susceptible to wind erosion could be appropriately surfaced or otherwise stabilized to reduce the amount of fugitive dust generated by traffic or other activities, and dust inhibitors (surfacing materials, non-saline dust suppressants, and water) could be used as necessary on unpaved collector, local and resource roads that present a fugitive dust problem. The use of chemical dust suppressants on BLM surface will require prior approval from the BLM authorized officer.

II. Site Specific Conditions of Approval

General

1. All changes made at the onsite will be followed. They have all been incorporated into the operator's POD.
2. All permanent above-ground structures (e.g., production equipment, tanks, etc.) not subject to safety requirements will be painted to blend with the natural color of the landscape. The paint used will be a color which simulates "Standard Environmental Colors." The color selected for the Long Creek Add-On, ROF and Water Gap PODs is Covert Green (PANTONE for Architecture Color Guide 18-0617 TPX).
3. The approval of this project does not grant authority to use off lease federal lands without approved right of way grants. No surface disturbing activity, or use of off-lease federal lands, is allowed on affected leases until right of way grants become effective on the date in which the grant is signed by the authorized officer of the BLM.
4. Please contact Kathy Brus, Supervisory Natural Resource Specialist, @ (307) 684-1087, Bureau of Land Management, Buffalo, if there are any questions concerning these surface use COAs.

Drilling

1. The operator intends to eventually produce several coal zones at the same time from one wellbore. The operator is required to submit a Sundry for approval to commingle these coals.
2. All drilling pits will maintain at least 2' of freeboard.
3. If the source of water used to mix casing cement is from any other source than a municipal water supply, the operator will provide a copy of the water analysis from the source to the BLM Petroleum Engineer prior to use for cementing.

Surface Use

1. Provide 4" of aggregate where grades exceed 8% for stability and erosion prevention.
2. The operator is responsible for having a licensed professional engineer certify that the actual construction of the road meets the design criteria and is constructed to Bureau standards.
3. The culvert locations will be staked prior to construction. The culvert invert grade and finished road grade will be clearly indicated on the stakes. Culverts will be installed on natural ground, or on a designed flow line of a ditch. The minimum cover over culverts will be 12" or one-half the diameter whichever is greater. Drainage laterals in the form of culverts or water bars shall be placed according to the following spacing:

<u>Grade</u>	<u>Drainage Spacing</u>
2-4%	310 ft
5-8%	260 ft

9-12%	200 ft
13-15%	150 ft.

4. “Roughed-in” or “Pioneer” roads shall be constructed according to the line and grade shown in the approved engineering designs. Non-engineered roads shall be constructed to a line and grade established to meet the BLM Gold Book and 9113 guidelines as approved in the SUP, and shaped according to an approved design template for that road.
5. Adequate drainage control must be in place at all stages of construction and culverts installed as soon as feasible.
6. Final grading and surfacing shall occur immediately after utility installation is complete. All rills, gullies, and other surface defects shall be ripped to the full depth of erosion across the entire width of the roadway prior to final grading and surfacing.
7. The operator will follow the guidance provided in the Wyoming Policy on Reclamation (IM WY-90-231) specifically the following:
Reclamation Standards:
C. 3. The reclaimed area shall be stable and exhibit none of the following characteristics:
 - a. Large rills or gullies.
 - b. Perceptible soil movement or head cutting in drainages.
 - c. Slope instability on, or adjacent to, the reclaimed area in question.
 C.4. The soil surface must be stable and have adequate surface roughness to reduce runoff and capture rainfall and snow melt. Additional short-term measures, such as the application of mulch, shall be used to reduce surface soil movement.
C.5. Vegetation canopy cover (on unforested sites), production and species diversity (including shrubs) shall approximate the surrounding undisturbed area. The vegetation shall stabilize the site and support the planned post disturbance land use, provide for natural plant community succession and development, and be capable of renewing itself. This shall be demonstrated by:
 - a. Successful onsite establishment of species included in the planting mixture or other desirable species.
 - b. Evidence of vegetation reproduction, either spreading by rhizomatous species or seed production.
 C.6. The reclaimed landscape shall have characteristics that approximate the visual quality of the adjacent area with regard to location, scale, shape, color and orientation of major landscape features and meet the needs of the planned post disturbance land use.
8. There are several places where noxious weed species have invaded. In addition to control of the invasive species, the operator will be required to clean construction equipment on site prior to moving at the following locations:
 - ROF B&A Fed 4-25-57-75 access road and pipeline, including the 4-25 impoundment (Black Henbane)
 - Water Gap Federal 20-35-57-76 access road and culvert area (Salt Cedar).
9. Minimize over all disturbance by using 2 to1 cut and fill slopes when soils and terrain allow. One example would be at the ROF B&A Federal 2-26-57-75 access construction where side slopes will be reduced to 2:1 as possible to reduce total disturbance width between stations 7+00 and 9+00.
10. Pits will be lined at the following locations:
 - a. ROF Manigault Fed 5-35-57-75
 - b. ROF Manigault Fed 2-35-57-75
 - c. Long Creek Add-On Federal 19-33-57-75
 - d. Long Creek Add-On Manigault 13-9-56-75
11. Wherever possible, the operator will avoid disturbance to existing trees.

