

**U.S. Department of the Interior
Bureau of Land Management
Little Snake Field Office
455 Emerson Street
Craig, CO 81625-1129**

ENVIRONMENTAL ASSESSMENT

EA-NUMBER: CO-100-2006-058 EA

PERMIT/LEASE NUMBER: COC 72980

PROJECT NAME: Peabody Twentymile Coal Company Application for Coal Lease

LEGAL DESCRIPTION: T. 5 N., R. 87 W. of the 6th PM
Sec. 22, E $\frac{1}{2}$ SW $\frac{1}{4}$
Sec. 22, SE $\frac{1}{4}$
Sec. 27, W $\frac{1}{2}$ NE $\frac{1}{4}$
Sec. 27, E $\frac{1}{2}$ NW $\frac{1}{4}$
Sec. 27, N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$
Sec. 27, W $\frac{1}{2}$ SE $\frac{1}{4}$

APPLICANT: Peabody Twentymile Coal Company Application for Coal Lease

PLAN CONFORMANCE REVIEW: The proposed action is subject to the following plan:

Name of Plans: Little Snake Resource Management Plan and Record of Decision

Date(s) Approved: April 26, 1989

Results: The proposed action has been reviewed for conformance with this plan (43 CFR 1610.5, BLM 1617.3). The proposed action is in conformance with the objectives for Management Unit 1.

Remarks: The proposed Peabody Twentymile Coal Company Application for a Coal Lease is located within Management Unit 1 (Little Snake Resource Management Plan). This unit is rated as possessing the highest favorability for the occurrence of coal, oil, and gas resources in the Little Snake Resource Area. The objectives of Management Unit 1 are to realize the potential for development of coal, oil, and gas resources.

NEED FOR PROPOSED ACTION: Twentymile Coal Company's (TCC) Foidel Creek Mine is expanding development of their existing underground mine into the West Mining District.

Mining of these reserves would provide for the development of solid mineral resources and supply energy resources to the American public.

PUBLIC SCOPING PROCESS: This project is listed on the Little Snake Field Office's NEPA log, posted on the LSFO web site.

BACKGROUND: Twentymile Coal Company's Foidel Creek Mine is located approximately 22 miles southwest of Steamboat Springs in Routt County. Foidel Creek Mine is an active, operating underground longwall coal mining operation. As the proposed longwall panels in the West Mining District advance to the west, the panels will encounter un-leased federally owned coal. The surface is owned by Cross Mountain Ranch.

A 2004 U.S. Supreme Court decision ruled that subsidence related to underground coal mining does not classify this activity as surface coal mining. Whereas the unsuitability criteria strictly involved surface coal mining disturbance, this lease application involves mining strictly underground coal reserves. Therefore since the unsuitability criteria related to surface coal mining in the Fish Creek Alluvial Valley Floor and Floodplain does not apply, the underground coal mining can now be classified as suitable for this mining lease.

DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES:

PROPOSED ACTION: TCC has submitted a Lease by Application to acquire the rights to mine the 500 acres of un-leased Federal coal in the West Mine District.

NO ACTION ALTERNATIVE: The Application for Coal Lease would be denied and federal coal would be bypassed.

AFFECTED ENVIRONMENT/ENVIRONMENTAL CONSEQUENCES/MITIGATION MEASURES

CRITICAL RESOURCES

AIR QUALITY

Affected Environment: Emissions from ongoing underground mining and surface operations are currently released. Coal dusts are generated and affect the local air quality. The Foidel Creek Mine Permit includes an Air Pollution Control Plan which describes dust control measures. An Emission Permit has been issued by the Colorado Department of Public Health and Environment, Air Pollution Control Division.

Environmental Consequences, Proposed Action: The addition of the federal coal to the existing mining operation will not cause any additional air quality impairment. Pollutant emissions would be extended an additional length of time necessary to mine the additional coal reserves.

Environmental Consequences, No Action: The application would be denied and air quality would not be affected.

