

UNITED STATES DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

Buffalo Field Office

Buffalo, Wyoming

SURFACE USE

MODIFIED CONDITIONS OF APPROVAL

POD Name: Veranda 1 & 2

Operator: Yates Petroleum Corporation

List of Wells:

	WELL NAME	NUM	QTR	SEC	TWP	RNG	LEASE
1	VERANDA 1 VEIL CS	1	NESW	13	47N	76W	WYW129545
2	VERANDA 1 VEIL CS	2	SWSW	13	47N	76W	WYW129545
3	VERANDA 1 HAUNT CS	1	SWSE	15	47N	76W	WYW133620
4	VERANDA 1 SPOOKY CS	1	NESE	15	47N	76W	WYW129985
5	VERANDA 1 MASK CS	3	SWNE	23	47N	76W	WYW147327
6	VERANDA 1 MASK CS	1	NENE	23	47N	76W	WYW147327
7	VERANDA 1 MASK CS	2	NENW	23	47N	76W	WYW147327
8	VERANDA 1 DISGUISE CS	1	NENW	24	47N	76W	WYW42625
9	VERANDA 1 MASK CS	5	NESW	24	47N	76W	WYW147327
10	VERANDA 1 MASK CS	4	SWNW	24	47N	76W	WYW147327
11	VERANDA 2 BALCONY CS	1	SWNW	1	47N	76W	WYW129039
12	VERANDA 2 CS	1	NENE	1	47N	76W	WYW130100
13	VERANDA 2 BALCONY CS	2	SWSW	1	47N	76W	WYW129039
14	VERANDA 2 CS	2	NENW	1	47N	76W	WYW130100
15	VERANDA 2 CS	3	SWNE	1	47N	76W	WYW130100
16	VERANDA 2 CS	4	NESE	1	47N	76W	WYW130100
17	VERANDA 2 CS	5	NESW	1	47N	76W	WYW130100
18	VERANDA 2 CS	6	SWSE	1	47N	76W	WYW130100
19	VERANDA 2 BALCONY CS	3	NENE	2	47N	76W	WYW129039
20	VERANDA 2 BALCONY CS	4	SWNE	2	47N	76W	WYW129039
21	VERANDA 2 BALCONY CS	5	NESE	2	47N	76W	WYW129039
22	VERANDA 2 BALCONY CS	6	SWSW	2	47N	76W	WYW129039
23	VERANDA 2 BALCONY CS	8	NENE	11	47N	76W	WYW129039
24	VERANDA 2 BALCONY CS	9	SWNE	11	47N	76W	WYW129039
25	VERANDA 2 GALLERY CS	1	NESE	12	47N	76W	WYW145598
26	VERANDA 2 GALLERY CS	2	SWSE	12	47N	76W	WYW145598
27	VERANDA 2 BALCONY CS	10	NENW	12	47N	76W	WYW129039
28	VERANDA 2 BALCONY CS	11	SWNW	12	47N	76W	WYW129039
29	VERANDA 2 BALCONY CS	12	NESW	12	47N	76W	WYW129039
30	VERANDA 2 BALCONY CS	13	SWSW	12	47N	76W	WYW129039
31	VERANDA 1 MASK CS	6	SWSW	24	47N	76W	WYW147327
32	VERANDA 2 BALCONY CS	7	SWSE	2	47N	76W	WYW129039

The following impoundment locations were inspected and approved for use in association with the water management strategy for the Veranda POD. All locations are Primary in designation.

	<b>Impoundment Name/Number</b>	<b>Qtr</b>	<b>SEC</b>	<b>TWP</b>	<b>RNG</b>	<b>Capacity ac/ft</b>	<b>Surface Disturbance (Acres)</b>	<b>Lease #</b>
1	ASP	NWNE	23	47	76	5.6	1.2	WYW147327
2	Cutout	NESW	12	47	76	13.1	2.2	WYW129039
3	ENL Kaufman	SESW	13	47	76	10	2.4	WYW129545
4	Gazebo	NESW	12	47	76	16.3	2.4	WYW129039
5	Merrimac	SESW	12	47	76	49.3	5.35	WYW145598
6	Punches	SWSW	13	47	76	19.9	3.7	WYW129545
7	Slim	SESW	23	47	76	8.5	1.5	WYW147327
8	Weekender	SWNW	24	47	76	12.8	2.6	WYW147327
9	Wingman	SWSW	13	47	76	9.8	1.6	WYW129545
10	Gridiron	SENE	11	47	76	9.9	1.7	WYW129039
11	Single Speed	NWSW	12	47	76	9.8	2.5	WYW129039

### **Programmatic mitigation measures identified in the PRB FEIS ROD**

Programmatic mitigation measures are those, determined through analysis, which may be appropriate to apply at the time of APD approval if site specific conditions warrant. These mitigation measures can be applied by BLM, as determined necessary at the site-specific NEPA APD stage, as COAs and will be in addition to stipulations applied at the time of lease issuance and any standard COA.