12. All pipeline corridor disturbance must be included in the approved disturbance width for road construction where utilities corridor with the road. Specifically, the utility corridors will be included in the access disturbance on the Long Creek Add-On Maingault 15-9-56-75.
13. Disturbance to vegetation will be minimized to 100' diameter mown area at the following locations: Water Gap wells 10-34-57-76, 14-34-57-76 and 16-34-57-76.
14. All engineered access routes will be constructed prior to drilling the wells. Due to erosive soils and steep slopes, the access route to the following wells will require interim reclamation and slope stabilization to be completed within 30 days of road construction.
 - a. ROF B&A Fed 9-26-57-75,
 - b. Water Gap Pipeline Bore location
 - c. Water Gap Federal 20-35-57-76,
15. Signs will be installed for safety at access to the county road at the Long Creek Add-On Federal 19-33-57-75. Additionally, the operator will coordinate with Campbell County Road and Bridge Dept to install warning signs on the county road near this access.
16. Pipeline crossing of LX Bar Creek from the 13-9-56-75 to the northeast will be immediately stabilized after installation to prevent erosion in the channel.
17. The access to the Water Gap Federal 17-34-57-76 well is not approved at this time. This road is proposed to cross slopes in excess of 25% on fragile, erodible soils which have questionable reclamation potential. Prior to approval for the use of this access to Federal mineral well locations, the operator will be required to submit a comprehensive interim and final reclamation plan for the road which is compliant with the Wyoming Reclamation Policy or propose an alternative route which will be acceptable to the BLM.
18. The following is a summary of the level of construction proposed at each location. For more information, see the specific well file in the POD:

Well Name	Well #	Construction Approved
LONG CREEK ADD-ON	13CKW-9*	None
LONG CREEK ADD-ON	15CKW-9	None
LONG CREEK ADD-ON	17CKW-32	Pad
LONG CREEK ADD-ON	19CKW-32	None
LONG CREEK ADD-ON	17CKW-33	None
LONG CREEK ADD-ON	19CKW-33	None
ROF B & A	2LW-25*	None
ROF B & A	4LW-25	None
ROF FEDERAL	6LW-25	None
ROF B & A	8LW-25	None
ROF B & A	10LW-25	None
ROF B & A	12LW-25	None
ROF B & A	14LW-25	None
ROF B & A	16LW-25	None
ROF B & A	2LW-26	Pad
ROF B & A	3LW-26	Pad
ROF B & A	8LW-26	None
ROF B & A	9LW-26	Pad
ROF MANIGAULT	2LW-35	Pad
ROF MANIGAULT	5LW-35	None

Well Name	Well #	Construction Approved
ROF FEDERAL	2LW-36	None
ROF FEDERAL	3LW-36	None
ROF FEDERAL	5LW-36	None
ROF FEDERAL	8LW-36	None
ROF FEDERAL	10LW-36	None
ROF FEDERAL	16LW-36	None
ROF FEDERAL	18LW-36	None
WATER GAP	1CKW-34*	None
WATER GAP	10CKW-34	None
WATER GAP	14CKW-34	none
WATER GAP	16CKW-34	None
WATER GAP	17CKW-34	None
WATER GAP MANIGAULT	1LW-35	None
WATER GAP	3LW-35	None
WATER GAP	5LW-35	Pad
WATER GAP	11LW-35	Pad/Slot
WATER GAP	20LW-35	Pad
WATER GAP MANIGAULT	15CKW-36	None
WATER GAP	18CKW-36	None

19. The operator will drill seed on the contour to a depth of 0.5 inch, followed by cultipaction to compact the seedbed, preventing soil and seed loss. To maintain quality and purity, the current years tested, certified seed with a minimum germination rate of 80% and a minimum purity of 90% will be used. On BLM surface or in lieu of a different specific mix desired by the surface owner, use the following:

Loamy and Shallow Loamy Sites:

Species	% in Mix	Lbs PLS*
Western Wheatgrass (<i>Pascopyrum smithii</i>)	25	3.0
Bluebunch Wheatgrass (<i>Pseudoroegneria spicata ssp. Spicata</i>)	20	2.4
Green needlegrass (<i>Nassella viridula</i>)	15	1.8
Thickspike Wheatgrass (<i>Elymus lanceolatus ssp. lanceolatus</i>)	15	1.8
Prairie coneflower (<i>Ratibida columnifera</i>)	5	0.6
White or purple prairie clover (<i>Dalea candidum, purpureum</i>)	5	0.6
Rocky Mountain beeplant (<i>Cleome serrulata</i>)	5	0.6

Species	% in Mix	Lbs PLS*
Lewis - <i>Appar</i> , Blue, or Scarlet flax	5	0.6
Winterfat – Open Range	5	0.6
Totals	100%	12 lbs/acre

Wildlife

Burrowing Owls

1. The following conditions will alleviate impacts to burrowing owls:

No surface disturbing activity shall occur within 0.25 miles of all identified prairie dog colonies from April 15 to August 31, annually, prior to a burrowing owl nest occupancy survey for the current breeding season. A 0.25 mile buffer will be applied if a burrowing owl nest is identified. This condition will be implemented on an annual basis for the duration of surface disturbing activities within the prairie dog town(s). This timing limitation will be in effect unless surveys determine the nest(s) to be inactive.

