

Chapter 5.0 – Mitigation and Monitoring

INTRODUCTION

Effects of the action alternatives on individual resources, as presented in Chapter 4.0, are estimated based on the assumption that all design features presented in Chapter 2.0 would be implemented. Where potential moderate to significant impacts to resources are identified in Chapter 4.0, or where additional best practices should be implemented, additional mitigation measures were identified that would help to further minimize impacts. These measures are summarized in this chapter. In some cases, measures identified to minimize impacts to one resource would also benefit another resource.

Each of the action alternatives includes a variety of commitments intended to avoid, minimize, or mitigate potential effects of the alternative (See Chapter 2.0, Design Features/Environmental Protection Measures). The following measures are recommended to supplement these commitments by addressing specific effects that the original commitments do not address, and by defining applicable mitigation monitoring requirements.

Because the development may not occur exactly as portrayed in this document, it would be important to monitor effects as development progresses over time. It would also be important to assess the effectiveness of the mitigation measures adopted.

OTR Corp shall coordinate with the BLM to compensate and mitigate adverse impacts on federal and state lands. OTR Corp would be responsible for funding and monitoring at the project level in coordination with the designated BLM representative. Monitoring would occur during all phases of the project and may require the use of an independent contractor. Monitoring typically begins during project planning as a component of the permitting process. Environmental monitors shall be approved by the BLM to meet qualifications for the scope of work they are designated to perform. Environmental monitors shall report directly to the BLM and would provide regular reports (as determined by the BLM) on construction activities, including any noncompliance issues and their resolution. The Environmental Compliance Representative (or their staff) would have authority to halt all activities that are in violation of project permits or that are causing unanticipated substantive environmental impacts. Mitigation measures shall be implemented during construction and operations until impacts are no longer apparent, as determined by the BLM Authorized Officer.

While the BLM cannot require the use of mitigation measures on private lands, individual landowners may elect to incorporate these mitigation measures as part of their use agreement with OTR Corp. OTR Corp shall provide written document regarding landowner rights, including the potential incorporation of BLM mitigation measures into use agreements.

Unless noted, the mitigation measures presented in this chapter would apply to all alternatives, except for No Action.

Project mitigation and monitoring requirements will be further detailed in a Mitigation, Monitoring, and Event Management Plan.

GENERAL

GENERAL-1: Construction crews and equipment operators would be trained to watch for and avoid disturbance to wildlife, vegetation, and other resources.

GENERAL-2: A restoration warranty or bonding and insurance analysis would be run to be sure any vegetation, soils, wildlife habitat, and other resources that are disrupted are returned to a pre-project condition or better. The warranty or bonding and insurance analysis would ensure that adequate time is given to successfully restore any areas impacted by the project, as vegetative restoration is often a multi-year effort.

GENERAL-3: A monitoring program will be developed to ensure that all environmental commitments are maintained and applicable environmental regulations are complied with. The program would be implemented internally by the BLM OTR Project Manager, with the assistance from the local office specialist, and funded by the project proponent. A third-party contractor may be hired, as necessary.

5.1. TERRESTRIAL WILDLIFE AND HABITAT

WILDLIFE-1: Install additional signage between MM 233.5 and 235.5 and between MM 241 and 242 to alert drivers to potential wildlife crossings. A few specific areas were described by NDIS (2006) as being particularly problematic, including a mule deer crossing area on the curve between MM 233.5 and 235.5 and a straight section of road between MM 241 and 242. There are also three locations where bighorn sheep have been hit. These areas would have additional signage on US 50 to mitigate for drivers, potentially distracted by the installation, event, or deconstruction, to be aware of these wildlife crossings.

WILDLIFE-2: All trash and recycling receptacles would be “bear-proof.” Trash and recycling receptacles would be such that they prohibit the entry by a bear or other wildlife species. Commercial trash cans and dumpsters are available from Colorado Correctional Industries or other sources, and have proven to be a deterrent to bear-trash conflicts. Informational signage about “Bear-Aware” practices would be erected by OTR, BLM, State Parks, and/or USFS at visitor centers, recreation sites, and camping areas to prevent human-bear interactions.

WILDLIFE-3: Restrict rail-side traffic to 10 to 20 mph at all times.

