

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

**SURFACE USE
CONDITIONS OF APPROVAL**

POD Name: Coal Gulch Unit Beta Amended

Operator: Lance Oil & Gas Company, Inc.

List of Wells:

	CX #	Well Name	Well #	QTR	Sec	TWP	RNG	Lease #
1	CX-07-3-007	CGU Fed.	11-4BG	NWNW	4	50N	78W	WYW146914
2	CX-07-3-008	CGU Fed.	21-4BG	NENW	4	50N	78W	WYW146914
3	CX-07-3-009	CGU Fed.	22-4BG	SENE	4	50N	78W	WYW146914
4	CX-07-3-010	CGU Fed.	11-5BG	NWNW	5	50N	78W	WYW142842
5	CX-07-3-011	CGU Fed.	21-5BG	NENW	5	50N	78W	WYW142842
6	CX-07-3-012	CGU Fed.	32-5BG	SWNE	5	50N	78W	WYW142842
7	CX-07-3-013	CGU Fed.	33-5BG	NWSE	5	50N	78W	WYW142842
8	CX-07-3-014	CGU Fed.	11-6BG	NWNW	6	50N	78W	WYW142842
9	CX-07-3-015	CGU Fed.	32-6BG	SWNE	6	50N	78W	WYW142842
10	CX-07-3-016	CGU Fed.	24-9BG	SESW	9	50N	78W	WYW146914
11	CX-07-3-017	CGU Fed.	13-31BG	NWSW	31	51N	78W	WYW146350
12	CX-07-3-018	CGU Fed.	14-31BG	SWSW	31	51N	78W	WYW146350
13	CX-07-3-019	CGU	44-32BG	SESE	32	51N	78W	WYW146350

Impoundment list:

	Impoundment Name / Number	BLM Identifier	Qtr/Qtr	Sec.	TWP	RNG	Lease Number
1	31-1-51-78	31-51-78NWNW	NWNW	31	51N	78W	WYW146350

I Programmatic mitigation measures identified in the PRB FEIS ROD

Programmatic mitigation measures are those, determined through analysis, which may be appropriate to apply at the time of APD approval if site specific conditions warrant. These mitigation measures can be applied by BLM, as determined necessary at the site-specific NEPA APD stage, as COAs and will be in addition to stipulations applied at the time of lease issuance and any standard COA.

A. Groundwater

1. In order to address the potential impacts from infiltration on shallow ground water, the Wyoming DEQ has developed a guidance document, "Compliance Monitoring for Ground Water Protection Beneath Unlined Coalbed Methane Produced Water Impoundments" (June 14, 2004) which can be accessed on their website. This guidance document became effective August 1, 2004. For WYPDES permits received by DEQ after the August 1st effective date, the BLM will require that operators comply with the latest DEQ standards and monitoring guidance.

2. In order to determine the actual water quality of the producing formations in this POD and to verify the water analysis submitted for the pre-approval evaluation, the operator has committed to designate a reference well to each coal zone within the POD boundary. The reference well will be sampled at the wellhead for analysis within sixty days of initial production. A copy of the water analysis will be submitted to the BLM Authorized Officer.

B. Surface Water

1. Channel Crossings:
 - a) Minimize channel disturbance as much as possible by limiting pipeline and road crossings.
 - b) Avoid running pipelines and access roads within floodplains or parallel to a stream channel.
 - c) 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.
 - d) 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.
3. Concerns regarding the quality of the discharged CBM water on downstream irrigation use may require operators to increase the amount of storage of CBM water during the irrigation months and allow more surface discharge during the non-irrigation months.
4. The operator will supply a copy of the complete approved SW-4, SW-3, or SW-CBNG permits to BLM as they are issued by WSEO for impoundments.
5. The operator will supply a copy of the complete approved Chapter 3 permit to construct associated with treatment facilities to BLM as they are issued by WDEQ.

C. 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 CBM discharges at concentrations exceeding detectable limits.

D. 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 sage grouse LEK's), 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 locate impoundments to avoid sagebrush shrublands, where practical.
6. Containment impoundments will be fenced to exclude wildlife and livestock. If they are not fenced, they will be designed and constructed to prevent entrapment and drowning.
7. 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.
8. 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.