Raptors

1. The following conditions will alleviate impacts to raptors:
 - a. No surface disturbing activity shall occur within 0.5 mile of all identified raptor nests from February 1 through July 31, annually, prior to a raptor nest occupancy survey for the current breeding season. This timing limitation will affect the following

Township/Range	Section	Wells and Infrastructure
57N,R75W	33	Long Creek Add-On MAN/FED 17CKW-33 57-75
57N,R75W	35	ROF MAN. 5LW-35 57-75 and access
57N,R75W	36	ROF FED 8LW-36 57-75 and access
57N,R75W	36	ROF FED 10LW-36 57-75 and access
57N,R75W	36	ROF FED 16LW-36 57-75 and access
57N,R75W	36	Staging Area Section 36
56N,R75W	9	Long Creek Add-On MAN/FED 13CKW-9-56-75 and access
56N,R75W	9	Long Creek Add-On Proposed meter drop
57N,R76W	34	Water Gap FED 16CKW-34 57-76 and access
57N,R76W	34	Water Gap FED 10CKW-34 57-76 and access
57N,R76W	35	Water Gap FED 20LW-35 57-76 and access
57N,R76W	35	Water Gap FED 11LW-35 57-76 and access
57N,R76W	34	Water Gap FED 17CKW-34 57-76 and access
56N,R75W	9	Long Creek Add-On MAN/FED 13CKW-9-56-75 and access
57N,R76W	36	Water Gap MAN/FED 15CKW-36 57-76 and access
57N,R75W	32	Long Creek Add-On MAN/FED 19CKW-32-57-75 and access
57N,R75W	26	ROF B&A 3LW-26 57-75 and access
57N,R75W	33	Long Creek Add- On FED 19CKW-33-57-75 and access
57N,R75W	33	Long Creek Add-On Staging area in SW Section 33

Township/Range	Section	Wells and Infrastructure
57N,R75W	35	Water Gap FED 3LW-35 57-75 and access
57N,R75W	34	Water Gap FED 1CKW-34 57-75
57N,R75W	35	ROF FED 5LW-35 57-75 and access
57N,R75W	32	Long Creek Add-On MAN/FED 17CKW-32 57-75 and access
57N,R75W	36	ROF FED 8LW-36 57-75 and access
57N,R75W	36	ROF FED 10LW-36 57-75 and access
57N,R75W	36	Staging Area Section 36

- 1) Surveys to document nest occupancy shall be conducted by a biologist following BLM protocol, between April 15 and June 30. All survey results shall be submitted in writing to a Buffalo BLM biologist and approved prior to surface disturbing activities. Surveys outside this window may not depict nesting activity. If a survey identifies active raptor nests, a 0.5 mile timing buffer will be implemented. The timing buffer restricts surface disturbing activities within 0.5 mile of occupied raptor nests from February 1 to July 31.
- 2) Nest occupancy and productivity checks shall be completed for nests within a ½ mile of any surface disturbing activities (e.g., well drilling, pipeline installation, or road improvements) across the entire POD for as long as the POD is under construction. Once construction of the POD has ceased, nest occupancy and productivity checks shall continue for the first five years on all nests that are within a ½ mile of locations where any surface-disturbing activities took place. Productivity checks shall be completed only on those nests that were verified to be occupied during the annual occupancy check. The productivity checks shall be conducted no earlier than June 1 or later than June 30 and any evidence of nesting success or production shall be recorded. Survey results will be submitted to a Buffalo BLM biologist in writing no later than July 31 of each survey year. This applies to the following nests in 2009 and subject to change, pending annual surveys:

BLM ID#	SPECIES	UTM (NAD 83)	LEGAL LOCATION	SUBSTRATE	CONDITION	STATUS
1422	GRHO	430460 4969763	Sec. 33 T57N,R75W	PONDEROSA PINE	Fair	INACTIVE
1437	RETA	432080 4970240	Sec. 34 T57N,R75W	PONDEROSA PINE	Fair	INACTIVE
1440	GOEA	432146 4970197	Sec. 34 T57N,R75W	PONDEROSA PINE	Poor	INACTIVE
1479	RETA	435646 4970254	Sec. 31 T57N,R74W	PONEROSA PINE	Poor	INACTIVE
1481	UNRA	435662 4969516	Sec. 31 T57N,R74W	PONDEROSA PINE	Poor	INACTIVE
1482	UNRA	435719 4970254	Sec. 31 T57N,R74W	PONDEROSA PINE	Fair	INACTIVE
2075	RETA	428893 4965849	Sec. 9 T56N,R75W	COTTONWOOD, LIVE	Poor	INACTIVE
2076	RETA	428923 4965936	Sec. 9 T56N,R75W	COTTONWOOD, LIVE	Good	INACTIVE
3477	RETA	424469 4971359	Sec. 25 T57N,R76W	COTTONWOOD, DEAD	Good	ACTIVE