Mitigative Measures: None

Name of specialist and date: Ole Olsen, 5/2/08

AREA OF CRITICAL ENVIRONMENTAL CONCERN

Affected Environment: Not Present

Environmental Consequences, both alternatives: Not Applicable

Mitigative Measures: Not Applicable

Name of specialist and date: Rob Schmitzer, 5/5/08

CULTURAL RESOURCES:

Affected Environment: Cultural resources, in this region of Colorado, range from late Paleo-Indian to Historic. For a general understanding of the cultural resources in this area of Colorado, see *An Overview of Prehistoric Cultural Resources, Little Snake Resource Area, Northwestern Colorado*, Bureau of Land Management Colorado, Cultural Resources Series, Number 20, *An Isolated Empire, A History of Northwestern Colorado*, Bureau of Land Management Colorado, Cultural Resource Series, Number 2 and *Colorado Prehistory: A Context for the Northern Colorado River Basin*, Colorado Council of Professional Archaeologists.

Environmental Consequences, Proposed Action: The proposed project, Lease by Application for Foidel Creek Mine, has undergone a Class III cultural resource survey:

O'Brien Patrick K.

2007. Peabody Energy Twentymile Coal West Mine Subsidence: Intensive Cultural Resource Inventory, Routt County, Colorado (54.1.08)

The survey identified no eligible to the National Register of Historic Places cultural resources. The proposed project may proceed as described in this EA with the following mitigative measures in place.

Environmental Consequences, No Action: The application would be rejected; cultural resources would not be affected.

Mitigative Measures: The following standard stipulations apply for this project:

1. The operator is responsible for informing all persons who are associated with the 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 encountered or uncovered during any project activities, the operator is to immediately stop activities in the immediate vicinity of the find and immediately contact the authorized officer (AO) at (970) 826-5000. 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 identified area can be used for project activities again; and
- Pursuant to 43 CFR 10.4(g) (Federal Register Notice, Monday, December 4, 1995, Vol. 60, No. 232) the holder of this authorization must notify the AO, by telephone at (970) 826-5000, and 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.

2. If the operator wishes, at any time, to relocate activities to avoid the expense of mitigation and/or the delays associated with this process, the AO will assume responsibility for whatever recordation and stabilization of the exposed materials may be required. Otherwise, the operator will be responsible for mitigation costs. 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.

Name of specialist and date: Robyn Watkins Morris, 5/1/08

ENVIRONMENTAL JUSTICE

Affected Environment: The proposed action is located in an area of isolated dwellings. Ranching and farming are the primary economic activities.

Environmental Consequences, both alternatives: The project area is relatively isolated from population centers, so no populations would be affected by physical or socioeconomic impacts of either alternative. Neither alternative would directly affect the social, cultural or economic well-being and health of Native American, minority or low-income populations.

Mitigative Measures: None.

Name of specialist and date: Louise McMinn, 5/1/08

FLOOD PLAINS

Affected Environment: No floodplains are present in the area affected by the proposed coal lease.

Environmental Consequences, both alternatives: None

Mitigative Measures: None

Name of specialist and date: Ole Olsen, 5/2/08

INVASIVE, NONNATIVE SPECIES

Affected Environment: Houndstongue, hoary cress (whitetop), Canada thistle, and other biennial thistles are known to occur in this area. There is the potential for noxious weeds, such as dalmatian and yellow toadflax, leafy spurge, knapweeds, perennial pepperweed and others, to exist and spread in these areas.

Environmental Consequences, Proposed Action: Since the proposed action is underground, it is not anticipated that the proposed action would increase noxious or invasive species throughout the affected area. Some amount of surface disturbance will be required for vents and other facilities that will support the underground mining operations and detection and control of any weeds that are established in these areas could easily be accomplished. Vehicular traffic associated with coal mining, as well as wind and water can cause invasive species to spread into new areas. The utilization of interim reclamation techniques can facilitate control of invasive species and reduce the potential of long term infestation of invasive and noxious weed species. All principles of Integrated Pest Management should be employed to control noxious weeds on public lands.

Environmental Consequences, No Action: The application would be denied and invasive species would not be affected.

Mitigative Measures: Integrated pest management techniques will be employed to control noxious weeds on disturbed areas at surface facilities and roads and where they have spread onto adjacent lands from these facilities.

Name of specialist and date: Ole Olsen, 5/2/08

MIGRATORY BIRDS

Affected Environment: The proposed project area is located near historic golden eagle nesting habitat but does not contain any likely nesting habitat for this species. The project area does provide nesting habitat for Brewers sparrow and sage sparrow. These three species are listed on the USFWS 2002 Birds of Conservation Concern List.