#### **Groundwater**

1. In order to address the potential impacts from infiltration on shallow ground water, the Wyoming DEQ has developed a guidance document, "Compliance Monitoring and Siting Requirements for Unlined Coalbed Methane Produced Water Impoundments" which was approved September, 2006. For WYPDES permits received by DEQ after the August 1st effective date, the BLM requires that operators comply with the current approved DEQ compliance monitoring guidance document prior to discharge of federally-produced water into newly constructed or upgraded impoundments.

#### **Surface Water**

1. Channel Crossings:
  - a) Channel crossings by road and pipelines will be constructed perpendicular to flow. Culverts will be installed at appropriate locations for streams and channels crossed by roads as specified in the BLM Manual 9112-Bridges and Major Culverts and Manual 9113-Roads. Streams will be crossed perpendicular to flow, where possible, and all stream crossing structures will be designed to carry the 25-year discharge event or other capacities as directed by the BLM.
  - b) Channel crossings by pipelines will be constructed so that the pipe is buried at least four feet below the channel bottom.
2. Low water crossings will be constructed at original streambed elevation in a manner that will prevent any blockage or restriction of the existing channel. Material removed will be stockpiled for use in reclamation of the crossings.
3. The operator will supply a copy of the complete approved SW-4, SW-3, or SW-CBNG permits to BLM as they are issued by WSEO for impoundments.

4. The operator will supply to the BLM copies of the WYPDES permits for this POD as soon as they are available from WDEQ and before discharging CBNG production water from this POD.

#### **Soils**

1. The Companies, on a case by case basis depending upon water and soil characteristics, will test sediments deposited in impoundments before reclaiming the impoundments. Tests will include the standard suite of cations, ions, and nutrients that will be monitored in surface water testing and any trace metals found in the CBNG discharges at concentrations exceeding detectable limits.

#### **Wetland/Riparian**

1. Wetland areas will be disturbed only during dry conditions (that is, during late summer or fall), or when the ground is frozen during the winter.
2. No waste material will be deposited in riparian areas, flood plains, or in natural drainage ways.
3. Soil or other material stockpiles will be located outside the active floodplain.
4. Disturbed channels will be re-shaped to their approximate original configuration or stable geomorphological configuration and properly stabilized.
5. Reclamation of disturbed wetland/riparian areas will begin immediately after project activities are complete.

#### **Wildlife**

1. For any surface-disturbing activities proposed in sagebrush shrublands, the Companies will conduct clearance surveys for sage grouse breeding activity during the sage grouse's breeding season before initiating the activities. The surveys must encompass all sagebrush shrublands within 0.5 mile of the proposed activities.
2. Power poles within 0.5 mile of any sage-grouse breeding ground will be raptor-proofed to prevent raptors from perching on the poles.
3. All stock tanks shall include a ramp to enable trapped small birds and mammals to escape. See Idaho BLM Technical Bulletin 89-4 entitled Wildlife Watering and Escape Ramps on Livestock Water Developments: Suggestions and Recommendations.

#### **Threatened, Endangered, or Sensitive Species**

##### **Bald Eagle**

1. Special habitats for raptors, including wintering bald eagles, will be identified and considered during the review of the Sundry Notices.

#### **Visual Resources**

1. The Companies will mount lights at compressor stations and other facilities on a pole or building and direct them downward to illuminate key areas within the facility while minimizing the amount of light projected outside the facility.

#### **Air Quality**

1. During construction, emissions of particulate matter from well pad and resource road construction will be minimized by application of water, or other dust suppressants, with at least 50 percent control efficiency. Roads and well locations constructed on soils susceptible to wind erosion could be appropriately surfaced or otherwise stabilized to reduce the amount of fugitive dust generated by

traffic or other activities, and dust inhibitors (surfacing materials, non-saline dust suppressants, and water) could be used as necessary on unpaved collector, local and resource roads that present a fugitive dust problem. The use of chemical dust suppressants on BLM surface will require prior approval from the BLM authorized officer.