BLM ID#	SPECIES	UTM (NAD 83)	LEGAL LOCATION	SUBSTRATE	CONDITION	STATUS
3951	RETA	428904 4965891	Sec. 9 T56N,R75W	COTTONWOOD, LIVE	Poor	INACTIVE
3956	GHOW	424775 4969328	Sec. 36 T57N,R76W	ROCK CAVITY	Unknown	INACTIVE
3957	UNBU	427276 4968830	Sec. 31 T57N,R75W	ROCK CAVITY	Fair	INACTIVE
4398	UNRA	432500 4971823	Sec. 26 T57N,R75W	PONDEROSA PINE	Fair	INACTIVE
5375	UNBU	429730 4969499	Sec. 33 T56N,R75W	PONDEROSA PINE	Fair	INACTIVE
5406	UNRA	423258 4971461	Sec. 26 T57N,R76W	JUNIPER	Poor	INACTIVE
5407	UNRA	422825 4970165	Sec. 35 T57N,R76W	JUNIPER	Poor	INACTIVE
6201	UNRA	428746 4968638	NW NW Sec. 4 T56N,R75W	PONDEROSA PINE	Poor	INACTIVE
6202	RETA	435522 4970028	NW NW Sec. 31 T57N,R74W	PONDEROSA PINE	Good	INACTIVE

- b. If an undocumented raptor nest is located during project construction or operation, the Buffalo Field Office (307-684-1100) shall be notified within 24 hours.
- c. Well metering, maintenance and other site visits within 0.5 miles of raptor nests should be minimized as much as possible during the breeding season (February 1 – July 31).

Sharp-tailed Grouse

1. The following conditions will alleviate impacts to sharp-tailed grouse:
 - a. No surface disturbing activities are permitted within 0.64 miles of a sharp-tailed grouse lek LX Bar between April 1 and May 31, prior to completion of a lek survey. This condition will be implemented on an annual basis for the duration of surface disturbing activities. This timing limitation will affect the following:

Township/Range	Section	Wells and Infrastructure
57N,76W	36	All of the proposed roads in Sec. 36

- 1) If an active lek is identified during the survey, the 0.64 mile timing restriction (April 1-May 31) will be applied and surface disturbing activities will not be permitted until after the nesting season. If surveys indicate that the identified lek is inactive during the current breeding season, surface disturbing activities may be permitted within the 0.5 mile buffer until the following breeding season (April 1). The required sharp-tailed grouse survey will be conducted by a biologist following WGFD protocol. All survey results shall be submitted in writing to a Buffalo BLM biologist and approved prior to surface disturbing activities.
- b. Creation of raptor hunting perches will be avoided within 0.64 miles of documented sharp-tailed grouse lek sites. Perch inhibitors will be installed to deter avian predators from preying on sage grouse.

Water Management

1. Prior to the addition of water produced in association with Federal minerals, the operator will mitigate (stabilize) the erosion on the emergency spillway of the Bush Creek Impoundment SESW Sec 36 T57N R75W.
2. The operator is authorized to drill shallow groundwater monitoring or geotechnical investigation wells at the proposed pit locations:
 - a. Pit 14-25-57-75 SESW Sec 25
 - b. Pit 16-36-57-75 NESE Sec 36The construction of the pits is not authorized at this time.
3. The operator has agreed to plug the BLM water well in the Water Gap POD to eliminate the hazards of an open well bore. The well, located in the NWNW Sec 35 T57N R76W, was drilled in 1983 as an investigation well by the USGS and is no longer required. BLM will comply with WSEO requirements to plug and abandon the well.
4. Three impoundments, as listed in the FONSI at page 1, two injection wells and the B&A SDI facility are approved as primary water management associated with these PODs. The addition of any other structures will require Sundry notice authorization.
5. The WYPDES Permits identified for these PODs and the associated water management features authorize discharge of water from the following coal zones:
 - a. Upper Cook
 - b. Cook
 - c. Lower Cook
 - d. Wall
 - e. Pawnee
 - f. Canyon

If additional coal zones are completed to be comingled, the operator will be required to supply a copy of the updated WYPDES permit that includes these zones.

6. To control erosion, no water will be allowed to overflow the tire stock water tanks located near proposed water discharge points.