E. Threatened, Endangered, or Sensitive Species

- Bald Eagle

1. The BLM will monitor all take of bald eagle habitat associated with the preferred alternative. The actual measurement of disturbed habitat is the responsibility of BLM but can be delegated to BLM' agent (consultant, contractor, etc.) A written summary will be provided to the USFWS' Wyoming Field Office semi-annually. The semi-annual report will include field survey reports for endangered, threatened, proposed and candidate species for all actions covered under the PRB FEIS and ROD. The semi-annual reports will include all actions completed up to 30 days prior to the reporting dates. The first report will be due 6 months after the signing of the ROD and on the anniversary date of the signing of the ROD. Reporting will continue for the life of the project.
2. The BLM will monitor all road-associated carcasses, jackrabbit sized and larger, along project (operator-maintained) roads.
3. 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. **Prairie dog colonies will be avoided wherever possible.**

- Mountain Plover

1. 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. 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.

F. Visual Resources

1. The Companies will mount lights at compressor stations and water treatment 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.

G. Noise

1. Noise mufflers will be installed on the exhaust of compressor engines to reduce the exhaust noise.
2. Where noise impacts to existing sensitive receptors are an issue, noise levels will be required to be no greater than 55 decibels measured at a distance of one-quarter mile from the appropriate booster (field) compressor. When background noise exceeds 55dBA, noise levels will be no greater than 5dBA above background. This may require the installation of electrical compressor motors at these locations.

H. 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

1. The operator is committed to all pertinent plans, mitigation, and Conditions of Approval contained in the Environmental Assessment WY-070-06-246.
2. All changes made at the January 3, 2007 onsite will be followed. They have all been incorporated into the operator's plan of development.

CGUB Well #s	Coal Gulch Unit Beta Changes made Jan. 3, 2007
11-4BG	This well will remain as it is staked. A more suitable location was not found for the well and the operator indicated that it would provide access to a well to be submitted in the future through an area avoiding dense sage brush.

CGUB Well #s	Coal Gulch Unit Beta Changes made Jan. 3, 2007
21-4BG	This well and stock tank were moved east just off the existing access as BLM recommended.
23-4BG	This well and stock tank were moved to the 22-4 location just off the existing access as BLM recommended.
11-5BG	The access to this well was re-routed from the CGU Fee 14-32BG due south to the 11-5 location following the toe of slope and avoiding dense sagebrush. The well site remains as staked with a constructed pad required.
21-5BG	This well will remain as it is staked but the proposed stock tank will be moved to the well site. A more suitable location was not found for the well.
23-5BG	This well was moved east to the existing access at the 33-5 location as per BLM recommendation. A constructed pad is required. COA to be included that limits access with corridor width to 35 feet as agreed to by the operator during the onsite.
32-5BG	This well was moved SE to the existing access as per BLM recommendation. 300' of the access at the well site will require upgrade to repair an erosion feature caused by the existing road. A 300' diameter turnaround will be required at this site but a COA "no mowing of the turn around area" will be applied.
23-6BG	This well remains withdrawn by the operator due to a sage grouse CSU. The operator expressed that CBNG drainage is not an issue since they own the surrounding leases.
31-6BG	This well was moved west to the 11-6 location just off the existing access as per BLM recommendation. A slot is required and the fence will need to be temporarily removed.
32-6BG	This well was moved NE just off existing access as per BLM recommendation. A pad will be required which will serve as a pullout for truck traffic. All of the designed access to the original 32-6 location, Road H-1, was constructed and will be reclaimed with the exception of 20 feet adjacent to the Road B-1 which will serve as a pullout for truck traffic.
12-9BG	This well and utility corridor located in NENE and SENE of section 8 T50R78 were withdrawn by the operator. The well as it is staked is within 1/4 mile and line of sight of a raptor nest. The well can not be moved toward the existing access because there is not enough room for the rig, pits, and equipment. The operator expressed that CBNG drainage at this location is not a concern since they own the surrounding leases.
14-9BG	This well will be moved to the 24-9 location at the existing access as per BLM recommendation. The access will be upgraded to a template road. A constructed pad is required with erosion prevention measures due to slope. The fence will need to be temporarily removed. Road 14-9 will be removed from the road designs and line diagram.
21-9BG	The operator moved the well west to a location over fee minerals/surface and will be withdrawn from the federal action. The new location does reduce the length of new access to be built through sagebrush.
13-31G	This well will remain as it is staked. A more suitable location was not found for the well. The access will be upgraded to a template road.
14-31G	This well will remain as it is staked. A more suitable location was not found for the well. The access will be upgraded to a template road.

