

**UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Buffalo Field Office
Buffalo, Wyoming
EA #WY-070-08-066
SURFACE USE
CONDITIONS OF APPROVAL**

POD Name: Ford Ranch II

Operator: Storm Cat Energy Corp.

List of Wells:

	Well Name	Well #	Qtr	Sec	Twp	Rng	Lease #
1	FORD RANCH II FORD RANCH	13CW-30	SWSW	30	58N	75W	WYW133306
2	FORD RANCH II FEDERAL	09CW-32	NESE	32	58N	75W	WYW146822
3	FORD RANCH II FEDERAL	13CW-32	SWSW	32	58N	75W	WYW133306
4	FORD RANCH II FEDERAL	14CW-32	SESW	32	58N	75W	WYW146822
5	FORD RANCH II FEDERAL	15CW-32	SWSE	32	58N	75W	WYW146822
6	FORD RANCH II FORD RANCH	01CW-32	NENE	32	58N	75W	WYW146822
7	FORD RANCH II FORD RANCH	02CW-32	NWNE	32	58N	75W	WYW146822
8	FORD RANCH II FEDERAL	02CW-33	NWNE	33	58N	75W	WYW146822
9	FORD RANCH II FEDERAL	03CW-33	NENW	33	58N	75W	WYW146822
10	FORD RANCH II FEDERAL	09CW-33	NESE	33	58N	75W	WYW146822
11	FORD RANCH II FEDERAL	11CW-33	NESW	33	58N	75W	WYW146822
12	FORD RANCH II FEDERAL	15CW-33	SWSE	33	58N	75W	WYW146822
13	FORD RANCH II FORD RANCH	01CW-33	NENE	33	58N	75W	WYW146822
14	FORD RANCH II FORD RANCH	05CW-33	SWNW	33	58N	75W	WYW146822
15	FORD RANCH II FORD RANCH	13CW-33	SWSW	33	58N	75W	WYW146822
16	FORD RANCH II FEDERAL	05CW-34	SWNW	34	58N	75W	WYW146822
17	FORD RANCH II FEDERAL	07CW-34	SWNE	34	58N	75W	WYW146822
18	FORD RANCH II FEDERAL	09CW-34	NESE	34	58N	75W	WYW146822
19	FORD RANCH II FEDERAL	12CW-34	NWSW	34	58N	75W	WYW146822
20	FORD RANCH II FEDERAL	15CW-34	SWSE	34	58N	75W	WYW146822
21	FORD RANCH II FORD RANCH	01CW-34	NENE	34	58N	75W	WYW146822
22	FORD RANCH II FORD RANCH	03CW-34	NENW	34	58N	75W	WYW146822
23	FORD RANCH II FORD RANCH	11CW-34	NESW	34	58N	75W	WYW146822

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.

Groundwater

1. In order to address the potential impacts from infiltration on shallow ground water, the Wyoming

DEQ has developed and revised a guidance document, "Compliance Monitoring and siting Requirements for Unlined Impoundments Containing Coalbed Methane Produced Water" (September, 2006) which can be accessed on their website. For all WYPDES permits the BLM will require that operators comply with the latest DEQ standards and monitoring guidance.

Surface Water

2. 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. Drainages will be crossed perpendicular to flow, where possible, and all drainage 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.
3. 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

2. 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. Power line corridors will avoid wetlands, to the extent possible, in order to reduce the chance of waterfowl hitting the lines. Where avoidance can't occur, the minimum number of poles necessary to cross the area will be used.
2. 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.
3. No waste material will be deposited below high water lines in riparian areas, flood plains, or in natural drainage ways.
4. The lower edge of soil or other material stockpiles will be located outside the active floodplain.
5. Disturbed channels will be re-shaped to their approximate original configuration or stable geomorphological configuration and properly stabilized.
6. 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. 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. Surveys for active bald eagle nests and winter roost sites will be conducted within suitable habitat by a BLM biologist. Surface disturbing activities will not be permitted within one mile of suitable habitat prior to survey completion.
2. 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).
3. 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.
4. Within 1 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).
5. 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.
2. 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.
3. 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 disturbance-free buffer zone of 0.25 mile will be established around all occupied mountain plover nesting habitat between March 15 and July 31.