III Standard Conditions of Approval

A. General

1. If any cultural values [sites, artifacts, human remains (Appendix L FEIS)] are observed during operation of this lease/permit/right-of-way, they will be left intact and the Buffalo Field Manager notified. The authorized officer will conduct an evaluation of the cultural values to establish appropriate mitigation, salvage or treatment. The operator is responsible for informing all persons in the area who are associated with this project that they will be subject to prosecution for knowingly disturbing historic or archaeological sites, or for collecting artifacts. If historic or archaeological materials are uncovered during construction, the operator is to immediately stop work that might further disturb such materials, and contact the authorized BLM officer (AO). Within five working days the AO will inform the operator as to:
 - whether the materials appear eligible for the National Register of Historic Places;
 - the mitigation measures the operator will likely have to undertake before the site can be used (assuming in situ preservation is not necessary); and,
 - a time-frame for the AO to complete an expedited review under 36 CFR 800.11 to confirm, through the State Historic Preservation Officer, that the findings of the AO are correct and that mitigation is appropriate. The AO will provide technical and procedural guidelines for the conduct of mitigation. Upon verification from the AO that the required mitigation has been completed, the operator will then be allowed to resume construction measures.

2. If paleontological resources, either large or conspicuous, and/or a significant scientific value are discovered during construction, the find will be reported to the Authorized Officer immediately. Construction will be suspended within 250 feet of said find. An evaluation of the paleontological discovery will be made by a BLM approved professional paleontologist within five (5) working days, weather permitting, to determine the appropriate action(s) to prevent the potential loss of any significant paleontological values. Operations within 250 feet of such a discovery will not be resumed until written authorization to proceed is issued by the Authorized Officer. The applicant will bear the cost of any required paleontological appraisals, surface collection of fossils, or salvage of any large conspicuous fossils of significant scientific interest discovered during the operation.
3. The operator shall restrict travel on unimproved two-track roads during periods of inclement weather or spring thaw when the possibility exists for excessive surface resource damage (e.g., rutting in excess of 4-inches, travel outside two-track roadway, etc.).
4. The first producing well drilled to each targeted coal zone will be designated as the POD "Reference Well". Reference wells will not be required for PODs within a 6 mile radius of the first reference well designated by the operator, nor for co-mingled coal zones. The designated reference well must be equipped to be sampled at the well head. A reference well sample will be collected from the wellhead and submitted for analysis; using the list of analytes identified in WDEQ WYPDES Application for Permit to Surface Discharge Produced Water from CBM New Discharges, Renewals, or Major Modifications, within 30 to 60 days of initial water production. Results of the analysis will be submitted to the BFO-BLM authorized Officer as they become available.
5. By November 1 each year, companies will provide georeferenced spatial data depicting as-built locations of all facilities, wells, roads, pipelines, power lines, reservoirs, discharge points, and other related facilities to the BLM for all PODs where construction and development have been completed.
6. If any dead or injured threatened, endangered, proposed, or candidate species is located during construction or operation, the U.S. Fish and Wildlife Service's Wyoming Field Office (307-772-2374), their law enforcement office (307-261-6365), and the BLM Buffalo Field Office (307-684-1100) shall be notified within 24 hours. If any dead or injured sensitive species is located during construction or operation, the BLM Buffalo Field Office (307-684-1100) shall be notified within 24 hours.
7. Wildlife species are dynamic and new individuals may have moved into the Long Creek Add-On, ROF and Water Gap POD area after the initial wildlife surveys were completed. The Record of Decision for the PRB FEIS includes a programmatic mitigation measure that states, "The companies will conduct clearance surveys for threatened and endangered or other special-concern species at the optimum time". The measure requires companies to coordinate with the BLM before November 1 annually to review the potential for disturbance and to agree on inventory parameters. Should this project not be completed by January 15, and surface disturbance is planned for that year, a J.M. Huber company representative will coordinate with the BLM to discuss required surveys.
8. All other conservation measures and terms and conditions identified in the Powder River Basin Oil and Gas Project Biological Opinion (WY07F0075) shall be complied with.
9. If an undocumented raptor nest is located during project construction or operation, the Buffalo Field Office (307-684-1100) shall be notified within 24 hours.
10. All contractors will have a copy of the pod map and conditions of approval with them at all

times.