CGUB Well #s	Coal Gulch Unit Beta Changes made Jan. 3, 2007
34-32G	The well was moved east to the 44-32 location as the operator recommended. This is a reclaimed conventional well location just off the existing access. The 2-track road will be signed closed at this well site.
Res. 31-1, Outfall 004 & pipeline	The water line to the 31-1 reservoir will be re-routed to the impoundment from the State 41-32-5178 well location. Outfall 004 will be relocated to the west side of the impoundment.

3. The following conditions will minimize the impacts to raptors:
 - a. No surface disturbing activity shall occur within ½ 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	Sec.	Affected Wells and Infrastructure
50/78	4	Wells: None Impoundments: None ALL project related activities within the SWSW of this section.
50/78	8	Wells: None Impoundments: None ALL project related activities within the E½ of the NE ¼ of this section.
50/78	9	Wells: 23-9-5078 and 24-9-5078 ALL project related activities within this ENTIRE section.
51/78	31	Wells: None Impoundments: Res 31-1 The proposed outfall and water pipeline within this section.

- 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 ½ mile timing buffer will be implemented. The timing buffer restricts surface disturbing activities within ½ mile of occupied raptor nests from February 1 to July 31.
- b. Nest productivity checks shall be completed for the first five years following project completion. 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 nest(s):

BLM ID#	SPECIES	UTM	LEGAL LOCATION	SUBSTRATE	CONDITION
2648	Golden eagle	397113E 4912610N	SESW Sec. 30 T51N, R78W	Cliff	Good
2237	Unknown	400083E 4908730N	NENW Sec. 9, T50N, R78W	Cottonwood, dead	Fair
2236	Golden eagle	399909E 4908456N	SWNW Sec. 9, T50N, R78W	Cottonwood, live	Good
2652	Long-eared owl	396382E 4912678N	SESE Sec. 25, T51N, R79W	Juniper	Good

None	Red-tailed hawk	398852E 4908310N	NWSE Sec. 8, T50N, R78W	Cottonwood, live	Good
None	Burrowing owl	399656E 4911401N	NWSW Sec. 33, T51N, R78W	Ground burrow	Good
None	Long-eared owl	396903E 4912314N	NENW Sec. 31, T51N, R78W	Juniper, live	Good

- c. 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.
 - d. Well metering, maintenance and other site visits within 0.5 miles of raptor nests shall be minimized as much as possible during the breeding season (February 1 – July 31), and restricted to between 0900 and 1500 hours.
4. No surface disturbing activity shall occur within 0.25 miles of all identified prairie dog towns from April 15 – 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 following prairie dog town(s):

Location	Size in acres	Status
Central Sec. 30, T51N, R78W	1.64	Active
NESE Sec. 30 & NWSW Sec. 29 T51N, R78W	3.9	Active
SSE Sec. 30 & NNE Sec. 31 T51N, R78W	43.3	Active
SSE Sec. 29, NENE Sec. 32, & NWSW Sec. 33 T51N, R78W	108.3	Active
NE Sec. 5 T50N, R78W	17.8	Active

This timing limitation will affect the following:

Township/Range	Sec.	Affected Wells and Infrastructure
51/78	32	Wells: 41-32-5178BG and 43-32-5178BG ALL proposed road / pipeline corridors within the NE ¼ of this section.