Environmental Consequences, Proposed Action: Underground mining activities are not

likely to impact any of these species populations. There is potential that some surface disturbance could occur as a result of related mine activities. These disturbances could result in short term or long term reductions in nesting habitat for Brewers sparrows and sage sparrows. These disturbances would likely be small in nature and would not result in loss of habitat great enough to impact any species. Chance of take to occur as a result of the Proposed Action is very low.

Environmental Consequences, No Action: There is no chance for take to occur as a result of the No Action Alternative.

Mitigative Measures: None

Name of specialist and date: Timothy Novotny, 5/20/08

NATIVE AMERICAN RELIGIOUS CONCERNS

A letter was sent to the Uinta and Ouray Tribal Council, Southern Ute Tribal Council, Ute Mountain Ute Tribal Council, and the Colorado Commission of Indian Affairs on January 21, 1999. The letter listed the projects that the BLM would notify them on and projects that would not require notification. No comments were received (Letter on file at the Little Snake Field Office). This project requires no additional notification.

Name of specialist and date: Robyn Watkins Morris, 5/1/08

PRIME & UNIQUE FARMLANDS

Affected Environment: Not Present

Environmental Consequences, both alternatives: None

Mitigative Measures: None

Name of specialist and date: Ole Olsen, 5/2/08

T&E AND SENSITIVE ANIMALS

Affected Environment: There are no threatened or endangered species or habitat for such species present within the proposed project area. The proposed project does support potential nesting habitat for Greater sage-grouse and Columbian sharp-tailed grouse, both species are BLM special status species. There are two Columbian sharp-tailed grouse leks within two miles of the proposed project area. There are 10 historic greater sage-grouse leks within two miles of the proposed project area. None of these leks have had sage-grouse displaying on them within the last twenty years. There is one active sage grouse lek located within 1¼ miles from the proposed project area.

Environmental Consequences, Proposed Action: Activities associated with underground mining of coal would not disturb any Columbian sharp-tailed grouse or greater sage-grouse lek sites. Mining activities could result in subsidence. Subsidence is not likely to impact nesting habitat for either species. There is potential that some surface disturbance could occur as a result of related mine activities. This could result in a small loss in nesting habitat but is not likely to impact either species populations. To ensure nesting activities are not disturbed, no surface disturbing activities should occur between March 1 and June 30.

Environmental Consequences, No Action Alternative: There would be no impacts to any threatened, endangered or special status species as a result of the No Action Alternative.

Mitigative Measures: In order to protect nesting greater sage-grouse and Columbian sharp-tailed grouse, no surface disturbing activities will be permitted between March 1 and June 30.

Name of specialist and date: Timothy Novotny, 5/20/08

T&E AND SENSITIVE PLANTS

Affected Environment: There are no BLM sensitive plant species or federally listed threatened or endangered plant species within or in the vicinity of the proposed project area.

Environmental Consequences, all alternatives: None

Mitigative Measures: None

Name of specialist and date: Hunter Seim, 5/2/08

WASTES, HAZARDOUS OR SOLID

Affected Environment: If an unexpected release does occur, the environment affected would be dependent on the nature and volume of material released. If there are no releases, there will be no environmental impact.

Environmental Consequences, Proposed Action: Consequences would be dependent on the volume and nature of the material released. In most every situation involving hazardous materials, there are ways to remediate the area that has been contaminated. Short-term consequences would occur, but they can be remedied, and long-term impacts would be minimal.

Environmental Consequences, No Action: There would be no project-related releases.

Mitigative Measures: None

Name of specialist and date: Jennifer Maiolo, 05/02/08

WATER QUALITY - GROUND

Affected Environment: Tertiary underground strata.

Environmental Consequences, Proposed Action: Some blasting could affect regional fracture patterns and cause an alteration in the flow of groundwater to local wells.

Environmental Consequences, No Action: Ground water quality would not be affected.

Mitigative Measures: Should nearby well water changes occur during blasting, operator should be responsible for mitigating/restoring well-water flow to existing wells.

Name of specialist and date: Marilyn Wegweiser, 4/29/08

WATER QUALITY - SURFACE

Affected Environment: Runoff from the area affected by the proposed action would flow to Fish Creek, which is a perennial tributary to Trout Creek. The water quality of Fish Creek must support the following beneficial uses: Aquatic Life Cold 1, Recreation 1a and Agriculture.

