

**U.S. Department of the Interior
Bureau of Land Management
White River Field Office
220 E Market St
Meeker, CO 81641**

CATEGORICAL EXCLUSION

NUMBER: DOI-BLM-CO-110-2011-0034-CX

CASEFILE/PROJECT NUMBER: COC66620

PROJECT NAME: ETC Canyon additional meter connects for Robert Bayless

LEGAL DESCRIPTION: Sixth Principal Meridian
T.1S., R104W.,
sec. 13, NE¹/₄SE¹/₄.

APPLICANT: ETC Canyon Pipeline LLC

DESCRIPTION OF PROPOSED ACTION:

Background: The original Robert Bayless Weaver Ridge 13-9 well pad was analyzed in CO-110-2005-132-EA and the original ETC Canyon pipeline to serve that well was analyzed in CO-05-194-DNA. The two new wells on the same pad, Weaver Ridge 13-9-H and the Weaver Ridge 13-16, were analyzed in CO-110-2010-215DNA, but connecting them to the pipeline was not addressed.

Proposed Action

ETC proposes to amend their existing Right-of-Way (ROW) grant for authorization to construct, operate, and maintain 2 new meter runs to be located entirely within the ROW on the Weaver Ridge 13-9 location. Maps are attached as Exhibit A-Area and Exhibit A-Image. Stipulations carried forward from the original grant and the associated wells are attached as Exhibit B.

The proposed meter runs will be buried in a straight line along the west side of the location running from the south east to the north west and connect to the lateral at the tie in point of the Weaver Ridge 13-9 meter run. The separators for each well will be in-between the meter runs. The estimated disturbance would be 150 feet long by 30 feet wide. The meter buildings would be 7 feet long by 4 feet wide by 7 feet high each. No temporary work space is necessary for the construction of the proposed meter run. A radio and electronic flow measurement would be installed on-site; the meters would be calibrated every 3 months by 1 employee. ETC proposes to use existing roads and the pipeline ROW to access the site and no new roads would be built.

Construction would begin as soon as the proposal is approved. Construction is estimated to take 5 days and would require approximately 6 workers to be on site. Equipment would include a backhoe, pickup trucks, and a semi-truck and a flat bed trailer. Construction will progress as

follows: locating the pipeline; and excavating the pipe in the location where the meter run would be placed. Top soil would be segregated from mineral soil during surface clearing prior to excavation of the pipeline. Once the trench is constructed, riser valves would be welded onto both sides of the pipeline. The riser valves would extend above the level of the natural surface and tie into the meter. The meter run would be placed on a metal skid and would be painted Desert Tan. The building housing the meter would be 4 feet wide by 7 feet long by 7 feet high.

Once the pipeline is tied into the meter the mineral soil would be placed back into the trench and the disturbed area would be final graded. Then the top soil would be placed back on the surface. ETC would follow all required conditions for this process.

All waste material will be hauled and properly disposed of in accordance with Federal, State, and local regulations. No waste or unused materials will be disposed of on site.

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: White River Record of Decision and Approved Resource Management Plan (ROD/RMP).

Date Approved: July 1, 1997

Decision Number/Page: Page 2-49

Decision Language: “To make public lands available for the siting of public and private facilities through the issuance of applicable land use authorizations, in a manner that provides for reasonable protection of other resource values.”

CATEGORICAL EXCLUSION REVIEW: The proposed action qualifies as a categorical exclusion under 516 DM 11.9, Number (E-12): “Grants of right-of-way wholly within the boundaries of other compatible developed rights-of-way”.

The proposed action has been reviewed with the list of extraordinary circumstances described in the table below. This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. None of the following exceptions in 516 DM 2, Appendix 2, apply.

Exception	YES	NO
1. Have significant adverse effects on public health and safety.		X
2. Have significant impacts 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

Exception	YES	NO
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. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		X
7. Have significant impacts on properties listed, or eligible for listing, in the National Register of Historic Places as determined by either the bureau of office.		X
8. Have significant impacts 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. Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.		X
10. Have a disproportionately high and adverse effect on low income or minority populations		X
11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly affect the physical integrity of such sacred sites.		X
12. 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:

The proposed action was presented to, and reviewed by the White River Field Office interdisciplinary team on December 6, 2011. A list of resource specialists who participated in this review is available upon request from the White River Field Office.