2. 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.
3. 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.
4. Where possible, roads will be located outside of plover nesting 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. If suitable habitat for Ute ladies'-tresses cannot be avoided, surveys will be conducted in compliance with USFWS standards (USFWS 1995) by a BLM approved biologist or botanist. Surveys can only be conducted between July 20 and August 31.
3. Moist soils near wetlands, streams, lakes, or springs in the project area will be promptly re-vegetated if construction activities impact the vegetation in these areas. Re-vegetation will be designed to avoid the establishment of noxious weeds.
4. Companies operating in areas identified with weed infestations or suitable Ute ladies'- tresses orchid habitat will be required to submit an integrated pest management plan prior to APD approval. Mitigation will be determined on a site-specific basis and may include such measures as spraying herbicides prior to entering areas and washing vehicles before leaving infested areas. Infestation areas of noxious weeds have been identified through the county Weed and Pest Districts and are available at the Buffalo BLM office.

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.

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 mitigation measures

All changes made at the onsite will be followed. They have all been incorporated into the operator's POD.

General

1. Redistribute topsoil *immediately*, after dirt work is complete.

Surface Use

1. Wells 13-30, 2-32, 14-32, 2-33- maintain 20', undisturbed, vegetative buffer near drainage. Keep fill out of drainage.
2. Line pit at well 2-33.
3. Well 11-33- keep dirt on north side of access road.
4. Well slot 5-34, control runoff from slot pad.
5. For those proposed disturbance areas identified below, there are lands with limited reclamation potential that shall be stabilized in a manner which eliminates accelerated erosion until a self – perpetuating, non-native plant community has stabilized the site in accordance with the Wyoming Reclamation Policy. Stabilization efforts shall be finished within 30 days of the initiation of construction activities.
 - Road & Pipeline corridor in Section 32 due to steep topography and close to a drainage.
6. River crossing in Section 31, which is covered by a CORP of Engineer Nation Wide Permit, will be maintained to provide safety and protect resource values.
7. 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 Ford Ranch POD II is Covert Green 18-0617 TPX.
8. The approval of this project does not grant authority to use off lease federal lands. 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 right-of-way grant is signed by the BLM authorized officer.
9. 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. On BLM surface or in lieu of a different specific seed mix desired by the surface owner, use the following:

SEED MIXES:

Loamy and Clayey Ecological Sites: Use for wells and infrastructure for the following locations: 13-19, 3-30, 5-30, 13-30, 1-32, 2-32, 9-32, 1-33, 3-33, 5-33 and 9-33.

Species - Cultivar	% in Mix	Lbs PLS*
Thickspike Wheatgrass – <i>Critana</i> OR Western Wheatgrass – <i>Rosana</i> Slender Wheatgrass- Pryor	25	3.0
Bluebunch Wheatgrass – <i>Secar or P-7</i>	15	2.1
Green needlegrass - <i>Lodorm</i>	25	3.0
American vetch, Rocky Mountain beeplant (<i>Cleome serrulata</i>) OR Cicer Milkvetch - <i>Lutana</i>	10	1.4
White – <i>Antelope</i> or Purple Prairie Clover - <i>Bismarck</i>	5	0.3
Lewis - <i>Appar</i> , Blue, or Scarlet flax	5	0.4
Winterfat – <i>Open Range</i> OR Prairie coneflower (<i>Ratibida columnifera</i>) Fourwing saltbush - <i>Wytana</i>	2.5	0.4
	2.5	0.4
Totals	100%	12.4 lbs/acre

Sandy Ecological Site: For corridors & wells for 15-32, 3-34 and 7-34

Species - Cultivar	% in Mix	Lbs PLS*
Thickspike Wheatgrass – <i>Critana</i> OR Western Wheatgrass - <i>Rosana</i>	20	1.2
Prairie sandreed – <i>Goshen</i>	30	1.2
Indian ricegrass – <i>Paloma or Rimrock</i>	20	1.2
Needleandthread	15	.90
American vetch OR Cicer Milkvetch - <i>Lutana</i>	10	.70
Lewis - <i>Appar</i> , Blue, or Scarlet flax	5	.20
Totals	100%	5.4 lbs/acre

Ponderosa Pine/Little Bluestem Ecological Site: Use this seed mix for all other wells and infrastructures.