B. Construction

1. A pre-construction field meeting shall be conducted prior to beginning any dirt work approved under this POD. The operator shall contact the BLM Authorized Officer Kathy Brus @ 307-684-1087 at least 4-days prior to beginning operations so that the meeting can be scheduled. The operator is responsible for having all contractors present (dirt contractors, drilling contractor, pipeline contractor, project oversight personnel, etc.) including the overall field operations superintendent, and for providing all contractors copies of the approved POD, project map and BLM Conditions of Approval pertinent to the work that each will be doing.
2. The operator will limit vegetation removal and the degree of surface disturbance wherever possible. Where surface disturbance cannot be avoided, all practicable measures will be utilized to minimize erosion and stabilize disturbed soils.
3. Construction and drilling activity will not be conducted using frozen or saturated soil material during periods when watershed damage or excessive rutting is likely to occur.
4. Remove all available topsoil (depths vary from 4 inches on ridges to 12+ inches in bottoms) from constructed well locations including areas of cut and fill, and stockpile at the site. Topsoil will also be salvaged for use in reclamation on all other areas of surface disturbance (roads, pipelines, etc.). Clearly segregate topsoil from excess spoil material. Any topsoil stockpiled for one year or longer will be signed and stabilized with annual ryegrass or other suitable cover crop.
5. The operator will not push soil material and overburden over side slopes or into drainages. All soil material disturbed will be placed in an area where it can be retrieved without creating additional undue surface disturbance and where it does not impede watershed and drainage flows.
6. Construct the backslope no steeper than 1½:1, and construct the foreslope no steeper than 2:1, unless otherwise directed by the BLM Authorized Officer.
7. Maintain a minimum 20-foot undisturbed vegetative border between toe-of-fill of pad and/or pit areas and the edge of adjacent drainages, unless otherwise directed by the BLM Authorized Officer.
8. With the overall objective of minimizing surface disturbance and retaining land stability and productivity, the operator shall utilize equipment that is appropriate to the scope and scale of work being done for roads and well pads (utilize equipment no larger than needed for the job).
9. To minimize electrocution potential to raptors, all overhead electrical power lines will be constructed to Avian Power Line Interaction Committee (1996) standards and additional standards identified in the PRB FEIS Biological Opinion (Volume 3, Appendix K, page 43).
10. The operator shall utilize wheel trenchers or ditchers to construct all pipeline trenches, except where extreme topography or other environmental factors preclude their use.
11. Reserve pits will be adequately fenced during and after drilling operations until pit is reclaimed so as to effectively keep out wildlife and livestock. Adequate fencing, in lieu of more stringent requirements by the surface owner, is defined as follows:
 - Construction materials will consist of steel or wood posts. Three or four strand wire (smooth or barbed) fence or hog panel (16-foot length by 50-inch height) or plastic snow

fence must be used with connectors such as fence staples, quick-connect clips, hog rings, hose clamps, twisted wire, etc. Electric fences will not be allowed.

- Construction standards: Posts shall be firmly set in ground. If wire is used, it must be taut and evenly spaced, from ground level to top wire, to effectively keep out animals. Hog panels must be tied securely into posts and one another using fence staples, clamps, etc. Plastic snow fencing must be taut and sturdy. Fence must be at least 2-feet from edge of pit. 3 sides fenced before beginning drilling, the fourth side fenced immediately upon completion of drilling and prior to rig release. Fence must be left up and maintained in adequate condition until pit is closed.
12. The reserve pit will be oriented to prevent collection of surface runoff. After the drilling rig is removed, the operator may need to construct a trench on the uphill side of the reserve pit to divert surface drainage around it. If constructed, the trench will be left intact until the pit is closed.
 13. The reserve pit will be lined with an impermeable liner if permeable subsurface material is encountered. An impermeable liner is any liner having a permeability less than 10^{-7} cm/sec. The liner will be installed so that it will not leak and will be chemically compatible with all substances that may be put in the pit. Liners made of any man-made synthetic material will be of sufficient strength and thickness to withstand normal installation and pit use. In gravelly or rocky soils, a suitable bedding material such as sand will be used prior to installing the liner.
 14. The reserve pit will be constructed so that at least half of its total volume is in solid cut material (below natural ground level).
 15. Culverts will be placed on channel bottoms on firm, uniform beds, which have been shaped to accept them, and aligned parallel to the channel to minimize erosion. Backfill will be thoroughly compacted.
 16. The minimum diameter for culverts will be 18 inches. However, all culverts will be appropriately sized in accordance with standards in BLM Manual 9113.
 17. Construction and other project-related traffic will be restricted to approved routes. Cross-country vehicle travel will not be allowed.
 18. Maximum design speed on all operator-constructed and maintained roads will not exceed 25 miles per hour.
 19. Pipeline construction shall not block nor change the natural course of any drainage. Pipelines shall cross perpendicular to drainages. Pipelines shall not be run parallel in drainage bottoms. Suspended pipelines shall provide adequate clearance for maximum runoff.
 20. Pipeline trenches shall be compacted during backfilling. Pipeline trenches shall be routinely inspected and maintained to ensure proper settling, stabilization and reclamation.
 21. During construction, emissions of particulate matter from well pad and road construction would be minimized by application of water or other non-saline dust suppressants with at least 50 percent control efficiency. Dust inhibitors (surfacing materials, non-saline dust suppressants, and water) will be used as necessary on unpaved roads that present a fugitive dust problem. The use of chemical dust suppressants on public surface will require prior approval from the BLM Authorized Officer.
 22. Operators are required to obtain a National Pollution Discharge Elimination System (NPDES) Storm Water Permit from the Wyoming DEQ for any projects that disturb five or more acres (changing to one acre in March 2005). This general construction storm water permit must be

obtained from WDEQ prior to any surface disturbing activities and can be obtained by following directions on the WDEQ website at <http://deq.state.wy.us>. Further information can be obtained by contacting Barb Sahl at (307) 777-7570.