Longwall mining in the vicinity has occurred since about 1988 and runoff water from the subsided areas, as well as, mine inflow water derived from the mined coal aquifer has flowed or been released into Fish Creek. Twentymile Coal makes use of and recycles much of the mine inflow water in the conduct of various mining activities, especially dust suppression; subsequent handling and holding of this water tends to increase the TDS levels.

Colorado Department of Public Health and Environment, Water Quality Control Division has issued Pollutant Discharge Elimination System Permits (NPDES) for various discharge points, including Fish Creek. Current levels of Total Dissolved Solids in these creeks are monitored upstream of the mine activities and discharge is regulated. Discharged water is also treated with sodium hydroxide (NaOH) to maintain the pH of the water between 8.8 and 9 to precipitate iron and lower the TDS. When the creeks are surging with spring runoff water more of the mine inflow water is released to the streams and the dilution effect reduces the concentration of TDS, iron and sodium to acceptable levels to meet classified uses downstream. Conversely, when low or no flows occur, the amount of water discharged is reduced accordingly.

Environmental Consequences, Proposed Action: Subsidence of the ground surface likely would cause localized gradient changes on soil surfaces and within ephemeral stream channels. Additional sediments could be generated in the short term from overland flow

across soil surfaces. However, localized deposition is expected to occur within the stream channel, except during high runoff events. Slightly higher levels of TDS and Total Suspended Solids could result from sediment transport in the short term. No sediment dams are present downstream of the area to be subsided.

Environmental Consequences, No Action: Surface water quality would not be affected.

Mitigative Measures: None

Name of specialist and date: Ole Olsen, 5/2/08

WETLANDS/RIPARIAN ZONES

Affected Environment: No wetland or riparian systems are known to occur on the private lands overlying the proposed coal lease and subsequent mining that could occur.

Environmental Consequences, both alternatives: None

Mitigative Measures: None

Name of specialist and date: Ole Olsen, 5/2/08

WILD & SCENIC RIVERS

Affected Environment: Not present

Environmental Consequences, both alternatives: Not Applicable

Mitigative Measures: Not Applicable

Name of specialist and date: Jeremy Casterson, 6/12/08

WSAs, WILDERNESS CHARACTERISTICS

Affected Environment: Not present

Environmental Consequences, both alternatives: Not Applicable

Mitigative Measures: Not Applicable

Name of specialist and date: Jeremy Casterson, 6/12/08

NON-CRITICAL ELEMENTS

SOILS

Affected Environment: Soils are primarily derived from Lewis Shale and the Williams Fork Formation although smaller areas of Twentymile and Kit-Trout Creek sandstones have also contributed parent materials. Impass silty clay loam, 12 to 25 percent slopes; Impass silty clay loam, 25 to 40 percent slopes; Elkhead clay loam, 0 to 5 percent slopes; Lintim loam, 3 to 12 percent slopes; Impass silty clay loam, 3 to 12 percent slopes; and Phippsberg clay loam, 25 to 65 percent slopes are the soils that are mapped overlying the federal coal estate.

All of the soils have deep soil profiles and high water holding capacities except for the Phippsberg which typically has a depth of 20 to 33 inches over weathered shale bedrock and a low water holding capacity. Permeability through the most restrictive soil layer of these soils is moderately low and all but the Routt soils have a high shrink swell potential. These soils have a moderately high to high runoff rate.

Environmental Consequences, Proposed Action: The soil resource overlying the zone of subsidence is expected to remain intact with regards to important characteristics and properties. Some fracturing or loosening of the soil profile may occur in areas where the surface is flexed from the irregular pattern of subsidence and to a lesser degree some compression may result in and near the areas of maximum subsidence. These modifications to the soil profile could result in increased percolation of water in areas that were flexed and reduced percolation in areas which were compressed. These slight modifications to the soil profile are not expected to cause appreciable changes to the characteristics or properties of the soils, especially with regards to fertility or available soil moisture.

Environmental Consequences, No Action: Soils would not be affected.

Mitigative Measures: None

Name of specialist and date: Ole Olsen, 5/2/08

UPLAND VEGETATION

Affected Environment: Upland vegetation in the area overlying the proposed mining are composed of grassland, sagebrush-grass, and mountain shrub communities.