REMARKS:

Cultural Resources: The proposed meter facilities are in an area inventoried at the Class III (100% pedestrian) level (Conner and Davenport 2005, Compliance Dated 4/25/2005) with no cultural resources identified in the inventory area. Further, the proposed action appears to be confined to the existing well pad surface disturbance area. It is unlikely that cultural resources will be impacted by the proposed action. (MRS 12/13/2010)

Native American Religious Concerns: No Native American Religious Concerns are known in the area, and none have been noted by Northern Ute tribal authorities. Should recommended inventories or future consultations with Tribal authorities reveal the existence of such sensitive properties, appropriate mitigation and/or protection measures may be undertaken. (MRS 12/13/2010)

Paleontological Resources: The proposed action is located in an area generally mapped as the Douglas Creek member of the Green River Formation. The BLM, WRFO has classified the Douglas Creek member of the Green River Formation to be a PFYC 5 formation meaning it is known to produce scientifically noteworthy fossil resources. If it becomes necessary to excavate into the undisturbed rock formation under the pad there is a potential to impact scientifically noteworthy fossil resources. (MRS 12/13/2010)

Threatened and Endangered Wildlife Species: Recent Colorado Division of Wildlife big game mapping revisions currently categorize the project area as big game severe winter range. These ranges are subject to RMP-approved Timing Limitations (TL-08) that disallow disruptive activity between the dates of January 1 and April 30. There are no other outstanding wildlife-related issues or concerns that were not addressed in the original CO-110-2005-132-EA or the CO-110-2010-215DNA. (LB 12/15/10)

Threatened and Endangered Plant Species: This proposed action has no potential to impact threatened and/or endangered plant species. (MT 12/28/2010)

Solid and Hazardous Wastes: The potential for harm to the environment is presented by risks associated with spills of fuel, oil and/or hazardous substances during oil and gas operations. Accidents and mechanical breakdown of machinery are also possible. (CB 12/21/2010)

REFERENCES CITED:

- Armstrong, Harley J. and David G. Wolny
1989 paleontological Resources of Northwest Colorado: A Regional Analysis. Museum of Western Colorado, Grand Junction, Colorado.
- Conner, Carl E. and Barbara J. Davenport
2005 Class III Cultural Resource Inventory Report for four proposed Federal Well Locations and Related Access Roads in the Weaver Ridge Area of Rio Blanco County, Colorado, for Robert L. Bayless, Producer LLC. Grand River Institute, Grand Junction, Colorado.
- Tweto, Ogden
1979 Geologic Map of Colorado. United States Geologic Survey, Department of the Interior, Reston, Virginia.

MITIGATION:

Cultural/Paleo:

1. The operator 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 activities, the operator is to immediately stop activities in the immediate area of the find that might further disturb such materials, and

immediately contact the authorized officer (AO). Within five working days the AO will inform the operator as to:

- whether the materials appear eligible for the National Register of Historic Places
- the mitigation measures the operator will likely have to undertake before the site can be used (assuming in situ preservation is not necessary)
- a timeframe for the AO to complete an expedited review under 36 CFR 800-11 to confirm, through the State Historic Preservation Officer, that the findings of the AO are correct and that mitigation is appropriate.

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 cost. 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.

2. Pursuant to 43 CFR 10.4(g) the holder of this authorization must notify the AO, 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 is responsible for informing all persons who are associated with the project operations that they will be subject to prosecution for knowingly disturbing paleontological sites, or for collecting fossils. If fossil materials are uncovered during any project or construction activities, the operator is to immediately stop activities in the immediate area of the find that might further disturb such materials, and immediately contact the authorized officer (AO).

Within five working days the AO will inform the operator as to:

- whether the materials appear to be of noteworthy scientific interest
- the mitigation measures the operator will likely have to undertake before the site can be used (assuming in situ preservation is not feasible)

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 cost. 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.

4. If it becomes necessary to excavate into the underlying rock formation to install the meter runs or pipelines or meter house footers a paleontological monitor shall be present for all such excavations.

Terrestrial Wildlife: This area is encompassed by big game severe winter range. No development activity is allowed from January 1 through April 30. Exceptions and modifications to this condition are available pending WRFO staff review and approval by the Authorized Officer.

Solid and Hazardous Materials:

1. The right-of-way holder shall comply with all federal, state and/or local laws, rules, and regulations addressing the emission of and/or the handling, use, and release of any substance that poses a risk of harm to human health or the environment.
2. The holder shall employ, maintain, and periodically update to the best available technology(s) aimed at reducing emissions, fresh water use and hazardous material utilization, production and releases.
3. All substances that pose a risk of harm to human health or the environment shall be stored in appropriate containers. Fluids that pose a risk of harm to human health or the environment, including but not limited to produced water, shall be stored in appropriate containers and in secondary containment systems at 110% of the largest vessel's capacity. Secondary fluid containment systems, including but not limited to tank batteries shall be lined with a minimum 24 mil impermeable liner.
4. Where required by law or regulation to develop a plan for the prevention of releases or the recovery of a release of any substance that poses a risk of harm to human health or the environment, provide a current copy of said plan to the Bureau of Land Management's White River Field Office.
5. Construction sites and all facilities shall be maintained in a sanitary condition at all times; waste materials shall be disposed of promptly at an appropriate waste disposal site. "Waste" means all discarded matter including, but not limited to, human waste, trash, garbage, refuse, oil drums, petroleum products, ashes, and equipment.
6. As a reasonable and prudent right-of-way holder, acting in good faith, the holder will report all emissions or releases that may pose a risk of harm to human health or the environment, regardless of a substance's status as exempt or nonexempt and regardless of fault, to the Bureau of Land Management's White River Field Office at (970) 878-3800.
7. As a reasonable and prudent right-of-way holder, acting in good faith, the holder will provide for the immediate clean-up and testing of air, water (surface and/or ground) and soils contaminated by the emission or release of any substance that may pose a risk of harm to human health or the environment, regardless of that substance's status as exempt or non-exempt. Where the holder fails, refuses or neglects to provide for the immediate clean-up and testing of air, water (surface and/or ground) and soils contaminated by the emission or release of any quantity of a substance that poses a risk of harm to human health or the environment, the Bureau of Land Management's White River Field Office may take measures to clean-up and test air, water (surface and/or ground) and soils at the lessee/operator's expense. Such action will not relieve the holder of any liability or responsibility.
8. With the acceptance of this authorization, the commencement of development under this authorization, or the running of thirty calendar days from the issuance of this authorization, whichever occurs first, and during the life of the pipeline, the holder, and through the holder, its agents, employees, subcontractors, successors and assigns, stipulates and agrees to

indemnify, defend and hold harmless the United States Government, its agencies, and employees from all liability associated with the emission or release of substances that pose a risk to human health or the environment.

COMPLIANCE PLAN: On-going compliance inspections and monitoring will be conducted by White River Field Office staff during construction, operation, maintenance, and reclamation of the project. Specific mitigation developed in this Categorical Exclusion and the terms and conditions of the original associated grants (Exhibit B) will be followed.

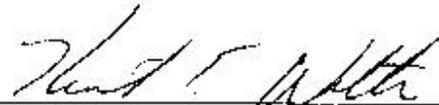
NAME OF PREPARER: Linda Jones

NAME OF ENVIRONMENTAL COORDINATOR: Heather Sauls

DECISION AND RATIONALE: I have reviewed this CX and have decided to approve the proposed action.

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.

SIGNATURE OF AUTHORIZED OFFICIAL:



Field Manager

DATE SIGNED:

01/10/2011

ATTACHMENTS:

Exhibit A – maps

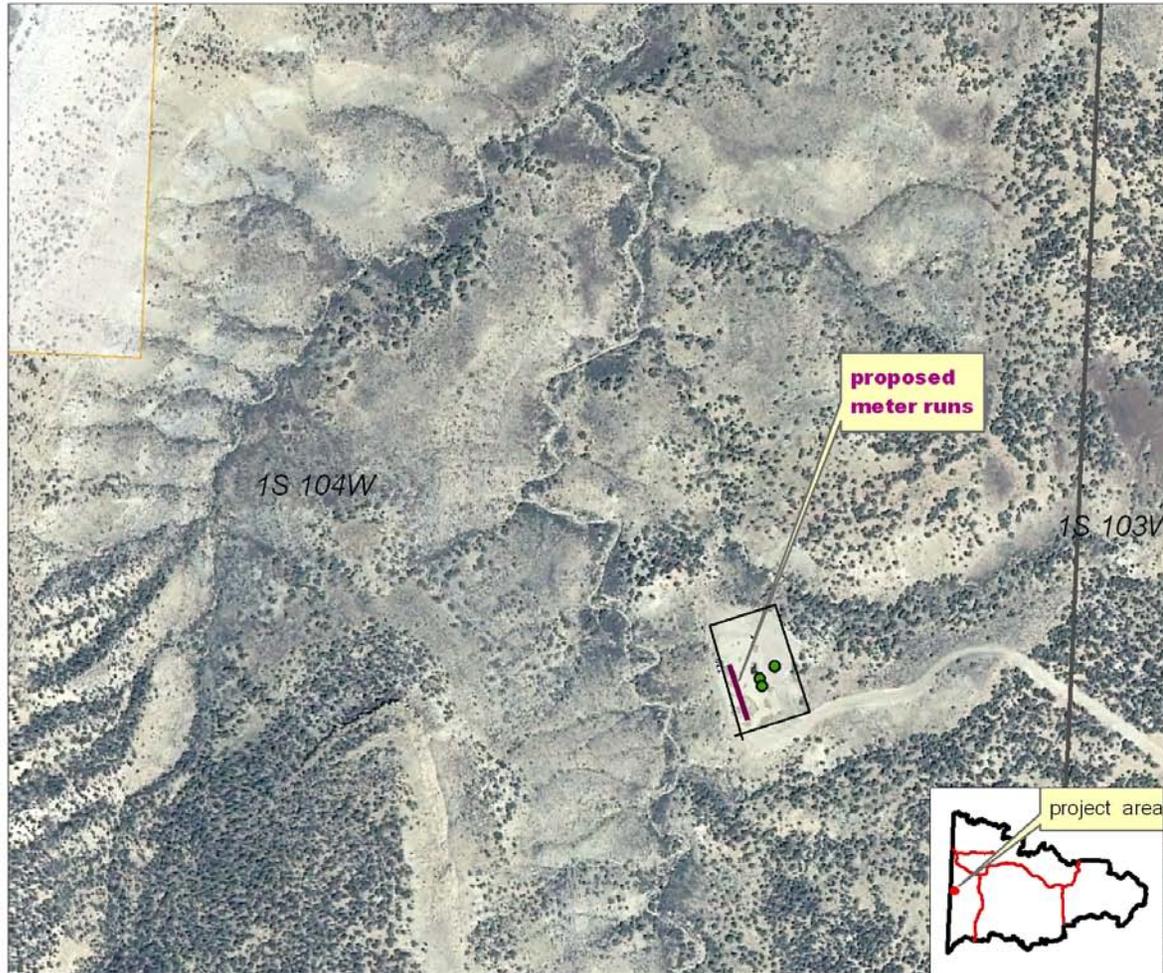
Exhibit B – stipulations carried forward



ETC CANYON METERS FOR ROBERT BAYLESS WR 13-9



EXHIBIT A IMAGE



DOTBLMCO1102011-0034CX

COC66620

Sixth Principal Meridian
T.1S, R.104W., sec. 13



- County
- State
- PLSS_Townships_GCDB2008
- BLM
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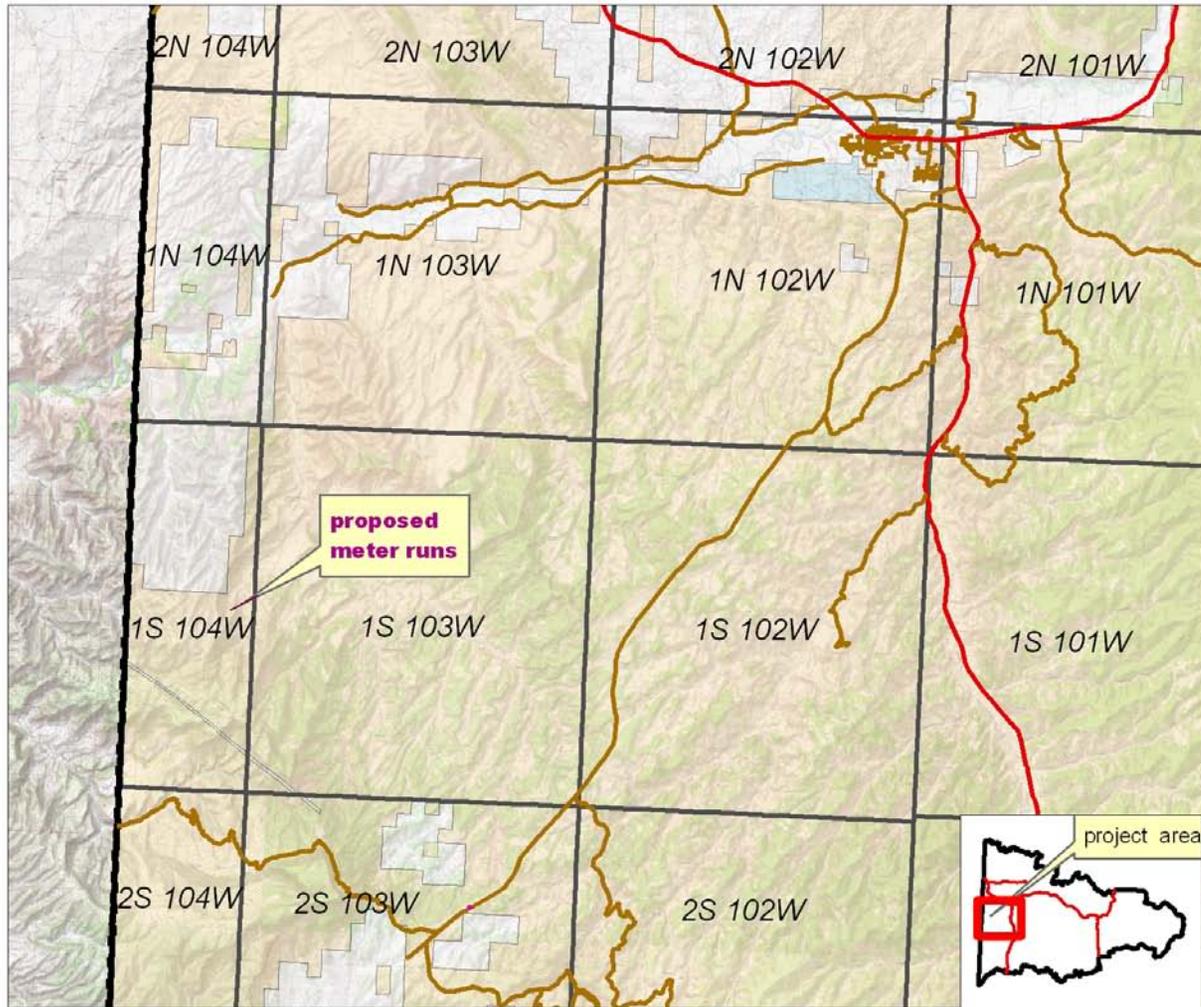
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ETC CANYON METERS FOR ROBERT BAYLESS WR 13-9



EXHIBIT A AREA



DOTBLMCO1102011-0034CX

COC66620

Sixth Principal Meridian
T.1S, R.104W., sec. 13



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- State
- PLSS_Townships_GCDB2008
- BLM
- CDW
- County
- FOR
- NPS
- PRI
- STA

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11/2010 LLJ

DATE: 11/2010 LLJ
 BY: BLM/COG/LLJ
 CHECKED BY: BLM/COG/LLJ
 APPROVED BY: BLM/COG/LLJ
 TITLE: ETC CANYON METERS FOR ROBERT BAYLESS WR 13-9

Exhibit B - Stipulations Carried Forward

All applicable Conditions of Approval (COAs) for the Robert Bayless Weaver Ridge 13-16 and Weaver Ridge 13-9H wells and Stipulations from the original pipeline grant (COC66620) remain in full force and effect for the gas pipeline and meters addressed in this Proposed Action:

Regulatory:

1. The holder is responsible for complying with all local, state, and federal air quality regulations. To minimize production of fugitive particulate matter, vehicle speeds must not exceed 15 mph *or* dust plume must not be visible at appropriate designated speeds for road design. In addition, the application of a BLM approved dust suppressant (e.g. water or chemical stabilization methods) will be required during dry periods when dust plumes are visible at speeds less than or equal to 15 mph.
2. The holder is responsible for complying with all local, state, and federal water quality regulations (such as but not limited to Phase I Storm Water Permit, 404 permits (if applicable), and Industrial Wastewater/Produced Water Permits). Soils stockpiled for short durations (e.g. road/pipeline construction/maintenance) will be wetted during dry periods to reduce production of fugitive particulate matter.
3. The holder is responsible for obtaining and following all applicable permits from State or local governments, such as implementing the Colorado One Call procedure.

Construction:

4. To mitigate water being channelized down roadways, all activity must stop when soils or road surfaces become saturated to a depth of three inches. Mud blading is prohibited without prior approval by the Authorized Officer.
5. All surface disturbing activities will strictly adhere to “Gold Book” surface operating standards for oil and gas exploration and development (copies of the “Gold Book” can be obtained at the WRFO).
6. Stockpiled soils must be covered and adequate ground cover must be applied (e.g. woody debris) to minimize surface exposure to eolian processes.
7. To mitigate contamination of local ground water, environmentally unfriendly substances (e.g. diesel) must not be allowed to contact soils. The use of impermeable matting under equipment is suggested to intercept such contaminants prior to contacting soils.

Reclamation:

8. Revegetate any surfaces disturbed during construction and not involved with production, using WRFO Native Seed Mix #5:

Native Seed Mix #5		
Species (Variety)	Lbs. PLS per Acre	Ecological Sites
Basin Wildrye (Magnar)	2	Foothill Swale, Sandy
Western wheatgrass (Rosanna, Arriba)	3	Swale, Swale Meadow
Bluebunch wheatgrass (Secar)	1	
Thickspike wheatgrass (Critana)	2	
Fourwing saltbush (Wytana)	1	

9. Complete reclamation will follow abandonment of well pads. Access roads, well pads, and pipelines on the well pads will be recontoured and 100% of disturbed surfaces will be revegetated with Native Seed Mix #5.

10. To mitigate surface erosion due to removal of ground cover on well pads and access roads, stockpiled soils shall be covered and silt fences will be used on down gradient sides. Upon reclamation flow deflectors and sediment traps (woody debris) must be redistributed over the area along with Native Seed Mix #5:

11. Application of herbicides must be under field supervision of an EPA-certified pesticide applicator. Herbicides must be registered by the EPA and application proposals must be approved by the BLM.

12. All above ground facilities will be low profile and painted Juniper Green, or similar color, to blend with the surrounding environment and other facilities on the well pad.

Cultural/Paleo:

13. The operator 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 activities, the operator is to immediately stop activities in the immediate area of the find that might further disturb such materials, and immediately contact the authorized officer (AO). Within five working days the AO will inform the operator as to:

- whether the materials appear eligible for the National Register of Historic Places
- the mitigation measures the operator will likely have to undertake before the site can be used (assuming in situ preservation is not necessary)
- a timeframe for the AO to complete an expedited review under 36 CFR 800-11 to confirm, through the State Historic Preservation Officer, that the findings of the AO are correct and that mitigation is appropriate.

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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.

14. Pursuant to 43 CFR 10.4(g) the holder of this authorization must notify the AO, 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.
15. The operator is responsible for informing all persons who are associated with the project operations that they will be subject to prosecution for knowingly disturbing paleontological sites, or for collecting fossils. If fossil materials are uncovered during any project or construction activities, the operator is to immediately stop activities in the immediate area of the find that might further disturb such materials, and immediately contact the authorized officer (AO). Within five working days the AO will inform the operator as to:
 - whether the materials appear to be of noteworthy scientific interest
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16. If it becomes necessary to excavate into the underlying rock formation to install the meter runs or pipelines or meter house footers a paleontological monitor shall be present for all such excavations.