23. The operator shall submit a Sundry Notice (Form 3160-5) to BLM for approval prior to construction of any new surface disturbing activities that are not specifically addressed in the approved APD or POD Surface Use Plan.
24. Weed educational material will be reviewed with operators during pre-construction on-site meetings with operators, subcontractors, and landowners and will also be attached to approved APDs and PODs.
25. Companies will contact the counties to pursue development of maintenance agreements to ensure county roads are adequately maintained for the projected increase in use.

C. Operations/Maintenance

1. The operator shall complete coal bed natural gas wells (case, cement and under ream) as soon as possible, but no later than 30 days after drilling operations, unless an extension is given by the BLM Authorized Officer.
2. If in the process of air drilling the wells there is a need to utilize mud, all circulating fluids will be contained either in an approved pit or in an aboveground containment tank. The pit or containment tank will be large enough to safely contain the capacity of all expected fluids without danger of overflow. Fluid and cuttings will not be squeezed out of the pit, and the pit will be reclaimed in an expedient manner.
3. Confine all equipment and vehicles to the access road(s), pad(s), and area(s) specified in the approved APD or POD.
4. All waste, other than human waste and drilling fluids, will be contained in a portable trash cage. This waste will be transported to a State approved waste disposal site immediately upon completion of drilling operations. No trash or empty barrels will be placed in the reserve pit or buried on location. All state and local laws and regulations pertaining to disposal of human and solid waste will be complied with.
5. Rat and mouse holes shall be filled and compacted from the bottom to the top immediately upon release of the drilling rig from the location.
6. The operator will be responsible for prevention and control of noxious weeds and weeds of concern on all areas of surface disturbance associated with this project (well locations, roads, water management facilities, etc.) Use of pesticides shall comply with the applicable Federal and State laws. Pesticides shall be used only in accordance with their registered uses and within limitations imposed by the Secretary of Interior. Prior to the use of pesticides on public land, the holder shall obtain from the BLM authorized officer written approval of a plan showing the type and quantity of material to be used, pest(s) to be controlled, method of application, location of storage and disposal of containers, and any other information deemed necessary by the authorized officer to such use.
7. Sewage shall be placed in a self-contained, chemically treated porta-potty on location.
8. The operator and their contractors shall ensure that all use, production, storage, transport and disposal of hazardous and extremely hazardous materials associated with the drilling, completion and production of these wells will be in accordance with all applicable existing or hereafter promulgated federal, state and local government rules, regulations and guidelines. All project-related activities involving hazardous materials will be conducted in a manner to minimize potential environmental impacts. In accordance with OSHA requirements, a file

will be maintained onsite containing current Material Safety Data Sheets (MSDS) for all chemicals, compounds and/or substances which are used in the course of construction, drilling, completion and production operations.

9. Produced fluids shall be put in test tanks on location during completion work. Produced water will be put in the reserve pit during completion work per Onshore Order #7.
10. The only fluids/waste materials which are authorized to go into the reserve pit are RCRA exempt exploration and production wastes. These include:
 - drilling muds & cuttings
 - rigwash
 - excess cement and certain completion & stimulation fluids defined by EPA as exempt

It does not include drilling rig waste, such as:

- spent hydraulic fluids
- used engine oil
- used oil filter
- empty cement, drilling mud, or other product sacks
- empty paint, pipe dope, chemical or other product containers
- excess chemicals or chemical rinsate

Any evidence of non-exempt wastes being put into the reserve pit may result in the BLM Authorized Officer requiring specific testing and closure requirements.

11. Reserve pits will be closed as soon as possible, but no later than 90 days from time of drilling/well completion, unless the BLM Authorized Officer gives an extension. Squeezing of pit fluids and cuttings is prohibited. Pits must be dry of fluids or they must be removed via vac-truck or other environmentally acceptable method prior to backfilling, re-contouring and replacement of topsoil. Mud and cuttings left in pit must be buried at least 3-feet below re-contoured grade. The operator will be responsible for re-contouring any subsidence areas that develop from closing a pit before it is sufficiently dry.
12. Operators are advised that prior to installation of any oil and gas well production equipment which has the potential to emit air contaminants, the owner or operator of the equipment must notify the Wyoming Department of Environmental Quality, Air Quality Division (phone 307-777-7391) to determine permit requirements. Examples of pertinent well production equipment include fuel-fired equipment (e.g., diesel generators), separators, storage tanks, engines and dehydrators.
13. If this well is drilled during the fire season (June-October), the operator shall institute all necessary precautions to ensure that fire hazard is minimized, including but not limited to mowing vegetation on the access route(s) and well location(s), keeping fire fighting equipment readily available when drilling, etc.