Environmental Consequences, both alternatives: There would be no direct impact to the overall plant communities from either alternative.

Mitigative Measures: None

Name of specialist and date: Hunter Seim, 5/20/08

WILDLIFE, TERRESTRIAL

Affected Environment: The proposed project area provides habitat for pronghorn antelope,

mule deer and elk. This area does not support critical winter habitat for any of these three species. A variety of small mammals, songbirds and reptiles may be found within the project area.

Environmental Consequences, Proposed Action: Underground mining activities are not likely to impact any terrestrial wildlife species populations. There is potential that some surface disturbance could occur as a result of related mine activities. These disturbances could result in short term or long term reductions in habitat. These disturbances would likely be small in nature and would not result in loss of habitat great enough to impact any species.

Environmental Consequences, No Action: There would be no impacts to any terrestrial wildlife species.

Mitigative Measures: None

Name of specialist and date: Timothy Novotny, 5/20/08

OTHER NON-CRITICAL ELEMENTS: For the following elements, those brought forward for analysis will be formatted as shown above.

Non-Critical Element	NA or Not Present	Applicable or Present, No Impact	Applicable & Present and Brought Forward for Analysis
Fluid Minerals		JAM 5/21/08	
Forest Management	JAM 5/21/08		
Hydrology/Ground		MW 4/29/08	
Hydrology/Surface		OO 5/2/08	
Paleontology		MW 4/29/08	
Range Management		JHS 5/20/08	
Realty Authorizations		LM 05/01/08	
Recreation/Travel Mgmt		RS 5/5/08	
Socio-Economics		LM 05/01/08	
Solid Minerals		JAM 5/2/08	
Visual Resources		RS 5/5/08	
Wild Horse & Burro Mgmt		JAM 5/21/08	
Wildlife, Aquatic	TN 5/20/08		

CUMULATIVE IMPACTS SUMMARY:

PLANT AND ANIMAL COMMUNITY (animal) STANDARD:

The proposed project area provides habitat for pronghorn antelope, mule deer and elk. A variety of small mammals, songbirds and reptiles may be found within the project area.

Underground mining activities are not likely to impact any terrestrial wildlife species populations. There is potential that some surface disturbance could occur as a result of related mine activities. These disturbances could result in short term or long term reductions in habitat. This standard is currently being met and will continue to be met with either the Proposed Action or the No Action Alternative.

Name of specialist and date: Timothy Novotny, 5/20/08

PLANT AND ANIMAL COMMUNITY (plant) STANDARD: Since the proposed action is to mine for coal underground, there would be no impact to the larger plant community. Neither alternative would adversely affect the plant community or preclude this standard from being met.

Name of specialist and date: Hunter Seim, 5/20/08

SPECIAL STATUS, THREATENED AND ENDANGERED SPECIES (plant) STANDARD: There are no federally listed threatened or endangered or BLM sensitive plant species within or in the vicinity of the proposed project area. This standard does not apply.

Name of specialist and date: Hunter Seim, 5/2/08

SPECIAL STATUS, THREATENED AND ENDANGERED SPECIES (animal) STANDARD:

There are no threatened or endangered species or habitat for such species present within the proposed project area. Activities associated with underground mining of coal will not disturb any Columbian sharp-tailed grouse or greater sage-grouse lek sites. Mining activities could result in subsidence. Subsidence is not likely to impact nesting habitat for either species. This standard is currently being met and will continue to be met with either the Proposed Action or the No Action Alternative.

Name of specialist and date: Timothy Novotny, 5/20/08

RIPARIAN SYSTEMS STANDARD: The riparian standard for healthy public lands will not be affected by the proposed action which occurs on private surface.

Name of specialist and date: Ole Olsen, 5/2/08

WATER QUALITY STANDARD: The water quality standard for healthy public lands will not be affected by the proposed action which occurs on private surface.

Name of specialist and date: Ole Olsen, 5/2/08

UPLAND SOILS STANDARD: The upland soil standard for healthy public lands will not be affected by the proposed action which occurs on private surface.

Name of specialist and date: Ole Olsen, 5/2/08

PERSONS/AGENCIES CONSULTED:

Uintah and Ouray Tribal Council, Colorado Native American Commission, Colorado State Historic Preservation Office.