WILDLIFE-4: Construction on the north side of the river (rail side) would occur only during the period between 8:00 am and 5:00 pm to minimize disturbance to wildlife. These hours may be adjusted to account for seasonal variations and wildlife needs.

WILDLIFE-5: Train project monitors on the importance of limiting visitor activities in sensitive wildlife areas, including the importance of allowing bighorn sheep and other wildlife to reach the river at panel breaks. Project monitors would be instructed and trained to prevent climbing on canyon walls on either side for any reason.

WILDLIFE-6: Implement a bighorn sheep adaptive habitat enhancement project within the Project Area. Specific elements of the enhancement plan would be developed in conjunction with CDOW, BLM, and OTR, but it is expected that the plan would consider a range of measures, including treatments to reduce piñon-

juniper cover and establish more favorable upland habitats, provision of supplemental water sources, and other activities. This mitigation measure would not be applied to Alternative 4.

WILDLIFE-7: Restrict public access to the north side of the river in areas where bighorn sheep may be impacted, including the area between Texas Creek and Parkdale and at the County Line panel area. At a minimum, this restriction would be applied during a 6-week period extending from 2 weeks prior to the exhibition period and 2 weeks following the exhibition period.

WILDLIFE-8: A comprehensive monitoring program will be developed to document the response of bighorn sheep to construction activities on the north side of the river. The monitoring program will be developed through consultation between the BLM, CDNR, and OTR. An element of the program would be the involvement of a wildlife expert from BLM, CDOW, or a third-party, who would be on site during key portions of the project construction phase. In addition to observing bighorn response, the construction monitor would consult with all parties to evaluate the need for adjustments in construction methods, site-specific timing, and other aspects of project implementation, where such adjustments would reduce impacts and are feasible and practical. This mitigation measure would not be applied to Alternative 4.

5.2. AVIAN WILDLIFE AND HABITAT

AVIAN-1: No OTR activities would take place within 0.5 mile of the golden eagle nest at Vallie Bridge from December 15 through July 15. This mitigation measure would not be applied to Alternative 2.

5.3. AQUATIC WILDLIFE AND HABITAT

AQ-1: Minimize removal of riparian vegetation within 50 feet of the water's edge on both sides of the river.

AQ-2: If a storm event occurred during the exhibition phase and runoff from the panels caused alteration to aquatic habitat, the affected area would be restored to pre-storm conditions. Restoration could involve replacement of bottom substrate or stabilizing the channel or bank area.

Additional mitigation recommended for water resources (Section 5.10) and soils (Section 5.11) to reduce sediment levels in the river also would apply to minimizing sediment effects on aquatic species and their habitat. Specifically, these mitigation measures include Water 1, 2, 4, 5, and 6 and Soils 2, 3, 4, and 6.

5.4. WETLANDS, FLOODPLAINS, AND RIPARIAN HABITAT

WETLAND-1: Provide an environmental training program for all staff working on all phases of the project (including commercial licensed vendors); suggested training topics include:

- Effects of wetland, floodplain, riparian, and native vegetation trampling
- Cost of restoration
- Basic weed identification

- Weed seed transport and life cycle
- Effects of soil compaction – wet vs. dry conditions and foot traffic vs. vehicles
- Effects of human waste on plants and water quality
- Dust control

WETLAND-2: Provide environmental compliance auditing – conduct internally (BLM) or hire a third party to monitor environmental condition compliance and remedy condition violations as they occur.

WETLAND-3: Ensure that wetland, floodplain, and riparian habitat and native vegetation clearing occur only on the aboveground portions of the wetland, floodplain, and riparian habitat and native vegetation. Roots and soil would be allowed to remain intact where possible.

WETLAND-4: No trees would be removed; but where conflicts occur, a certified arborist would trim branches where necessary. Consultation with respective land managers would occur prior to the removal of any tree branches.

WETLAND-5: Reclaim any disturbed areas within the CDOT ROW, in accordance with CDOT standards and the CDPHE CDPS permit. The application of native seed mix and other reclamation techniques would need to be approved by CDOT prior to reclamation activities.

5.5. VEGETATION AND PLANT COMMUNITIES

All vegetation and plant community mitigation are described under Wetlands, Floodplains, and Riparian Habitat, Section 5.4.