D. Dry Hole/Reclamation

1. All disturbed lands associated with this project, including the pipelines, access roads, water management facilities, etc will be expediently reclaimed and reseeded in accordance with the surface use plan and any pertinent site-specific COAs.
2. Disturbed lands will be re-contoured back to conform with existing undisturbed topography. No depressions will be left that trap water or form ponds.
3. The fluids and mud must be dry in the reserve pit before re-contouring pit area. The operator

- will be responsible for re-contouring of any subsidence areas that develop from closing a pit before it is completely dry. The plastic pit liner (if any) will be cut off below grade and properly disposed of at a state authorized landfill before beginning to re-contour the site.
4. Before the location has been reshaped and prior to redistributing the topsoil, the operator will rip or scarify the drilling platform and access road on the contour, to a depth of at least 12 inches. The rippers are to be no farther than 24 inches apart.
 5. Distribute the topsoil evenly over the entire location and other disturbed areas. Prepare the seedbed by disking to a depth of 4-to-6 inches following the contour.
 6. Phased reclamation plans will be submitted to BLM for approval prior to individual POD facility abandonment via a Notice of Intent (NOI) Sundry Notice. Individual facilities, such as well locations, pipelines, discharge points, impoundments, etc. need to be addressed in these plans as they are no longer needed. Individual items that will need to be addressed in reclamation plans include:
 - Pit closure (Close ASAP after suitably dry, but no later than 90 days from time of drilling unless an extension is given by BLM Authorized Officer.) BLM may require closure prior to 90 days in some cases due to land use or environmental concerns.
 - Configuration of reshaped topography, drainage systems, and other surface manipulations
 - Waste disposal
 - Revegetation methods, including specific seed mix (pounds pure live seed/acre) and soil treatments (seedbed preparation, fertilization, mulching, etc.). On private surface, the landowner should be consulted for the specific seed mix.
 - Other practices that will be used to reclaim and stabilize all disturbed areas, such as water bars, erosion fabric, hydro-mulching, etc.
 - An estimate of the timetables for beginning and completing various reclamation operations relative to weather and local land uses.
 - Methods and measures that will be used to control noxious weeds, addressing both ingress and egress to the individual well or POD.
 - Decommissioning/removal of all surface facilities
 - Closure and reclamation of areas utilized or impacted by produced CBM water, including discharge points, reservoirs, off-channel pits, land application areas, livestock/wildlife watering facilities, surface discharge stream channels, etc
 7. BLM will not release the performance bond until all disturbed areas associated with the APD/POD have been successfully revegetated (evaluation will be made after the second complete growing season) and has met all other reclamation goals of the surface owner and surface management agency.
 8. A Notice of Intent to Abandon and a Subsequent Report of Abandonment must be submitted for abandonment approval.
 9. For performance bond release approval, a Final Abandonment Notice (with a surface owner release letter on split-estate) must be submitted prior to a final abandonment evaluation by BLM.
 10. Soil fertility testing and the addition of soil amendments may be required to stabilize some disturbed lands.
 11. Any mulch utilized for reclamation needs to be certified weed free.
 12. Waterbars are to be constructed at least one (1) foot deep, on the contour with approximately

two (2) feet of drop per 100 feet of waterbar to ensure drainage, and extended into established vegetation. All waterbars are to be constructed with the berm on the downhill side to prevent the soft material from silting in the trench. The initial waterbar should be constructed at the top of the backslope. Subsequent waterbars should follow the following general spacing guidelines:

Slope (percent)	Spacing Interval (feet)
< 2	200
2 - 4	100
4 - 5	75
> 5	50

E. Producing Well

1. Landscape those areas not required for production to the surrounding topography as soon as possible. The fluids and mud must be dry in the reserve pit before re-contouring pit area. The operator will be responsible for re-contouring and reseeding of any subsidence areas that develop from closing a pit before it is completely dry.
2. Reduce the backslope to 2:1 and the foreslope to 3:1, unless otherwise directed by the BLM Authorized Officer. Reduce slopes by pulling fill material up from foreslope into the toe of cut slopes.
3. Production facilities (including dikes) must be placed on the cut portion of the location and a minimum of 15 feet from the toe of the back cut unless otherwise approved by the BLM Authorized Officer.
4. Any spilled or leaked oil, produced water or treatment chemicals must be reported in accordance with NTL-3A and immediately cleaned up in accordance with BLM requirements. This includes clean-up and proper disposition of soils contaminated as a result of such spills/leaks.
5. Distribute stockpiled topsoil evenly over those areas not required for production and reseed as recommended.
6. Upgrade and maintain access roads and drainage control (e.g., culverts, drainage dips, ditching, crowning, surfacing, etc.) as necessary and as directed by the BLM Authorized Officer to prevent soil erosion and accommodate safe, environmentally-sound access.
7. Prior to construction of production facilities not specifically addressed in the APD/POD, the operator shall submit a Sundry Notice to the BLM Authorized Officer for approval.
8. If not already required prior to constructing and drilling the well location, the operator shall immediately upgrade the entire access road to BLM standards (including topsoiling, crowning, ditching, drainage culverts, surfacing, etc.) to ensure safe, environmentally-sound, year-round access. This requirement does not supercede or apply where specific road requirements are addressed in the APD/POD surface use plan (e.g., two track road, spot upgrade, etc.)
9. Waterbars shall be installed on all reclaimed pipeline corridors per the guidelines in D #12.