**Site Specific Conditions of Approval**

**Surface Use**

1. Approval of this project does not grant authority to use off lease Federal lands. No surface disturbing activity, or use of off-lease federal lands, is allowed on affected leases until right-of-way grants become effective, which is the date signed by the authorized officer.
2. All permanent above-ground structures (e.g., production equipment, tanks, etc.) not subject to safety requirements will be painted to blend with the natural color of the landscape. The paint used will be a color which simulates “Standard Environmental Colors.” The color selected for the Veranda POD is Covert Green.
3. The operator will drill seed on the contour to a depth of 0.5 inch, followed by cultipaction to compact the seedbed, preventing soil and seed losses. To maintain quality and purity, the current years tested, certified seed with a minimum germination rate of 80% and a minimum purity of 90% will be used. On BLM surface or in lieu of a different specific mix desired by the surface owner, use the following:

<b>Loamy Ecological Site Seed Mix</b>		
<b>Species</b>	<b>% in Mix</b>	<b>Lbs PLS*</b>
<i>Western Wheatgrass</i> (Pascopyrum smithii)/or <i>Thickspike Wheatgrass</i> (Elymus lanceolatus ssp. lanceolatus)	30	3.6
<i>Bluebunch Wheatgrass</i> (Pseudoroegneria spicata ssp. Spicata)	10	1.2
<i>Green needlegrass</i> (Nassella viridula)	25	3.0
<i>Slender Wheatgrass</i> (Elymus trachycaulus ssp. trachycaulus)	20	2.4
<i>Prairie coneflower</i> (Ratibida columnifera)	5	0.6
<i>White or purple prairie clover</i> (Dalea candidum, purpureum)	5	0.6
<i>Rocky Mountain beoplant</i> (Cleome serrulata)	5	0.6
<b>Totals</b>	<b>100%</b>	<b>12 lbs/acre</b>

\*PLS = pure live seed (this seeding rate has not been doubled).

This is a recommended seed mix based on the native plant species listed in the NRCS Ecological Site descriptions, U.W. College of Ag, and seed market availability.

- Slopes too steep for machinery may be hand broadcast and raked with twice the specified amount of seed.
4. Please contact the Natural Resource Supervisor, at 307-684-1100, Bureau of Land Management, Buffalo Field Office, if there are any questions concerning these surface use COAs.

## Wildlife

### Bald Eagles

The following conditions will alleviate impacts to bald eagles:

1. Surveys for active bald eagle nests and winter roost sites will be conducted within suitable habitat by a BLM approved biologist. Surface disturbing activities will not be permitted within one mile of suitable habitat prior to survey completion.

Township/Range	Section	Wells and Infrastructure
T47N R76W	Sec 1 and 2	1 Veranda, 2 Veranda, 3 Veranda, 4 Veranda, 5 Veranda, 6 Veranda, 1 Balcony, and 2 Balcony, 3 Balcony, 4 Balcony, 5 Balcony, 6 Balcony, 7 Balcony wells and all infrastructure.
	Sec 11 and 12	8 Balcony, 9 Balcony, 10 Balcony, 11 Balcony, 12 Balcony, 13 Balcony, 1 Gallery, and 2 Gallery wells and all infrastructure.

2. A minimum disturbance-free buffer zone of 0.5 mile (i.e., no surface occupancy) will be established year-round for all bald eagle nest sites. A seasonal minimum disturbance-free buffer zone of one mile will be established for all bald eagle nest sites (February 15 – August 15).
3. A seasonal minimum disturbance-free buffer zone of 1 mile will be established for all bald eagle winter roost sites (November 1 – April 1). These buffer zones and timing may be adjusted based on site-specific information through coordination with, and written approval from, the USFWS.

Township/Range	Section	Wells and Infrastructure
T47N R76W	1	The 1 Balcony, 2 Balcony, and 5 Veranda wells and all infrastructures in the NWNW, SWNW and SWSW of this section.
	2	The Gridiron reservoir, 3 Balcony, 4 Balcony, 5 Balcony and 7 Balcony wells and all infrastructures within the E1/2 and NESW of this section.
	11	The 8 Balcony well and all infrastructure within the NENE of this section.

4. Within 0.5 mile of bald eagle winter roost sites additional measures such as remote monitoring and restricting maintenance visitation to between 9:00am and 3:00pm are necessary to prevent disturbance (November 1 – April 1).
5. Additional mitigation measures may be necessary if the site-specific project is determined by a BLM biologist to have an adverse affect to bald eagles or their habitat.