Species	% in Mix	Lbs PLS*
<i>Needleandthread</i> (Hesperostipa comata ssp. Comata) Or <i>Indian ricegrass</i> (Achnatherum hymenoides)	10	1.2
<i>Bluebunch Wheatgrass</i> (Pseudoroegneria spicata ssp. Spicata)	25	3.0
<i>Sideoats grama</i> (Bouteloua curtipendula)	20	2.4
<i>Thickspike Wheatgrass</i> (Elymus lanceolatus ssp. lanceolatus)	30	3.6
<i>Prairie coneflower</i> (Ratibida columnifera)	5	0.6
<i>White or purple prairie clover</i> (Dalea candidum, purpureum)	5	0.6
<i>American vetch</i> (Vicia Americana)	5	0.6
Totals	100%	12 lbs/acre

This is a recommended seed mix based on the native plant species listed in the NRCS Ecological Site descriptions, U.W. College of Ag. and seed market availability.

Low Land Ecological Site (for corridor crossing the Powder River, connecting the POD): use a pasture mix desired by landowner.

Wildlife Protective Measures

1. **The following conditions will minimize impacts to roosting and nesting bald eagles;**

- a. No project related actions shall occur within one mile of bald eagle habitat (one mile radius of the Powder River) annually from November 1 through April 1 (CM9), prior to a winter roost survey or from February 1 through August 15 (CM8) prior to a nesting survey. This affects the following wells and infrastructure:

Township/Range	Section	Wells and Infrastructure
58/75	20	All proposed subsurface drip irrigation facilities within the Entire section.
58/75	30	Well(s): and 13CW-30 ALL proposed road/corridor installation and staging area(s) and stock tank(s) within the Entire section.
58/75	31	ALL proposed road/corridor installation and staging area(s) within the East ½ of this section
58/75	32	Wells(s): 02CW-32, 13CW-32, 14CW-32 and 15CW-32 ALL proposed road/corridor installation and staging area(s) and stock tank(s) within the SW, SWSE, NWSE, NWSESE, NWNE, NWNENE of this section.

- b. If a roost is identified and construction has not been completed, a year-round disturbance-free buffer zone of 0.5 mile will be established for all bald eagle winter roost sites (November 1 -

- April 1). Additional measures such as remote monitoring and restricting maintenance visitation to between 9:00 AM and 3:00 PM may be necessary to prevent disturbance.
- c. If a nest is identified and construction has not been completed, a disturbance-free buffer zone of 0.5 mile (i.e., no surface occupancy) would be established year round for all bald eagle nests. A seasonal minimum disturbance buffer zone of 1 mile will be established for all bald eagle nest sites (February 1 - August 15).
 - d. Additional mitigation measures may be necessary if the site-specific project is determined by a Bureau biologist to have an adverse affect to bald eagles or their habitat.
2. Burrowing owl nest surveys will be completed annually by a biologist following BLM protocol April 15 to June 15 each year for the duration of surface disturbing activities within the three identified prairie dog towns. If a survey identifies an active burrowing owl nests, a 0.25 mile timing buffer will be implemented April 15 through August 31, annually for surface disturbing activities. Survey results will be submitted to a Buffalo BLM biologist in writing no later than July 31 of each survey year.
 3. The following conditions will minimize impacts to raptors;
 - a. No surface disturbing activities shall occur within ½ mile of all identified nests from February 1 through July 31, annually, prior to a raptor nest occupancy survey for the current breeding season. This affects the following;

Township/Range	Section	Wells and Infrastructure
58/75	20	All proposed subsurface drip irrigation facilities within the Entire section.
58/75	30	Well(s): 03CW-30, 11CW-30 and 13CW-30 ALL proposed road/corridor installation and staging area(s) and stock tank(s) within the Entire section except the NENW, NWNW and SWNW.
58/75	31	ALL proposed road/corridor installation within the: NE, NNWSE, NNESE
58/75	32	Wells(s): 13CW-32 ALL proposed road/corridor installation within the: SWSWSW

- b. 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. 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.
- c. Nest productivity checks shall be completed for all raptor nests within the Ford Ranch II POD listed in table the table below. The occupancy checks shall be completed for the first five years following project completion. The occupancy checks shall be conducted no earlier than June 1 or later than June 30 and any evidence of nesting success/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.