5.6. NOXIOUS WEEDS AND INVASIVE SPECIES

In addition to the measures presented in Wetlands, Floodplains, and Riparian Habitat, Section 5.4, the following mitigation measures are recommended to minimize noxious weed impacts.

NOX-1: Begin weeds treatments prior to the commencement of installation and continue program through the completion of restoration maintenance.

5.7. RANGE RESOURCES

No mitigation measures were identified.

5.8. THREATENED, ENDANGERED, AND SENSITIVE SPECIES

No mitigation measures were identified.

5.9. ATMOSPHERE, AIR RESOURCES, AND AIR QUALITY

No mitigation measures were identified.

5.10. WATER RESOURCES

WATER-1: A qualified, impartial environmental monitoring staff would be designated and used to implement a formal site inspection program for BMPs used to prevent or control erosion and sedimentation, and to direct the modification or maintenance (as needed) of those BMPs. The program would include an agency-approved schedule of frequent periodic inspections to be conducted and documented regarding BMP implementations and maintenance during the course of the project. (Also pertains to Aquatic Wildlife.)

WATER-2: Off-road travel and off-road drilling activities would cease if 1 inch or more of rain occurs over a 2-day period, or if 0.25 inch or more of rain occurs during one day. Off-road travel and drilling activities would only resume when soils have dried sufficiently to avoid creating ruts deeper than 2 inches, excessive vehicle tracking and compaction, or when approval is obtained from the BLM, landowner, or qualified designated environmental monitoring staff. (Also pertains to Aquatic Wildlife.)

WATER-3: Overnight parking of mobile vehicles and equipment would not be conducted in locations identified in Section 4.10. Whenever possible, mobile vehicles and equipment would be parked overnight at a distance of 100 feet or more from the Arkansas River, flowing tributaries, and wetlands. For overnight parking, mobile vehicles and equipment would be moved to higher ground at a minimum of 6 feet above the existing water surface of the river, flowing tributary, or wetland, or to the elevation of the US 50 pavement or the UPRR tracks. Mobile fueling of vehicles and equipment shall be minimized; whenever practical, vehicles and equipment shall be transported to a designated, controlled fueling area. Fueling must be performed on level-grade areas. Nozzles used in vehicle and equipment fueling shall be equipped with an automatic shut-off to control drips. Fueling operations shall be constantly attended and observed. Drip pans or absorbent pads shall be used during vehicle and equipment fueling, unless the fueling is performed over an impermeable surface in a dedicated fueling area controlled by a berm or other containment feature. Absorbent spill cleanup materials and spill kits shall be in ample supply at any designated fueling areas and on fueling trucks, and shall be disposed of properly after use. Vehicles and equipment would be inspected daily for leaks, leaky fluid containers, damaged hoses, and leaky gaskets. Leaks shall be repaired immediately, or problem vehicles or equipment shall be removed from the work site and repaired at a distance of at least 100 feet from the river, flowing tributaries, or wetlands.

WATER-4: At any CSA location or other project facility, pits used for disposal of drilling fluids, cuttings, overburden, solvents, lubricants, or other fluids and materials would be lined to prevent seepage of the pit contents or collected water into the ground. Liner designs would be reviewed and approved in writing by appropriate county, state, and federal agencies; liners would subsequently be constructed accordingly. (Also pertains to Aquatic Wildlife.)

WATER-5: The proposed CSA at Texas Gulch near Texas Creek would be relocated outside the delineated FEMA floodplain and on land surfaces at higher elevations, away from the active alluvial fan/ephemeral drainage setting. The modified location would be reviewed and approved by county floodplain management officials. Federal, state, and local requirements shall be complied with for any

aboveground storage tanks or drums. Spill prevention, containment, and countermeasures shall be included in the Stormwater Pollution Prevention Plan if the volume of fuel in a single container or fueling truck exceeds 660 gallons, or if the total fuel storage volume exceeds 1,320 gallons. A contained wash area located at least 100 feet from drainage channels would be provided for washing vehicles and equipment. Steam or high-pressure water would be used for vehicle and equipment washing instead of thinners or solvents. After grit is removed, disposal of wash water and detergents would be done in accordance with local, state, and federal agency guidance. (Also pertains to Aquatic Wildlife.)