5. The following conditions will minimize the impacts to sage-grouse:
- a. No surface disturbing activities are permitted within 2 miles of a sage grouse lek between March 1 and June 15, prior to completion of a greater sage grouse lek survey. This condition will be implemented on an annual basis for the duration of surface disturbing activities. This timing limitation will affect ALL project related activities within the ENTIRE project area.
 - b. If an active lek is identified during the survey, the 2 mile timing restriction (March 1-June 15) 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 2 mile buffer until the following breeding season (March 1). The required sage grouse survey will be conducted by a biologist following the most current WGFD protocol. All survey results shall be submitted in writing to a Buffalo BLM biologist and approved prior to surface disturbing activities.

- c. Creation of raptor hunting perches will be avoided within 0.5-mile of documented sage grouse lek sites. Perch inhibitors will be installed to deter avian predators from preying on sage grouse.
 - d. Well metering, maintenance and other site visits within 0.5 miles of documented sage grouse lek sites shall be minimized as much as possible during the breeding season (March 1– June 15), and restricted to between 0900 and 1500 hours.
6. The following conditions will minimize impacts to sharp-tail-grouse:
- a. A survey is required for sharp-tailed grouse between April 1 and May 7, annually, within the project area for the life of the project and results shall be submitted to a BLM biologist.
 - 1.) If an active lek is identified during the survey, the 0.64 mile timing restriction (March 1- June 15) will be applied and surface disturbing activities will not be permitted until after the nesting season. 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.
 - 2.) 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).
 - 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 grouse.
7. The following conditions will minimize the impacts to mountain plovers:
- a. A mountain plover nesting survey is required, annually, in suitable habitat prior to commencement of surface disturbing activities in the following areas:

Location	Size in acres	Status
SSE Sec. 29, NENE Sec. 32, & NWSW Sec. 33 T51N, R78W	108.3	Active
NE Sec. 5 T50N, R78W	17.8	Active

No surface disturbing activities are permitted in the suitable habitat area listed above as well as a ¼ mile buffer surrounding these prairie dog towns, from March 15-July 31, unless a mountain plover nesting survey has been conducted during the current breeding season. This timing limitation applies to the following:

Township/Range	Section	Affected Wells and Infrastructure
51/78	32	Wells: 41-32-5178BG and 43-32-5178BG ALL proposed road / pipeline corridors within the NE ¼ of this section.

- 1.) Mountain plover nesting surveys shall be conducted by a biologist following the most current U.S. Fish and Wildlife Service Mountain Plover Survey Guidelines (the survey period is May 1-June 15). All survey results must be submitted in writing to the BFO and approved prior to initiation of surface disturbing activities.
 - 2.) If a mountain plover is identified, then a seasonal disturbance-free buffer of ¼ mile shall be maintained between March 15 and July 31. If no mountain plovers are identified, then surface disturbing activities may be permitted within suitable habitat until the following breeding season (March 15).
- b. No dogs will be permitted at work sites to reduce the potential for harassment of mountain plovers.
 - c. A disturbance-free buffer zone of 0.25 mile will be established around all mountain plover nesting locations between March 15 and July 31.