BLM ID	LEGAL LOCATION	UTM (NAD 83)	Species	2006 Activity	2007 Activity
3374	SENE sec. 6, T57N/R75W	428246E/4864633N	Buteo/ GHOW	Inactive	Inactive
4278	SWSE sec. 36, T58N/R75W	428421E/4983414N	RTHA	Active	Active
4280	NENE sec. 20,	429030E/4983121N	UNK	Inactive	Inactive

BLM ID	LEGAL LOCATION	UTM (NAD 83)	Species	2006 Activity	2007 Activity
	T58N/R75W				
4281	NWSW sec. 6, T58N/R75W	427804E/4982751N	UNK	Inactive	Inactive
4282	SENE sec.20, T57N/R75W	427246E/4978423N	RTHA	Active	Active, 2 chicks
4880	NWNW sec.21 T58N/R75W	429161E/4983188N	UNK	NA	Inactive
4881	SWNW sec.29, T58N/R75W	427585E/4981706N	RTHA	NA	Active, 3 chicks
4882	SESW sec.31, T58N/R75W	426423E/4979146N	UNK	NA	Active, 2 chicks
3373	SWSW sec. 33, T58N/R75W	428630E/4864039N	UNK	Inactive	Inactive
New	SWNE sec. 30, T58N/R75W	427021E/4981489N	PRFA	NA	Active, 2+ chicks
New	SESW sec. 30, T58N/R75W	426507E/4980543N	UNK	NA	Inactive
New	NWNE sec. 31, T58N/R75W	427011E/4980347N	RTHA	NA	Active, 2 chicks

4. The following conditions will minimize impacts to sage-grouse:
 - a. Surveys for sage-grouse are required each year for the duration of the surface disturbing activities.
 - 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.

5. The following conditions will minimize impacts to sharp-tail-grouse:
 - a. Surveys for sharp-tailed grouse are required each year for the duration of the surface disturbing activities.
 - b. 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. 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.
 - c. 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.

6. Sturgeon Chub
 - a. Surface occupancy of use within the river channel/riparian corridor of the Powder River located SW section 31, T58N/R75W will be restricted or prohibited in order to protect sturgeon chub habitat.

Cultural

Archeological Monitoring Stipulation:

1. All earth moving activity in the following areas will be monitored by an archeologist who meets or exceeds the qualification standards recommended by the Secretary of the Interior. The Bureau has identified these areas as containing the potential for buried cultural deposits (areas containing deep alluvial deposits).
 - a. All earth moving activities associated with construction of the buried utility corridor and access road servicing the wells in T58N R75W Sections 30 and 31 that cross the Powder River and that are in the alluvial deposits in the river floodplain. (The Section 31 segment commences at the County Road heading west then crossing the Powder River and heading north to the proposed staging area in section 30. The Section 30 segment commences at the terminus of a utility corridor and water well on the west side of the middle agricultural field in the Ford Ranch Phase I POD and heads west, crossing the Powder River, ending at the same proposed staging area of the section 31 corridor.)
 - b. All earth moving activities within alluvial deposits of the Powder River in T58R75 Sections 20, 29, 30, 31, and 32, and T57R75 section 6 that pertain to the SDI development. The determination of the exact monitoring areas is based on the discretion of the archeological monitor, although, all alluvial deposits within the floodplain must be monitored.
2. The archeologist shall notify the BLM, Buffalo Field Office of date they intend to inspect the aforementioned areas, no less than three days in advance. The Bureau will require the submission of two copies of a monitoring report within 30 days of the completion of work.
3. In the event previously unidentified archaeological materials are identified within the project area the standard stipulations apply for documentation of archaeological deposits.

Water Management

Eight existing springs within ½ mile of the proposed development in Ford Ranch and Ford Ranch II PODs have been inventoried. Initial flow rates were measured, and a water quality sample was collected, where possible, to be analyzed for the same list of constituents required by WDEQ's NPDES general permit application. The eight springs will be re-sampled every spring and fall to monitor any changes in the quantity or quality as a result of CBNG development.

Please contact Dan Sellers Natural Resource Specialist, @ (307) 684-1132, 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. 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 Ford Ranch II 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 Storm Cat Energy Corporation 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 Dan Sellers @ 307-684-1132, 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 back-slope no steeper than 1½:1, and construct the fore-slope 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
 - Re-vegetation 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 re-vegetated (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 back-slope. 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 back-slope to 2:1 and the fore-slope to 3:1, unless otherwise directed by the BLM Authorized Officer. Reduce slopes by pulling fill material up from fore-slope 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 supersede 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.