WATER-6: Anchoring adaptations and, as appropriate, associated temporary protective practices would be implemented where existing bank instabilities could threaten display integrity by significantly eroding under existing conditions or under future high flow conditions. If temporary bank stabilization practices are employed, they would be removed as part of the project removal phase or, if planned and installed with agency or landowner cooperation, they may be left in place and turned over to an agency or landowner according to written agreements. Any temporary or permanent stabilization practices or other disturbance within floodplains or jurisdictional Waters of the U.S. would be approved through county, state, and federal permit procedures (e.g., CWA Section 404 as described in Chapter 1, Table 1-1).

WATER-7: County floodplain management staff would review anchor elevations and anchor transition frame details in order to confirm their ability to provide adequate clearance of display structures under a major flood event. Anchor elevations and anchor transition frame details would be modified as necessary to accommodate the selected conditions, and would undergo a written review and approval process by appropriate county floodplain officials before construction begins. An emergency plan or action/contingency plan for high flood stage events would be developed and approved in writing by appropriate agencies before starting construction.

5.11. SOIL RESOURCES

SOIL-1: Excavated soil generated from drilling for anchor sites on the highway side would be collected and disposed of. The soil shall not be left loose on the surface due to erosion and sedimentation issues. Refer to Section 4.11 for guidance on excavated soil on the railroad side of the river. (Also pertains to Aquatic Wildlife.)

SOIL-2: Topsoil resources would be salvaged from sites that are heavily disturbed (i.e., staging areas/and newly constructed information areas). The topsoil pile would be protected from wind and water erosion at all times. Berms, hay bales, or sediment fence would be placed around topsoil piles to prevent water erosion. Topsoil would be replaced, after decompaction is complete, on disturbed areas that are returned to their pre-existing state following construction. (Also pertains to Aquatic Wildlife.)

SOIL-3: Rubber mats and treads would be used to minimize surface disturbance in sensitive locations. (Also pertains to Aquatic Wildlife.)

SOIL-4: Soil shall be returned to any excavated area in the order it was removed. This would ensure that the nutrient and biologically rich topsoil would stay at the surface. Excess subsoil/soft bedrock excavated for foundations beyond 14 inches in depth would be disposed of with construction debris. If a placer claim is in place, coordination with the claim owner is needed prior to initiating work to determine how the materials would be handled.

SOIL-5: Where safety (and slopes) allow, rubber tired or tracked equipment that must travel overland to drill anchors would travel perpendicular to the slope instead of parallel to the slope to discourage the creation of flow pathways to the river. (Also pertains to Aquatic Wildlife.)

5.12. GEOLOGIC SUBSTRATE AND TERRAIN

GEO-1: In conjunction with geotechnical investigations at each anchor site, include an assessment of local slope stability to minimize the potential of triggering a slope failure at those locations.

GEO-2: Proper patching would include thoroughly preparing the rock pocket to be grouted, including removal of loose rock fragments or other debris to result in a clean, intact rock surface to promote proper, long-term bonding of the grout to the natural rock. This would minimize the potential for “jacking” the grout plug out of the ground over time as a result of seasonal freeze-thaw activity.

GEO-3: OTR needs to determine if active mining claims are present in any of the work areas, including small and/or new claims not included in the BLM GIS referenced in Chapter 3.0. If work on active claims is required, OTR must contact the claimant to gain surface access, and negotiate legal site access and the associated terms of any agreement required by the claimant regarding disturbance to the mineral resource (including removal or covering of native materials) and/or mining operations (including interference with access and noise), and reclamation of disturbed areas. OTR also needs to determine if access or haulage impacts may occur to BLM mineral materials contract holders in the vicinity of the project. If impacts are possible, OTR must coordinate with the contract holders to avoid or minimize the impacts to the extent possible.

5.13. ENVIRONMENTAL JUSTICE/PROTECTION OF CHILDREN

No mitigation measures were identified.

5.14. SOCIOECONOMICS, SOCIAL IMPACTS

No mitigation measures were identified.

5.15. PUBLIC SAFETY

PHS-1: Recreation users on the river would be restricted from entering construction areas during cable stringing and removal to avoid potential injury until after the area has been deemed safe and passable.

5.16. TRANSPORTATION AND TRAFFIC

5.16.1 Alternative Specific Mitigation

5.16.1.1 Alternative 1a

a. Traffic Control Within the Project Corridor

A new 350-foot right turn acceleration lane and a 350-foot right turn deceleration lane on US 50 at the Harvey Bridge intersection would be provided along with temporary lane striping and/or delineation with standard traffic devices and appropriate signs.

5.16.1.2 Alternative 1d

a. Safety Precautions for School Children at Bus Stops During Exhibition

Safety precautions at school bus stops would be provided during the exhibition phase of Alternative 1d, as set forth by the school district in cooperation with CDOT and CSP.

5.16.2 Mitigation Common to All Action Alternatives

TRANS-1: U-turn Opportunity near Texas Creek. A new legal, CDOT approved, signed and flagger controlled u-turn opportunity would be provided within 1.0 mile of the Texas Creek parking lot entry. The facility would be located in a three-lane section, with the center lane being used as a left turn lane. Vehicles seeking a legal u-turn would enter the center lane and turn left across eastbound traffic into a turnaround area. A flagger would manage queues in the left turn lane and any resulting queues for eastbound motorists to shorten the stacking distance in the center/left turn lane. This u-turn opportunity would be designed to reduce illegal u-turns on residential streets, other roads, and pullouts immediately west of Texas Creek. This measure, in conjunction with VMS, would provide motorists an opportunity to make u-turns after driving past the Texas Creek panels, and especially if the Texas Creek parking area entry is closed (Figure 5-1).

TRANS-2: Traffic Control Beyond the Project Corridor During the Peak Period of the Peak Day During Exhibition. Temporary traffic control at the US 50/US 285 and US 50/SH 115 intersections would be provided during the exhibition phase on Saturday and Sunday between 10:00 am and 4:00 pm. Temporary adjustments to traffic signals in Cañon City and Salida may be needed to increase through movement efficiency during each signal phase during the exhibition phase on Saturday and Sunday between 10:00 am and 4:00 pm. Revised signal timing plans for all signalized intersections in Cañon City and Salida would be provided for CDOT review prior to the exhibition period.

TRANS-3: Traffic Monitoring. Actual traffic volumes would be monitored over a 6-week period: 2 weeks before, 2 weeks during, and 2 weeks after the exhibition. The monitoring program would report actual traffic counts relative to the EIS modeling and effects analysis results. The operations center shall have temporary travel demand monitors placed throughout the exhibit corridor to determine vehicle progression speeds and volume to capacity ratios for individual lanes. The operations center would be able to call out law enforcement and emergency response personnel to respond to identified problems and update VMS boards.

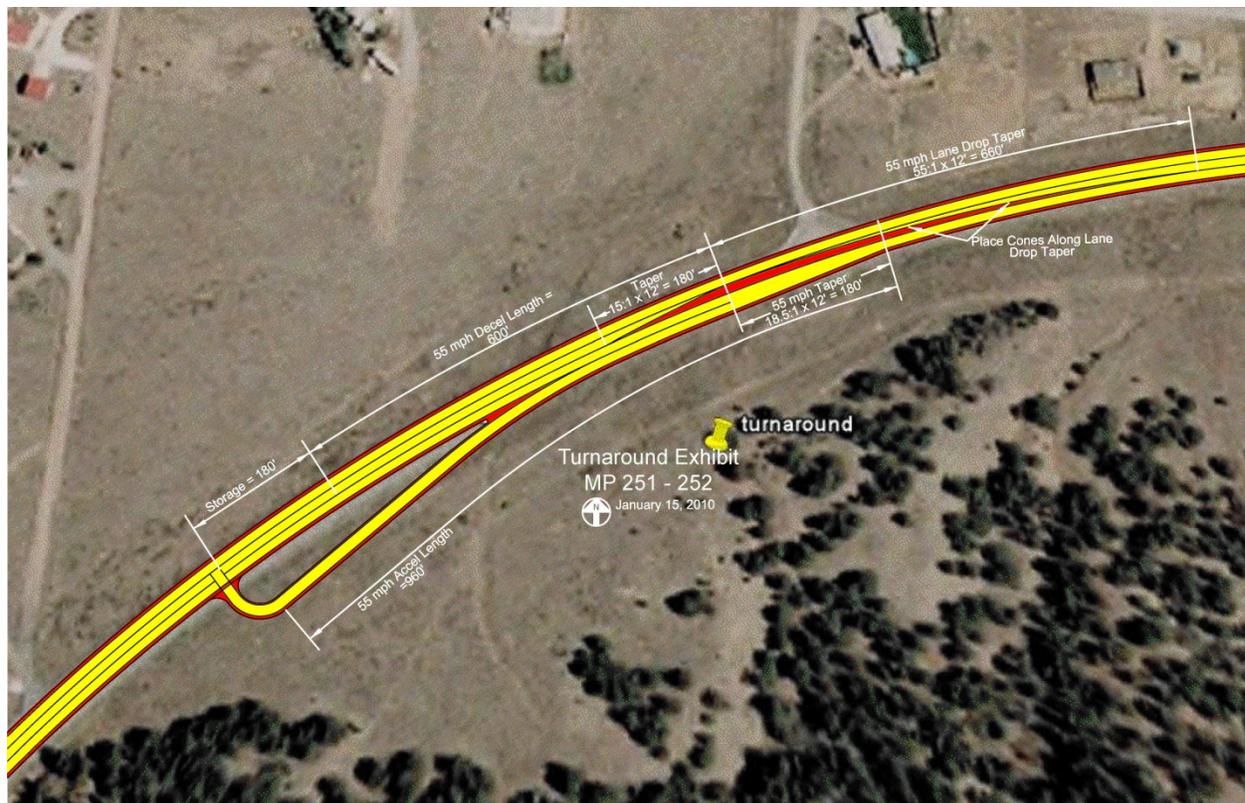


Figure 5-1. Turnaround Exhibit, MP 251-252

TRANS-4: Active management, policies, and protocol based on possible differences between actual and planned vehicle travel would be in place to allow for immediate decision making and deployment of traffic management techniques. This flexibility would respond to the potential for error in the visitation estimates and modeling results inherent in a special event of this kind.

TRANS-5: Transportation Demand Management. A Transportation Demand Management (TDM) plan would be created for the preferred alternative. The TDM plan would include measures to shift anticipated peak period visitation to off-peak periods, and to increase carpooling (personal vehicle occupancy rates) and the use of vans, shuttles, and buses. TDM outreach efforts and associated campaigns would include sending targeted messages via traditional media (television, radio, newspapers, etc.) and new social media (YouTube, Facebook, Twitter, and newer tools that emerge by 2013), with the goal of reducing peak period travel delays and enhancing visitor experience.

TRANS-6: Posted Minimum Speed in Panel Viewing Areas. Signage providing speed maximums and minimums would be provided in all panel viewing areas. Minimum speeds in panel areas would be 35 mph.

TRANS-7: Reclamation of CDOT ROW. Any disturbed areas within the CDOT ROW will need to be reclaimed in accordance with CDOT standards and the CDPHE CDPS permit. The application of native seed mix and other reclamation techniques will need to be approved by CDOT prior to the project.

5.17. HAZARDOUS MATERIALS

No additional mitigation measures were identified.

5.18. WASTE (NONHAZARDOUS)

No additional mitigation measures were identified.

5.19. REALTY AUTHORIZATIONS AND LAND USE

No mitigation measures were identified.

5.20. RECREATION RESOURCES

REC-1: OTR-specific project vehicles utilizing informal pullouts would be limited during all stages of the project. Only one informal pullout would be occupied by project vehicles at any given time, for a length of 1 to 2 days at a maximum. Restrictions on length of time and number of vehicles using informal pullouts would reduce impacts to parking availability for angling, boating, hunting, and other recreational activities.

REC-2: Bathrooms, parking lots, and other facilities at AHRA sites would be monitored by OTR, State Parks, and/or BLM during blossoming. Preparations would be made by OTR to deploy additional water, sanitation, and parking services prior to exhibition if the level of visitor demand for these facilities exceeds capacities during blossoming.

REC-3: The Vallie Bridge AHRA site would be monitored during exhibition to maintain parking and access for fee users at the site. Adequate parking would remain available for boating, angling, and other permitted uses at Vallie Bridge.

REC-4: River spotters, provided by OTR, would be present at panel locations during the installation and removal of cables and fabric panels, blossoming, and exhibition, as described in Chapter 2.0. Spotters would be trained swiftwater rescue technicians. In addition, boating safety zones would be designated along the river at each panel location during exhibition. These zones would provide specific locations for boats to eddy out and access the riverbank for safety purposes. OTR will coordinate with experienced river rescue staff from State Parks to identify appropriate stopping/holding zones for upstream boaters.

REC-5: Nonfee AHRA sites, including Salida East, Point Barr, Texas Creek, Salt Lick, and Maytag, would remain open for recreational access during exhibition, despite the location of any sites within 0.5 mile of a panel. Some of these sites are heavily used boating put-in and take-out points, so maintaining access would reduce impacts to boating in addition to other recreational activities.

REC-6: Additional waste disposal units, including trash cans and dumpsters, would be provided by OTR at all camping areas in the Project Area. These camping areas include the Salida East, Point Barr, Rincon, Vallie Bridge, Texas Creek, and Five Points AHRA sites; Maytag dispersed camping area; Texas Creek Travel Management Area; and any other dispersed camping areas that may experience increased use.

Coordinate with USFS to provide additional waste disposal units at O’Haver Lake, Hayden Creek, Coaldale, and Oak Creek USFS campgrounds, as well as any USFS dispersed camping areas near the Project Area. All trash receptacles would be “bear-proof” to minimize the potential for human-wildlife conflicts.

REC-7: All dispersed camping visitors on BLM lands would be required to have portable toilets and fire pans at campsites to reduce human impacts to natural resources on these lands.

REC-8: Additional personnel would be provided by BLM, State Parks, USFS, or OTR Corp (as appropriate) to monitor dispersed camping on BLM and USFS land. Monitors would provide education and ensure that campers adhere to guidelines for proper waste disposal, prevention of wildlife/bear conflicts, and other low-impact camping techniques. Informational signage about responsible recreation, low-impact camping, and “Bear-Aware” practices would be erected by OTR, BLM, State Parks, and/or USFS as well.

REC-9: Information or signage about protecting sensitive wildlife populations, including bighorn sheep, greenback cutthroat trout, and other species would be provided by OTR, BLM, State Parks, and/or USFS to reduce recreation impacts on wildlife on BLM, State Parks, and USFS lands.

REC-10: Per existing BLM and AHRA regulations, project (OTR) employees would be prohibited from inhabiting developed or dispersed camping areas in the Project Area in order to reduce impacts to camping availability for recreation users during all phases of the project. Camping in the AHRA, at both developed and dispersed camping locations, is limited to 14 days within a 45-day period. On BLM lands, camping is limited to 14 days within a 28-day period.

REC-11: Existing commercial boating rations would be lifted in the last 2 weeks of installation (blossoming), during exhibition, and the first week of demobilization (5 weeks total) so that commercial rationing in future years is not impacted by the event. This mitigation measure would not be applied to Alternative 1c.

REC-12: Temporary, event-only rations would be in place for the last 2 weeks of installation (blossoming), during exhibition, and the first week of demobilization (5 weeks total) to limit the number of boats on the river during the event. This mitigation measure would not be applied to Alternative 1c.

REC-13: Cable and fabric panel installation activities would not occur within the Project Area during the FIBArk river event in June. Installation activities would not interfere with event activities on the Arkansas River.

5.21. VISUAL/AESTHETIC RESOURCES

Mitigating measures were identified for all adverse contrasts that can be reduced.

VISUAL-1: Parkdale Viewing Center. The majority of the 900-vehicle parking area would be screened from US 50 and Arkansas River views, similar to existing conditions, through site layout or a natural or constructed berm. This mitigation measure would not be applied to Alternative 4.

VISUAL-2: Texas Creek Limited Rest Stop. Equipment storage and contractor parking would be screened from US 50 and Arkansas River views through site layout. The warehouse/office building would be sited so that it is not visible from the Arkansas River.

VISUAL-3: Exterior Treatment of Texas Creek Warehouse and other Temporary Buildings. An exterior treatment plan would be approved by the BLM, State Parks, and Fremont County as part of local building permit approvals. The purpose of the exterior treatment plan would be to (a) minimize visual intrusion and contrast by blending with the landscape; (b) ensure colors and finishes do not create excessive glare; and (c) use colors and finishes that are consistent with local policies and ordinances. The plan would include:

- A description of the overall rationale for the proposed surface treatment, including the selection of the proposed color(s) and finishes.
- A list of color(s), finish, and reflectivity proposed for each building and fencing. All facilities would use nonreflective and nonglare paints on exterior of project buildings, signage, and structures. Colors must be identified according to the BLM standard environmental colors or equivalent universal designation system.
- One set of color brochures or color chips showing each proposed color and finish.
- Paints and finishes would be nontoxic to avoid leaching impacts to soil and water quality.

VISUAL-4: Nighttime Lighting. Lighting mitigation would include the following measures:

- Nighttime lighting would be manually controlled, used only when occupied, or be motion activated, if needed for safety and security.
- Exterior lighting would use the minimum wattage necessary.
- Exterior lighting would be positioned to limit light spill beyond the facility or construction footprint.
- Light would be screened, shielded, and downcast, with no exposed bulbs.

VISUAL-5: Restoration of Exposed Bedrock. Prior to restoring exposed bedrock areas (per Section 2.12), OTR Corp would fill one test anchor point in each panel area for BLM inspection. If color contrasts are unacceptable in anchor locations or on rock faces scarified from equipment, OTR Corp would apply a custom colorant to the mortar mix to match the coloration of the surrounding bedrock.

5.22. WILD AND SCENIC RIVERS

No mitigation measures were identified.

5.23. WILDERNESS AND SPECIAL MANAGEMENT AREAS

WILDERNESS-1: Event visitors and other members of the public would be prohibited from climbing on the steep slopes adjacent to the highway to ensure public safety, prevent displacement of rocks, and reduce impacts to natural resources.

5.24. SOUND RESOURCES AND NOISE

No additional mitigation measures were identified.

5.25. CULTURAL, HISTORIC, AND NATIVE AMERICAN CULTURAL CONCERNS

Because BLM has not yet completed the required Section 106 consultation, all NRHP eligibility assessments, impacts (assessments of effect), and proposed treatment of cultural resources presented in this document are considered to be preliminary. After completion of the Section 106 consultation process, it is likely there will be historic properties (NRHP-eligible sites) that will need some form of treatment before the installation period begins. When sites cannot be avoided, the types of treatment may include, but will not necessarily be limited to, data recovery-oriented excavation, development of a cultural resources context for the area, periodic monitoring, or a combination of alternatives decided upon by the consulting parties. It is probable that a program of site monitoring will be established during which all of the historic properties that will receive direct and indirect impacts are visited periodically throughout the lifetime of the project in order to assess the nature of anticipated and unanticipated impacts. Treatment, along with a monitoring program, must be established through consultation among BLM, SHPO, and all consulting parties.

Because Native American consultation has not yet been completed, tribal concerns have not yet been identified. However, BLM will work with tribal representatives to identify impacts and design mitigation measures that address impacts, pursuant to NHPA and other relevant historic preservation laws and regulations, along with the American Indian Religious Freedom Act and Executive Order 13007 (entitled "Indian Sacred Sites").

5.26. PALEONTOLOGICAL RESOURCES

PALEO-1: If any vertebrate fossils are discovered during operations, the permittee shall cease activities immediately and notify the BLM so the agency can determine the significance of the discovery. The BLM shall evaluate or have evaluated such discoveries and shall notify the permittee what action shall be taken with respect to such discoveries.

PALEO-2: Any fossils recovered during the assessment of paleontological resources will be prepared in accordance with standard professional paleontological techniques. The fossils will be curated in a BLM-approved facility. A report on the findings and significance of the salvage program, including a list of the recovered fossils, will be prepared following completion of the program. A copy of this report will accompany the fossils, and a copy will be submitted to the Dinosaur Depot Museum.

PALEO-3: During installation and demobilization, direct impacts to fossil resources will be mitigated as described in the PFYC. Ground disturbing activities conducted in Class 4 and 5 formations shall be monitored by a BLM approved paleontologist.