- d. 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.
 - e. Reclamation of areas of previously suitable mountain plover habitat will include the seeding of vegetation to produce suitable habitat for mountain plover.
8. The operator will maintain drilling operations within a 150 foot by 150 foot work area for those locations where a constructed pad is not approved as designed including the following well locations: 11-4BG, 21-4BG, 22-4BG, 21-5BG, 32-5BG, 11-6BG, 13-31BG, 14-31BG and 44-32BG.
 9. Segregated top soil will be redistributed once the instillation of gas, water and electrical utilities is complete at the well head for the following well locations: 11-4BG, 21-4BG, 22-4BG, 21-5BG, 32-5BG, 11-6BG, 13-31BG, 14-31BG and 44-32BG.
 10. Reserve pits containing frozen fluids will not be closed. See section K. "Operations/Maintenance", COA #10 of the Conditions of Approval document for further clarification.
 11. Top soil will be segregated for all excavation including the entire disturbance area for constructed pads and excavated areas for rig slots, reserve pits, constructed roads, spot upgrades, reservoir upgrades, outfalls and utility trenches. Segregation will not be required for trenches installed with wheel trenchers.
 12. Construction of 2-track access/utility corridor within the POD will minimize impact to sagebrush by minimizing road width, mowing and wheel trenching as noted in the Master Surface Use Plan (pages 3 & 4), except where engineered segments or upgrades are noted in the Line Diagram Plan and project maps. This includes access to the following wells: 11-4BG, 21-4BG, 22-4BG, 21-5BG, 32-5BG, 33-5BG, 13-31 and 44-32BG (Roads A, C, D, E, F, 11-4 and 14-31).
 13. Total disturbance will be contained within a 35 foot width for 2-track access with utility corridor associated with "Road D" beginning at the start of "Road E" to the following wells: 32-5BG and 33-5BG. Stabilization of an existing erosion feature immediately upslope from the 32-5BG location will allow for disturbance to exceed the 35 feet as indicated in the "Road D" design.
 14. The operator will follow the guidance provided in the Wyoming Policy on Reclamation (IM WY-90-231) specifically the following:
 - Reclamation Standards:
 1. 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.
 2. 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.
 3. 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.
4. 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.
15. Those proposed disturbance areas mentioned below have fragile soils and erosive conditions that shall be stabilized in a manner which eliminates erosion until a self-perpetuating non-weed native plant community has stabilized the site. Stabilization efforts shall be finished within 30 days of the completion of construction activities.
 - Well site(s): 24-9BG and 14-31BG
 - Road / Pipeline segments associated with well(s): 24-9BG
16. Provide 4” of aggregate where grades exceed 8%.
17. 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 waterbars shall be placed according to the following spacing:

Grade	Drainage Spacing
2-4%	310 ft
5-8%	260 ft
9-12%	200 ft
12-16%	150 ft
18. The operator is responsible for having the licensed professional engineer(s) certify that the actual construction of the road meets the design criteria and is constructed to Bureau standards.
19. All stock water tanks will be installed with a rock apron of 4 inch aggregate surrounding the tank and extending a minimum of 8 feet out from the tank.
20. 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 Coal Gulch Unit Beta POD is Carlsbad Canyon, 2.5Y 6/2.
21. 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 losses. 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. The operator will follow the seed mix specified under site specific COA #21 for the Coal Gulch Unit Beat POD. On BLM surface within T50N/R78W, section 6, the following may be used in lieu of the seed mix approved for Coal Gulch Unit Beta:

Seed Mix – Section 6-T50N/R78W – Coal Gulch Unit Beta

<u>Sandy Soil</u>	<u>pls lbs/ac</u>
Western Wheatgrass	2
Prairie sandreed	4
Indian Ricegrass	4

Slender Wheatgrass	2
*White Prairie Clover	1
*Yellow Prairie coneflower	.25
**Western Yarrow	.015
*Falcata Alfalfa	.5
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	13.765

Clayey/Loamy Soils	pils lbs/ac
Western Wheatgrass	3
Green Needle	2
Slender	4
Thickspike Wheatgrass	4
*Purple Prairie Clover	1
*Maple Grove Native Flax	.15
*Yellow Prairie coneflower	.25
*Winter Fat	.1
**Western Yarrow	.015
*Falcata Alfalfa	.5
	<hr/>
	15.015

*forbs/shrub species to be sacked separately from grass mix

**Western Yarrow to be sacked separately for ease of handling

22. Please contact Jim Verplancke, Natural Resource Specialist, @ (307) 684-1057 Bureau of Land Management, Buffalo, if there are any questions concerning these surface use COAs.

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. 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.
 5. 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.
 6. Wildlife species are dynamic and new individuals may have moved into the Coal Gulch Unit Beta 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 Lance Oil & Gas Company, Inc. representative will coordinate with the BLM to discuss required surveys.
 7. All other conservation measures and terms and conditions identified in the Powder River Basin Oil and Gas Project Biological Opinion (WY6633) shall be complied with.
 8. 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.
 9. 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 Jim Verplancke @ 307-684-1057 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:

2-4%	310 ft
5-8%	260 ft
9-12%	200 ft
12-16%	150 ft

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.