FONSI

The environmental assessment, analyzing the environmental effects of the proposed action, has been reviewed. With the implementation of the attached mitigation measures there is a finding of no significant impact on the human environment. Therefore, an environmental impact statement is not necessary to further analyze the environmental effects of the proposed action.

1. Beneficial, adverse, direct, indirect, and cumulative environmental impacts have been disclosed in the EA. Analysis indicated no significant impacts on society as a whole, the affected region, the affected interests or the locality. The physical and biological effects are limited to the Little Snake Resource Area and adjacent land.
2. Public health and safety would not be adversely impacted. There are no known or anticipated concerns with project waste or hazardous materials.
3. There would be no adverse impacts to regional or local air quality, prime or unique farmlands, known paleontological resources on public land within the area, wetlands, floodplain, areas with unique characteristics, ecologically critical areas or designated Areas of Critical Environmental Concern.
4. There are no highly controversial effects on the environment.
5. There are no effects that are highly uncertain or involve unique or unknown risk. Sufficient information on risk is available based on information in the EA and other past actions of a similar nature.
6. This alternative does not set a precedent for other actions that may be implemented in the future to meet the goals and objectives of adopted Federal, State or local natural resource related plans, policies or programs.
7. No cumulative impacts related to other actions that would have a significant adverse impact were identified or are anticipated.
8. Based on previous and ongoing cultural surveys, and through mitigation by avoidance, no adverse impacts to cultural resources were identified or anticipated. There are no known American Indian religious concerns or persons or groups who might be disproportionately and adversely affected as anticipated by the Environmental Justice Policy.
9. No adverse impacts to any threatened or endangered species or their habitat that was determined to be critical under the Endangered Species Act were identified. If, at a future time, there could be the potential for adverse impacts, treatments would be modified or mitigated not to have an adverse effect or new analysis would be conducted.
10. This alternative is in compliance with relevant Federal, State, and local laws, regulations, and requirements for the protection of the environment.

DECISION AND RATIONALE: I have reviewed this environmental assessment including the explanation and resolution of any potentially significant environmental impacts. I have determined that the proposed action with the mitigation measures described below will not have any significant impacts on the human environment and that an EIS is not required. I have determined that the proposed project is in conformance with the approved land use plan. It is my decision to implement the project with the mitigation measures identified below.

Mitigation Measures/Remarks:

It is my decision to implement the project with the mitigation measures identified below.

MITIGATION MEASURES:

1. The following standard cultural stipulations apply for this project:

1. The operator is responsible for informing all persons who are associated with the 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 encountered or uncovered during any project activities, the operator is to immediately stop activities in the immediate vicinity of the find and immediately contact the authorized officer (AO) at (970) 826-5000. 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 identified area can be used for project activities again; and
- Pursuant to 43 CFR 10.4(g) (Federal Register Notice, Monday, December 4, 1995, Vol. 60, No. 232) the holder of this authorization must notify the AO, by telephone at (970) 826-5000, and 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.

2. If cultural or paleontological resources are discovered during operations under this lease, the lessee shall immediately notify the Field Office Manager and shall not disturb such discovered resources until the Field Office Manager issues specific instructions.

- a. Within 5 working days after notification, the Field Office Manager shall evaluate any cultural resources discovered and shall determine whether any action may be required to protect or to preserve such

discoveries.

b. The cost of data recovery for cultural resources discovered during exploration operations shall be borne by the lessee, if the lessee is ordered to take any protective measures. Ownership of cultural resources discovered shall be determined in accordance with applicable law

3. In order to protect nesting greater sage-grouse and Columbian sharp-tailed grouse, no surface disturbing activities will be permitted between March 1 and June 30.
4. Integrated pest management techniques will be employed to control noxious weeds on disturbed areas at surface facilities and roads and where they have spread onto adjacent lands from these facilities
5. 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.

COMPLIANCE PLAN(S):

Periodic compliance inspections will be performed over the life of this project to insure that all mitigation measures are being implemented as required.

SIGNATURE OF PREPARER:

DATE SIGNED:

SIGNATURE OF ENVIRONMENTAL REVIEWER:

DATE SIGNED:

SIGNATURE OF AUTHORIZED OFFICIAL:

DATE SIGNED: