W-168353

BUREAU OF LAND MANAGEMENT
BUFFALO FIELD OFFICE

SPECIAL STIPULATIONS
FOR
MINERAL MATERIALS SALES CONTRACT
AUTHORIZED FOR
City of Buffalo, Tisdale Mine, WYW-168353

1. **No surface-disturbing or disruptive activities (i.e., mining or crushing of sand/gravel) shall occur within 0.5 miles of Nest 13117 (0.3 miles from the Mine), from February 1 through July 31, annually, prior to a nesting survey. This timing limitation will be in effect unless surveys determine the nest to be inactive.**
    a. **Surveys shall be conducted by a biologist following BLM protocol. All survey results shall be submitted in writing to a Buffalo BLM Biologist, and approved prior to surface-disturbing activities.**
    b. **If a new nest is located within 0.5 miles of the Tisdale Mine, the above timing limitation may also apply to the new nest.**

2. **If an undocumented raptor nest is located during project construction or operation, the BLM Buffalo Field Office (307-684-1100) shall be notified within 24 hours.**

STANDARD STIPULATIONS
FOR
MINERAL MATERIALS SALES CONTRACT
AUTHORIZED FOR
City of Buffalo, Tisdale Mine, WYW-168353

1. The Bureau of Land Management (BLM), Buffalo Field Office Manager, 1425 Fort Street, Buffalo, Wyoming, 82834 (phone number 307-684-1100) will be notified when the project begins and when it has been completed. He/She must be supplied with the name of the person in charge of the mining operations along with his/her phone number and/or the location at which he/she can be reached.

2. That no holes, pits, equipment, or facilities be maintained on the ground during extraction or upon termination of the contract which would endanger human life, livestock, or wildlife.

3. That the BLM authorized officer, or his/her delegate, be allowed to examine at any time the mineral material area so described, the records and books of the contractor to

determine the quantity of mineral material removed, and inspect the described area for compliance with the provisions of the contract.

4. **That upon termination or expiration of the contract, the contractor will submit a final accounting of the total volume of mineral materials removed under the terms of the contract.**

5. That all mineral material (raw material, processed material, reject material, and excess material) shall remain the property of the United States Government, and that no part of the materials so enumerated may be used in payment for services in obtaining or processing it.

6. All requirements of the Wyoming Environmental Quality Act of 1973 must be complied with.

7. If any cultural values are observed during construction/operations, work is to be stopped and they are to be left intact and the Field Office Manager, BLM, Buffalo, Wyoming, 82834 (phone number 307-684-1100), is to be notified.

8. The holder of this authorization shall immediately bring any paleontological resources or fossils discovered as a result of operations under this authorization to the attention of the BLM authorized officer. The holder shall suspend all activities in the vicinity of such discovery until notified to proceed by the authorized officer. The authorized officer will evaluate, or will have evaluated, such discoveries not later than 5 working days after being notified, and will determine what action shall be taken with respect to such discoveries. The decision as to the appropriate measures to mitigate adverse effects to significant paleontological resources will be made by the authorized officer after consulting with the holder. The holder may be responsible for the cost of any investigations necessary for the evaluation, and for any mitigative measures.

9. All topsoil will be saved and re-spread on the site after mining is completed.

10. After completion of mining, the area will be contoured and sloped to blend in with the surrounding area within 12 months following removal of the contracted amount of material, or termination of the contract, whichever occurs first.

11. Notification will be given to the BLM, Buffalo Field Office Manager, within 60 days following reclamation of the pit area.

12. All plants listed on the State of Wyoming Noxious List (below) and the appropriate county list will be controlled annually until final reclamation has been completed. In addition to the state designated list, Johnson and Campbell Counties declared a number of "weeds of concern" in the year 2000, under the authority of the Wyoming Weed and Pest Council Act. Included for annual control are, for Campbell County: common

cocklebur, and wild licorice, and for Johnson County: common mullein, common cocklebur, and wild licorice. When the contracted pit becomes inactive, all listed weed species will be monitored and controlled for a minimum of three years; thereafter, listed weeds will continue to be controlled as needed. Herbicides will be applied by a certified applicator or under their direct supervision and in strict accordance to label directions. All safety standards and precautions on the label will be strictly adhered to.

WYOMING WEED & PEST CONTROL ACT DESIGNATED LIST
Designated Noxious Weeds .S. 11-5-102 (a)(xi)
and
Prohibited Noxious Weeds W.S. 11-12-104

(1) Field bindweed (Convolvulus arvensis L.)
(2) Canada thistle (Cirsium arvense L.)
(3) Leafy spurge (Euphorbia esula L.)
(4) Perennial sowthistle (Sonchus arvensis L.)
(5) Quackgrass (Agropyron repens (L.) Beauv.)
(6) Hoary cress (whitetop) (Cardaria draba and Cardaria pubescens (L.) Desv.)
(7) Perennial pepperweed (giant whitetop) (Lepidium latifolium L.)
(8) Ox-eye daisy (Chrysanthemum leucanthemum L.)
(9) Skeletonleaf bursage (Franseria discolor Nutt.)
(10) Russian knapweed (Centaurea repens L.)
(11) Yellow toadflax (Linaria vulgaris L.)
(12) Dalmatian toadflax (Linaria dalmatica (L.) Mill.)
(13) Scotch thistle (Onopordum acanthium L.)
(14) Musk thistle (Carduus nutans L.)
(15) Common burdock (Arctium minus (Hill) Bernh.)
(16) Plumeless thistle (Carduus acanthoides L.)
(17) Dyers woad (Isatis tinctoria L.)
(18) Houndstongue (Cynoglossum officinale L.)
(19) Spotted knapweed (Centaurea maculosa Lam.)
(20) Diffuse knapweed (Centaurea diffusa Lam.)
(21) Purple loosestrife (Lythrum salicaria L.)
(22) Saltcedar (Tamarix spp.)
(23) Common St. Johnswort (Hypericum perforatum)
(24) Common Tansy (Tanacetum vulgare)
(25) Russian olive (Elaeagnus angustifolia L.)