

**United States Department of the Interior
Bureau of Land Management**

**Categorical Exclusion
for the
Northwest Ignacio to Sumas Pipeline Recoat Project**

Grand Junction Field Office
2815 H Road
Grand Junction, Colorado 81506

DOI-BLM-CO-130-2010-0023-CX
C 011369-04
C 011243-07

July 2010



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LEGAL DESCRIPTION

C 11243-07

6th PM,
T. 6 S., R. 102 W.,
section 5, lot 13;
section 6, lots 8, 16, and 23;
section 7, E $\frac{1}{2}$ E $\frac{1}{2}$, E $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$;
section 17, NE $\frac{1}{4}$ SW $\frac{1}{4}$;
section 28, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
section 34, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ S $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$;

T. 7 S., R. 102 W.,
section 3, lots 6, 7, and 23;
section 4, lot 14;
section 9, lot 12;
section 20, lot 5;
section 21 lots 5, 7, and 13.

C 011369-04

6th PM,
T. 8 S., R. 103 W.,
section 1, lot 16;
section 11, lots 2, 12, and 16, NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$;
section 15, SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$;
section 21, N $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$;
section 29, lot 18;
section 31, lots 6, 10, and 13;

T. 9 S., R. 104 W.,
section 1, lots 13 and 20;
section 12, NE $\frac{1}{4}$ NW $\frac{1}{4}$;
section 14, NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$;
section 15, SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ SE;
section 22, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$;
section 28, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
section 32, SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$;

T. 10 S., R. 104 W.,
section 7, lot 6.

Mesa and Garfield County, Colorado

Douglas Pass, Howard Canyon, Highline Lake, Badger Wash, Bitter Creek Well, Colorado
USGS Quadrangle

APPLICANT

William's Northwest Pipeline
295 Chipeta Way
Salt Lake City, Utah 84108

BACKGROUND

As part of its Integrity Management Plan (IMP) Northwest Pipeline GP (NWP) has conducted an internal inspection and close interval surveys of its existing Ignacio to Sumas 26-inch mainline pipeline and several pipeline anomalies and reconditioning sites have been discovered. Due to the topography of the existing pipeline right-of-ways (C 011369 and C 011243), Northwest will require temporary workspace located directly adjacent to the existing right-of-ways to complete the anomaly investigations and reconditioning repairs. Access to the work site will be along existing access roads and the existing pipeline right-of-ways.

DESCRIPTION OF PROPOSED ACTION

NWP proposes to obtain a Temporary Use Permit (TUP) that would authorize extra workspace adjacent to an existing natural gas pipeline ROWs (C 011369 and C 011243). Existing pipeline right-of-ways (C 011369 and C 011243) are both 50 feet wide. The proposed temporary workspaces are 25 feet wide located directly adjacent to the existing pipeline right-of-ways. The lengths of each workspace vary by location, and are defined on the respective aerial photo drawings attached to this application. There would be approximately 3 acres of new disturbance and approximately 6 acres of disturbance in previously disturbed areas, with a total of 9 acres of disturbance for the entire project.

If required, the authorized officer would be notified 24 hours prior to being construction. The location of the existing, permanent right-of-way, repairs and temporary workspace would be flagged prior to construction. Vehicles would use existing highways, county roads, dirt roads and the pipeline right-of-way for access to the work sites. No fences would be crossed during the proposed work. Construction equipment and vehicles that would be on site include trackhoes, graders, and pick-up trucks. Approximately 10 people would be on site during construction and reclamation activities. Blading of the soil surface would only occur when necessary and would occur primarily over the pipeline prior to trenching activities.

All construction and maintenance activities would cease when soils or road surfaces become saturated to the extent that the construction equipment is unable to stay within the right-of-way and/or when activities cause irreparable harm to the roads or soils. Erosion control structures would be repaired, if disturbed by construction or access. NWP would implement all necessary erosion control methods and that which the BLM stipulates. All waste material would be hauled and properly disposed of in accordance with federal, state, and local regulations. No wastes or unused materials would be of disposed of on site.

The disturbed area would be final graded, as close as possible to the original contours. The area would be reseeded upon completion with a seed mixture determined as specified by the BLM.

The proposed method for reseeded is drill, however if the seed is broadcast, the amounts of seed would be doubled, and the area would be raked or chained to cover the seed. Reclamation would be monitored by NWP and determined to be successful after the re-seeded areas are covered to a near pre-construction quantity.

It would take approximately 5 days to complete construction at each site. There are 36 construction sites included in this project. The total construction time is for completing the work is approximately 180 days. The requested term of the TUP is one year.

NWP would comply with all applicable federal, state, county, and local laws and regulations as they relate to public health and safety, environmental protection, construction operation, and maintenance. No toxic substances would be stored or used on the right-of-way.

Upon retirement and/or abandonment of the new facilities, NWP would submit an Abandonment Plan to the BLM for approval.

PLAN CONFORMANCE REVIEW

The Proposed Action is subject to and has been reviewed for conformance with (43 CFR 1610.5, BLM 1617.3) the following plan:

Name of Plan: GRAND JUNCTION Resource Management Plan

Date Approved: January, 1987

Decision Number/Page: 2-29

Decision Language: To respond, in a timely manner, to requests for utility authorizations on public land while considering environmental, social, economic, and interagency concerns.

CATEGORICAL EXCLUSION REVIEW

The proposed action qualifies as a categorical exclusion under 516 DM 11.9, E. (19). When no exceptions apply, the following types of Bureau actions normally do not require the preparation of an EA or EIS: "Issuance of a short-term (3 year or less) rights-of-way or land use authorizations for such uses as storage sites, apiary sites, and construction sites where the proposal include rehabilitation to restore the land to its natural or original condition". None of the following exceptions in 516 DM 9.11, Appendix 2, apply.

Exceptions

- | | YES | NO |
|--|-----|----------|
| 1. Have significant adverse effects on public health and safety. | ___ | <u>X</u> |
| 2. Have adverse effects on such natural resources and unique geographic characteristics as historic or cultural resources; park, | | |

- recreation, or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands, floodplains; national monuments; migratory birds; and other ecologically significant or critical areas. _____ X
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources. _____ X
 4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks. _____ X
 5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects. _____ X
 6. Be directly related to other actions with individually insignificant but cumulatively significant environmental effects. _____ X
 7. Have adverse effects on properties listed, or eligible for listing, in the National Register of Historic Places. _____ X
 8. Have adverse effects on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have adverse effects on designated Critical Habitat for these species. _____ X
 9. Have the potential to violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment. _____ X
 10. Have the potential for a disproportionately high and adverse effect on low income or minority populations. _____ X
 11. Restrict access to and ceremonial use of Indian sacred sites by Indian religious practitioners or adversely affect the physical integrity of such sacred sites. _____ X
 12. Significantly, contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species. _____ X

INTERDISCIPLINARY REVIEW

<u>Name</u>	<u>Title</u>	<u>Area of Responsibility</u>
Aline LaForge	Archaeologist	Cultural Resources, Native American Religious Concerns
Anna Lincoln	Ecologist	Special Status Species
Heidi Plank	Wildlife Biologist	Wildlife, Fisheries, Special Status Species

REMARKS

CULTURAL RESOURCES

A records search of the general project area, and a Class III inventory of the Area of Potential Effect (APE), as defined in the National Historic Preservation Act (NHPA), was completed by ENTRIX, Inc., a Colorado BLM permitted cultural resource contracting firm (GJFO CRIR 17409-01 and 17409-02). Conditions of the existing cultural environment are incorporated by this reference but the following briefly summarizes cultural resources in the APE. The surveys inventoried 67 anomaly locations; approximately 166 acres were inventoried for cultural resources. One newly recorded site and four previously recorded sites were identified partly within or very near staked anomaly and recoat locations. There are three cultural resources that are recommended as eligible for the National Register of Historic Places under criterion "d": 5GF4326, 5GF274 and 5GF1348. These three sites are within the staked TUP. 5GF283 is recommended as Need Data (potentially eligible) and is only 10 meters (~33 feet) outside of the TUP. The fifth site, 5GF4322.1, is Highway 139 and is also 10 meters (~33 feet) outside of the staked TUP. The project inventory and evaluation is in compliance with the NHPA, the Colorado State Protocol Agreement, and other federal law, regulation, policy, and guidelines regarding cultural resources.

There will be no effect to 5GF4322.1 (Highway 139) and no further work is recommended. There could be direct impacts to three sites, 5GF4326, 5GF274, and 5GF1348; and indirect impact to one other site, GF283, without appropriate mitigation for protection. Notification of work (24 hour notice to the BLM) and monitoring should be required to protect these sites and is described under mitigation below. In lieu of this avoidance monitoring, the applicant could propose evaluative testing, additional testing, or data recovery to retrieve the scientific potential of these sites.

Standard Stipulations also include:

Inadvertent Discovery: The NHPA, as amended, requires that if newly discovered historic or archaeological materials or other cultural resources are identified during the Proposed Action implementation, work in that area must stop and the BLM Authorized Officer (AO) must be notified immediately. Within five working days the AO will inform the operator as to the mitigation measures the operator will likely have to undertake before the site can be used (assuming in place preservation is not necessary) (36 CFR 800.13).

The Native American Graves Protection and Repatriation Act (NAGPRA) requires that if inadvertent discovery of Native American Remains or Objects occurs, any activity must cease in the area of discovery, a reasonable effort made to protect the item(s) discovered, and immediate notice be made to the BLM Authorized Officer, as well as the appropriate Native American group(s) (IV.C.2). Notice may be followed by a 30-day delay (NAGPRA Section 3(d)).

A standard Education/Discovery stipulation for cultural resource protection should be attached to the TUP. The operator or its contractor is responsible for informing all persons who are associated with the project operations that they will be subject to prosecution for knowingly disturbing historic or archaeological sites, or for collecting artifacts.

Strict adherence to the confidentiality of information concerning the nature and location of archaeological resources would be required of William's Northwest Pipeline and all of their subcontractors (Archaeological Resource Protection Act, 16 U.S.C. 470hh).

In order to avoid an adverse effect to 5GF283, 5GF4326, 5GF274, and 5GF1348 the conditions of the permit should require William's Northwest Pipeline to retain an archaeologist from a Colorado BLM permitted cultural resource contracting firm who will submit a fieldwork authorization to conduct monitoring to protect these sites prior to the initiation of the project. 5GF4326 and 5GF274 are located in the TUP in the section where inventory was conducted for Anomaly RGW 61060/61130/61170/61220/61340 which is in T. 7. S, R. 102 W., section 3. 5GF1348 is located in the TUP for Anomaly RGW 55050. 5GF283 is located at the edge of the TUP for Recoat VRD2008-206-CIS-PM. The portion of the site in/near the TUP should be barricaded to protect it during ground disturbing activities. Barricades should remain in place in the case of 5GF4326 and 5GF274 for the duration of work in that stretch. To ensure that the sites are not disturbed, installation of the barricade, ground disturbing activities, and removal of the barricade at these four locations should be monitored by an archaeologist the BLM to be notified and prior to any surface disturbance within 100 meters of these sites.

NATIVE AMERICAN RELIGIOUS CONCERN

Five cultural resources were located during the field inventory. The initial findings of a field inventory do not suggest that the project area holds special significance for Native Americans for traditional or religious purposes and the project would not alter or limit any access if there were traditional uses that are not known to the agency. Accordingly, no Native American Indian consultation was conducted for the proposed undertaking.

The Ute have a generalized concept of spiritual significance that is not easily transferred to Western models or definitions. As such the BLM recognizes that they have identified sites that are of concern because of their association with Ute occupation of the area as part of their traditional lands. Ute Tribal representatives have consulted with the BLM Field Office on previous projects in this area and provided instructions for the protection of culturally sensitive sites, should any be discovered during construction.

No further work or consultation is recommended.

SPECIAL STATUS SPECIES

Plants:

Records indicate that two BLM special status plant species have the potential to occur within the proposed project area: Grand buckwheat, and Osterhout's cryptantha.

Biologic surveys of the action area determined that no special status plant species will be affected by the proposed action. While the Grand buckwheat and Osterhout's cryptantha are known to occur within a mile of the Northwest pipeline, none were found within the project area or buffer. No impacts are anticipated to any special status plant species, as none are known to exist in the action area.

No mitigation is required if the proposed action takes place in 2010. If the proposed action is delayed past the 2010/2011 winter additional biological surveys may be required in the lower desert.

Animals:

Special Status fish and wildlife likely to occur in the project area include numerous sensitive bat species, white-tailed prairie dog, kit fox, burrowing owl, ferruginous hawk, long-billed curlew, bluehead sucker, flannelmouth sucker, Colorado river cutthroat trout, long nosed leopard lizard and the northern leopard frog.

Biological surveys of the action area determined that the BLM sensitive white-tailed prairie dog was within 200 meters of the areas to be disturbed at twelve locations. No BLM sensitive Burrowing Owls were found within 200 meters of the areas to be disturbed during the biological survey in 2009, and no other active raptor nests were located.

To avoid impacts to the BLM sensitive white-tailed prairie dog during the pupping season, construction activities should not be permitted between April 1 and July 15. If the proposed action is delayed past the 2010/2011 winter additional biological surveys may be required as the Raptor surveys will be 2 years old in the spring of 2011.

COMPLIANCE PLAN

Compliance inspections would be conducted every 5 years at a minimum. Additional inspections would be conducted as necessary following any new authorizations and construction, or non-compliance findings.

NAME OF PREPARER Christina Stark

NAME OF ENVIRONMENTAL COORDINATOR Bridget Clayton (Acting)

DATE 7-27-2010

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DECISION RECORD
FOR
Northwest Ignacio to Sumas Pipeline
Anomaly and Recoat Project
DOI-BLM-CO-130-2010-0023 CX
BLM Grand Junction Field Office
2815 H Road
Grand Junction, Colorado 81506

DECISION

I have reviewed this CX and have decided that the proposed action that would authorize the two Temporary Use Permits for the use of extra workspace for maintenance of existing natural gas pipelines, and determined that approval would not have a significant impact on the human environment or resources of special concern. It is my decision to approve the request to offer two Temporary Use Permits for the proposed requested extra workspace as analyzed under the proposal, with additional conditions included in the attached Special and Standard Stipulations.

RATIONALE

This action is listed in the Department Manual as an action that may be categorically excluded. I have evaluated the action relative to the 12 criteria listed above and have determined that it does not represent an exception and is, therefore, categorically excluded from further environmental analysis.

Approving the proposed extra workspace will allow William's Northwest Pipeline to repair existing natural gas pipelines that are in need of maintenance. Proper maintenance of the existing facilities is essential to ensure safety and minimal impacts to nearby resources. Approval of the proposed project will have negligible impacts on public lands and natural resources in the immediate and surrounding project area.

Special and standard stipulations requirements along with operator committed design features will greatly reduce to the potential for impacts surrounding resources. The majority of the project will be located in areas that were preciously disturbed. A cultural resource inventory was previously conducted in the project area 4 cultural sites of concern were found. Special stipulations that include site barricades and cultural resource monitors were identified to protect these sites from impacts during proposed maintenance activities. Negative impacts on any unidentified cultural resources will be mitigated through the standard stipulations for this project. Timing restrictions were also identified as permit stipulations to protect prairie dog breeding habitat in the project area. Authorizing the proposed action would minimally add to the impacts on surrounding resources.

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SIGNATURE OF AUTHORIZED OFFICIAL:


for GRAND JUNCTION, Field Manager

DATE SIGNED: 7-27-10

ATTACHMENTS:

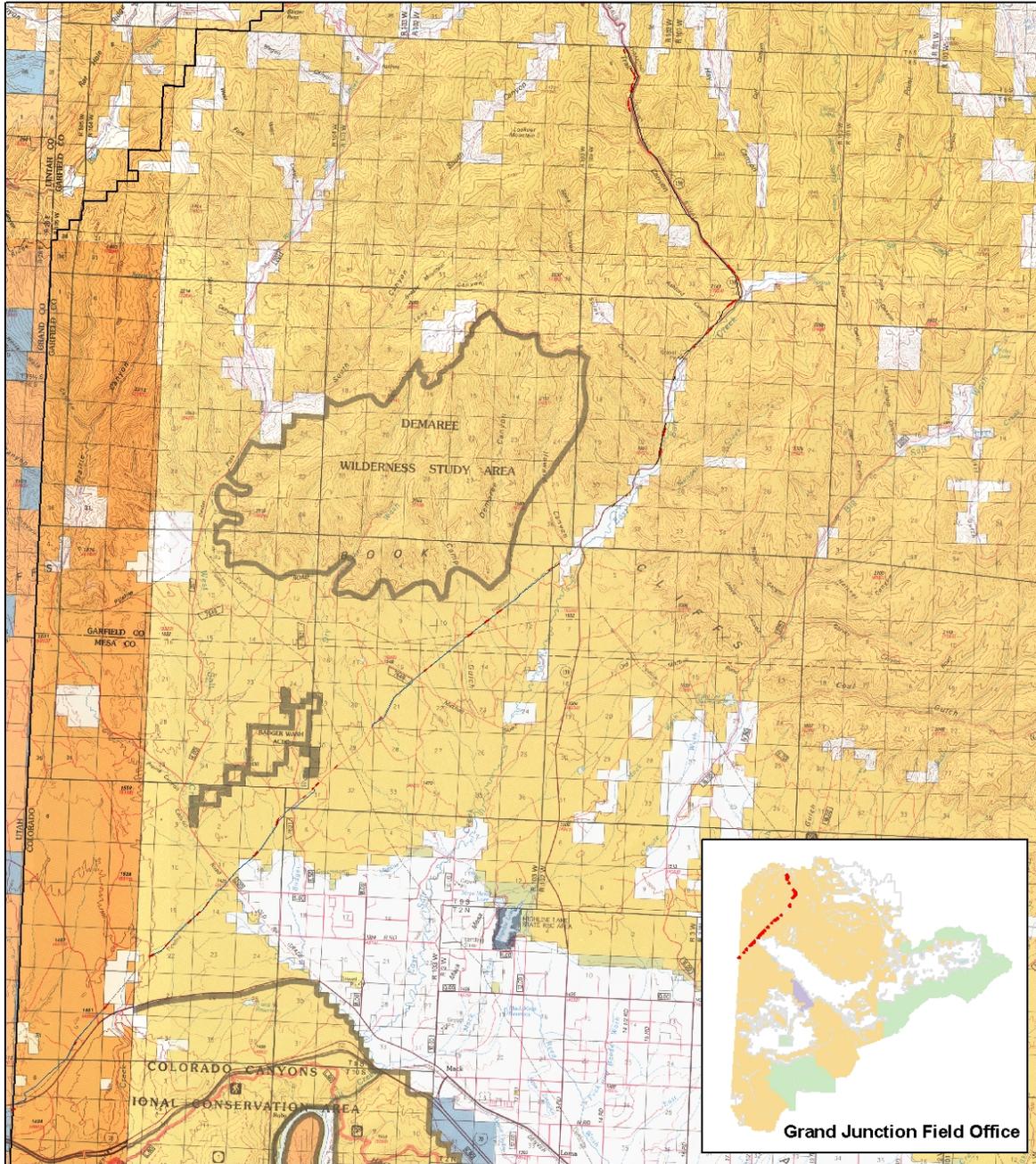
Exhibit A: Project map.

Exhibit B: Work Locations

Exhibit C: Special and Standard Stipulations.

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EXHIBIT A



6th PM,
 T. 6 S., R. 102 W.,
 T. 7 S., R. 102 W.,
 T. 8 S., R. 103 W.,
 T. 9 S., R. 104 W.

Garfield & Mesa County, CO

Douglas Pass, Howard Canyon,
 Highline Lake, Badger Pass, &
 Bitter Creek Well, Coloado
 USGS Quadrangles

William's Northwest Pipeline
Temporary Use Permit - Pipeline Recoat Work
DOI-CO-130-2010-0023-CX
COC 11369-04
COC 11243-07



- TUP Sites
- Pipelines**
- C011243
- C011369
- BLM
- Private

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Exhibit B
Work Locations

Dig Site Name	Approx M.P.	Dig Length	Township	Range	Section	Quarter Section
Anomaly RGW 51290	242.57	30	6S	102W	6	NE
Anomaly RGW 51970	242.09	20	6S	102W	6	SE
Anomaly RGW 52000	242.07	15	6S	102W	6	SE
Anomaly RGW 52140	241.97	20	6S	102W	6	SE
Anomaly RGW 52220	241.91	20	6S	102W	5	SW
Anomaly RGW 52260	241.89	15	6S	102W	6	SE
Anomaly RGW 52520	241.70	80	6S	102W	7	NE
Anomaly RGW 52600	241.66	30	6S	102W	7	NE
Anomaly RGW 52610	241.65	40	6S	102W	7	NE
Anomaly RGW 52670	241.62	25	6S	102W	7	NE
Anomaly RGW 52690	241.61	15	6S	102W	7	NE
Anomaly RGW 52730	241.58	10	6S	102W	7	NE
Anomaly RGW 53040	241.37	5	6S	102W	7	NE
Anomaly RGW 53080	241.35	15	6S	102W	7	NE
Anomaly RGW 53120	241.32	20	6S	102W	7	NE
Anomaly RGW 53220	241.25	45	6S	102W	7	NE
Anomaly RGW 53410	241.11	10	6S	102W	7	SE
Anomaly RGW 55050	239.97	400	6S	102W	17	SW
Anomaly RGW 58640	237.45	70	6S	102W	28	SE
Recoat VRD2008-206-2-CIS-PM	236.66	890	6S	102W	34	NW
Anomaly RGW 60170	236.34	55	6S	102W	34	NE
Anomaly RGW 60230	236.30	20	6S	102W	34	NE
Anomaly RGW 61060	235.73	35	6S	102W	34	SE
Anomaly RGW 61130	235.68	15	7S	102W	3	NE
Anomaly RGW 61170	235.65	10	7S	102W	3	NE
Anomaly RGW 61220	235.61	20	7S	102W	3	NE
Anomaly RGW 61340	235.53	5	7S	102W	3	NW
Anomaly RGW 62110	234.98	10	7S	102W	3	SW
Anomaly RGW 62330	234.82	170	7S	102W	3	SW
Anomaly RGW 62430	234.74	130	7S	102W	4	SE
Anomaly RGW 63080	234.27	50	7S	102W	9	NE
Anomaly RGW 66060	232.08	490	7S	102W	21	NW
Recoat RGW 66640	231.66	300	7S	102W	20	SE
Anomaly RGW 72290	227.78	55	8S	103W	1	NE
Anomaly RGW 74850	226.26	35	8S	103W	11	NE
Anomaly RGW 74960	226.19	50	8S	103W	11	NE
Anomaly RGW 75470	225.86	10	8S	103W	11	NE
Anomaly RGW 75520	225.83	50	8S	103W	11	NW

MOA-2009-AS-009-PM	225.65	200	8S	103W	11	SW
Anomaly RGW 77870	224.16	6	8S	103W	15	NW
Anomaly RGW 78090	224.01	60	8S	103W	15	NW
Anomaly RGW 80530	222.43	10	8S	103W	21	SW
Anomaly RGW 82690	220.86	20	8S	103W	29	SW
Anomaly RGW 83510	220.26	15	8S	103W	31	NE
Anomaly RGW 83690	220.13	28	8S	103W	31	NE
Anomaly RGW 84230	219.85	110	8S	103W	31	SW
Anomaly RGW 85530	218.91	200	9S	104W	1	SE
Anomaly RGW 86680	218.39	130	9S	104W	12	NW
Anomaly RGW 89240	216.40	45	9S	104W	14	NW
Anomaly RGW 89640	216.11	165	9S	104W	14	SW
Anomaly RGW 90030	215.82	30	9S	104W	15	SE
Anomaly RGW 91070	215.10	65	9S	104W	22	NW
Anomaly RGW 91970	214.60	100	9S	104W	22	SW
Anomaly RGW 94130	213.01	575	9S	104W	28	SW
Anomaly RGW 95710	211.88	10	9S	104W	32	SW

SPECIAL STIPULATIONS

1. The holder shall notify the BLM authorized officer at least 48 hours prior to the commencement of any surface disturbing activities under this grant. The BLM contact person is Christina Stark, Grand Junction Field Office, 2815 H Road, Grand Junction, CO 81506, phone (970) 244-3022.
2. All terms, conditions, and stipulations of the original right-of-way grants dated January 14, 1957 and January 4, 1957, and subsequent amendments and TUPs, remain in full force and effect.
3. The holder shall construct, operate, maintain and reclaim the pipeline, improvements, and structures and all work areas within the Right-of-Way (ROW) and Temporary Use Permit (TUP) area in strict conformity with the submitted plan of developments. Any relocation, additional construction, or use that is not in accord with the approved plans of development, shall not be initiated without the prior written approval of the authorized officer. Any inconsistencies between the POD and the Standard and Special Stipulations will be resolved in accordance with BLM Stipulations.
4. Noncompliance with any of the stipulations will be grounds for an immediate temporary suspension of activities if it constitutes a threat to public health and safety or the environment.
5. Copies of the right-of-way grant with the stipulations shall be kept on site during construction and maintenance activities. All construction personnel shall review the grant and stipulations before working on the right-of-way.
6. The holder shall notify all existing rights-of-way holders in the project area prior to beginning any surface disturbance or construction activities. The holder shall obtain an agreement with any existing ROW holders or other parties with authorized facilities that cross or are adjacent to those of the holder to assure that no damage to an existing ROW or authorized facility will occur. The agreement(s) shall be obtained prior to any use of the ROW or existing facility.
7. A Colorado BLM permitted archeological consultant must be present to monitor and ensure the avoidance of potential archeological subsurface features at sites 5GF4326, 5GF274, 5GF283 and 5GF1348, during any surface disturbing activities including maintenance within the associated work areas (Anomaly RGW 55050/61060/61130/61170/61220/61340 and Recoat VRD2008-206-CIS-PM) for these cultural sites. The approved archeological consultant must obtain a fieldwork authorization to conduct monitoring activities on BLM. BLM shall be notified of any surface disturbance activities within 100 meters of these sites.

8. Barricades shall be constructed to protect cultural resource sites 5GF283, 5GF4326, 5GF274, and 5GF1348 prior to any surface disturbance or maintenance activities. Barricade construction, maintenance, and removal shall be monitored by a BLM permitted archeologist. Barricades must remain in place through the duration of all ground disturbing activities.
9. Construction activities requiring ground disturbance shall not occur between April 1 and July 15 to avoid impacts to the BLM sensitive white-tailed prairie dog during the pupping season.
10. Ongoing or future work past the 2010/2011 winter will require new Raptor surveys.
11. When saturated soil conditions exist on or along the right-of-way, construction shall be halted until the authorized officer determines that soils have dried out sufficiently for construction to proceed without undue damage and erosion to the right-of-way. All construction and travel on the road and ROW shall stop until soils dry if ruts greater than 3 inches are formed by vehicles and equipment.
12. The exterior boundaries of the construction area shall be clearly flagged prior to any surface disturbing activities.
13. The holder shall disturb and remove only the minimum amount of soils and vegetation within the authorized ROW necessary for the construction of structures and facilities.
14. The holder shall promptly remove and dispose of all waste caused by its activities. The term "waste" as used herein means all discarded matter including, but not limited to, human waste, trash, garbage, refuse, petroleum products, ashes and equipment. No burning of trash, trees, brush, or any other material shall be allowed.
15. Fueling of vehicles and equipment within 100 feet of any live water or dry wash is prohibited.
16. All existing authorized roads used for construction shall be maintained in as good as, or in better than existing condition. This may include, but is not limited to, roadway surface repairs (blading the roadway), cleaning ditches and drainage facilities, and dust abatement. After construction, existing roads shall be restored to meet or exceed conditions existing prior to construction. All road maintenance activities must be approved by the authorized officer.
17. Topsoil shall be conserved during excavation and reused as cover on disturbed areas to facilitate re-growth of vegetation. Topsoil shall only be used for reclamation and shall not be used to bed or pad the pipe during backfilling.

18. Pipeline location warning signs shall be installed within five days of construction completion. Each sign shall be permanently marked with the right-of-way serial number and maintained as deemed necessary by the authorized officer.
19. Welding, acetylene or other torch, with open flame, shall be operated in an area barren or cleared of all flammable materials at least ten feet on all sides from equipment. Internal combustion engines must be equipped with an approved spark arrestor which meets either:
 - a. Department of Agriculture, Forest Service Standard 5100-1a; or
 - b. Appropriate Society of Automotive Engineers (SAE) recommended practice J335 (b) and J350 (a).
20. Vegetation removed from the ROW will not be stored in piles or windrows following the completion of reclamation. All cut vegetation shall be chipped, hydro-axed, or shredded and scattered on site.
21. If traffic is disrupted during construction then suitable traffic control measures will be implemented. Traffic control measures will include warning signs, barriers or flagmen unless otherwise approved by the authorized officer.
22. The grantee shall construct water bars, kicker dikes, ditch breaks, pocking or other erosion control techniques, on all of the pipeline and work areas, as directed by the authorized officer. The water bars or dikes shall be constructed across the full width of the disturbed area.
23. As part of the required reclamation, all disturbed areas shall be seeded with a seed mixture suitable to specific site conditions. This mixture shall be approved prior to reclamation by the authorized officer. All seed mixtures must be certified to be weed-free. Application rates are for pure, live seed (PLS). Certification and seed tags must be submitted to the Field Manager within 30 days of seeding. The following seed mix is an example of the of the species and application rate that may be required for reclamation:

Species <u>Common Name</u>	<u>Application Rate</u> <u>Pounds/Acre PLS</u>
Indian Ricegrass (Rimrock)	1.5
Western Wheatgrass (Arriba)	1.5
Bottlebrush Squirreltail	1.2
Rincon 4-wing Saltbush	2.0
Scarlet Globemallow	0.3
Utah Sweetvetch	<u>2.5</u>
TOTAL	9.0

Prepare seedbed by ripping the soil surface to a depth of 2 feet and then spreading the topsoil back on the surface. Scatter removed vegetation and shredded wood back on the

surface and broadcast seed with an approved seed mix. Seed shall be applied within 24 hours of surface roughening and top soil redistribution. Broadcast application shall be used at 1.5 to 2 times the recommended application rate. Surface rock that was removed during surface scrubbing and clearing shall be scattered back across the ROW to mimic natural conditions. Disturbed portions of the right-of-way surface shall be left rough and not smoothed to help facilitated seed germination and seedling survival.

Seeding shall be completed after September 15 and prior to December 1 or in the early spring once soils have thawed.

24. Reclamation shall be considered successful when basal cover of seeded species or other naturally recruited native species is at least 80% of basal cover on adjacent or nearby undisturbed areas where vegetation is in a healthy condition. Reclamation efforts shall be monitored and additional reclamation efforts shall be required until this objective is met.
25. All disturbed areas shall be recontoured to blend with the natural topography to the satisfaction of the authorized officer within 30 days of project completion, or cessation of construction activity.
26. The grant holder shall provide satisfactory reclamation of all sites disturbed by their activity. This may include installation of erosion control devices and seeding at the discretion of the authorized officer.
27. Stormwater Best Management Practices (BMPs) identified in the Storm Water Management Plan shall be in place prior to any earth-disturbing activity. Additional BMPs will be installed as determined necessary by the authorized officer. All BMPs shall be removed once site stabilization and reclamation efforts have been deemed successful by the BLM AO.
28. Sixty days prior to termination of the TUP, the proponent shall contact BLM to arrange a joint inspection of the ROW. A termination and rehabilitation plan shall be completed and submitted for approval following the inspection meeting. This plan shall describe facility removal, recontouring, and any necessary seeding or other reclamation efforts. BLM must approve the plan in writing prior to the proponent's commencement of any termination activities.
29. Applicant shall comply with all County regulations and permit requirements.

STANDARD STIPULATIONS

1. Any cultural and/or paleontological resource (historic or prehistoric site or object) discovered by the holder, or any person working on his behalf, on public or Federal land shall be immediately reported to the authorized officer. Holder shall suspend all

operations in the immediate area of such discovery until written authorization to proceed is issued by the authorized officer. An evaluation of the discovery will be made by the authorized officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The holder will be responsible for the cost of evaluation and any decision as to proper mitigation measures will be made by the authorized officer after consulting with the holder.

2. Pursuant to 43 CFR 10.4(g) the holder of this authorization must notify the authorized officer, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4(c) and (d), you must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the authorized officer.
3. The operator or its contractor is responsible for informing all persons who are associated with the project operations 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 any project or construction activity, the operator must stop work in the area of the discovery that might further disturb such materials and immediately contact the Administrative Officer. Within five working days, the AO will inform the operator as to the mitigation measures the operator will likely have to undertake before the site can be used (assuming in-place preservation is not necessary).
4. The holder shall notify the AO at least 60 days prior to non-emergency activities that will cause surface disturbance in the ROW or TUP. BLM will determine whether any special resource (cultural, plants, animal, etc.) inventories, treatments, or mitigation are required. The authorized officer may require the completion of a special status species surveys by a third party contractor at the expense of the holder, or the BLM may choose to complete the survey. The BLM may take actions or make recommendations to protect any special status plant populations identified near or on the right-of-way.
5. A "Notice to Proceed" stipulation shall be required for any non-emergency activities as defined above that will cause surface disturbance on the ROW or TUP. Any request for a "Notice to Proceed" shall be made to the AO, who shall review the proposed action for consistency with resource management concerns such as wildlife, big game winter range, paleontology, threatened and endangered species, and cultural resource protection. Additional measures may be required to protect these resources.
6. On the Right-of-Way, the holder shall monitor and control those noxious weeds that may occur or be found, as listed in the booklet, Noxious Weeds of Mesa County. If chemical control is necessary, 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 the Interior. Prior to the use of pesticides, the holder shall obtain from the authorized officer written approval of a plan showing the

type and quantity of material to be used, the 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. Emergency use of pesticides shall be approved in writing by the authorized officer prior to such use.

7. The holder shall comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated. In any event, the holder shall comply with the Toxic Substances Control Act of 1976, as amended (15 U.S.C. 2601 et seq.) with regard to any toxic substances that are used, generated by or stored on the right-of-way or on facilities authorized under this right-of-way grant (see 40 CFR, Part 702-799 and especially, provisions on polychlorinated biphenyls, 40 CFR 761.1-761.193). Additionally, any release of toxic substances (leaks, spills, etc.) in excess of the reportable quantity established by 40 CFR, Part 117 shall be reported as required by the Comprehensive Environmental Response, Compensation and Liability Act of 1980, Section 102b. A copy of any report required or requested by any Federal agency or State government as a result of a reportable release or spill of any toxic substances shall be furnished to the authorized officer concurrent with the filing of the reports to the involved Federal agency or State government.
8. The holder shall comply with applicable State standards for public health and safety, environmental protection and siting, construction, operation and maintenance, if these State standards are more stringent than Federal standards for similar projects.