### Burrowing Owls

The following conditions will alleviate impacts to burrowing owls:

1. No surface disturbing activity shall occur within 0.25 miles of the identified prairie dog colony located in section 7, T47N, R75W, from April 15 to August 31, annually, prior to a burrowing owl nest occupancy survey for the current breeding season. A 0.25 mile buffer will be applied if a burrowing owl nest is identified. This condition will be implemented on an annual basis for the duration of surface disturbing activities within the prairie dog town(s). This timing limitation will be in effect unless surveys determine the nest(s) to be inactive. This timing limitation will affect all proposed infrastructure in section 7, T47N, R75W.

**Raptors**

The following conditions will alleviate impacts to raptors:

1. No surface disturbing activity shall occur within 0.5 mile of all identified raptor nests from February 1 through July 31, annually, prior to a raptor nest occupancy survey for the current breeding season. This timing limitation will affect the following:

BLM ID	Township/Range	Section	Wells and Infrastructure
6422,4756, 6427,3121	T47N R76W	14,23	Wells: 2 Mask, 3 Mask Access road, Asp and Salina reservoirs
5867	T47N R76W	12	Wells: 4 Vera, 6 Vera, 10 Balcony Access road between 4 Vera and 10 Balcony
6409	T47N R76W	10	Well:6 Balcony Access road south of 6 Balcony. Utility /pipeline corridor.
6425	T47N R76W	2	Wells: 4 Balcony, 5 Balcony, and 6 Balcony wells. Access road from 3 Balcony to 5 Balcony. Utility and pipeline corridor.
6410	T47N R76W	11	Reservoir: Gridiron
6411	T47N R76W	12	Wells: 1 Gallery, 2 Gallery, and 12 Balcony. Access road from 12 Balcony to 2 Gallery. Utility and pipeline corridor. Reservoir: Single Speed
5421	T47N R76W	23	Wells: 1 Mask, 3 Mask, 4 Mask, 5 Mask, and 1 Disguise. Access road from 1Mask to 5 Mask Reservoirs: Asp, Slim, and Weekender
4376, 8351	T47N R76W	2	Balcony 7

- a. Surveys to document nest occupancy shall be conducted by a biologist following BLM protocol, between April 15 and June 30. All survey results shall be submitted in writing to a Buffalo BLM biologist and approved prior to surface disturbing activities. Surveys outside this window may not depict nesting activity. If a survey identifies active raptor nests, a 0.5 mile timing buffer will be implemented. The timing buffer restricts surface disturbing activities within 0.5 mile of occupied raptor nests from February 1 to July 31.

Nest productivity checks shall be completed annually during POD construction and for the first five years following project completion. The productivity checks shall be conducted no earlier than June 1 or later than June 30, and any evidence of nesting success or production shall be recorded. Survey results will be submitted to the BLM biologist in writing no later than July 31 of each survey year. This applies to the following nests: BLM ID#s 639, 3121, 3136, 3882, 4290, 4291, 4293, 4373, 4375, 4376, 4603, 4606, 4708, 4754, 4755, 4756, 5789, 5863, 5865, 5867, 5868, 5870, 5871, 6322, 6405, 6406, 6407, 6408, 6409, 6410, 6411, 6412, 6413, 6414, 6415, 6416, 6417, 6418, 6419, 6420, 6421, 6422, 6423, 6424, 6425, 6426, 6427, and 6059.

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

**Mountain Plover**

The following conditions will alleviate impacts to mountain plovers:

1. A mountain plover nesting survey is required in suitable habitat prior to commencement of surface disturbing activities in the following areas:

Section (s)	T N: R W	Acres
W ½ Sec 13 & NW NW Sec 24,	T47N R76W	233.3 acres

Mountain plover nesting surveys shall be conducted by a biologist following the most current USFWS Mountain Plover Survey Guidelines (the survey period is May 1-June 15). All survey results must be submitted in writing to the BFO and approved prior to initiation of surface disturbing activities.

- a. No surface disturbing activities are permitted in the suitable habitat area listed above, from March 15-July 31, unless a mountain plover nesting survey has been conducted during the current breeding season. This timing limitation will be in effect unless surveys determine no plovers are present. This timing limitation will affect the following:

Township/Range	Section	Wells and Infrastructure
47/75	12	The 13 Balcony and 2 Gallery wells and all proposed infrastructure in the SWSW, SESW, and SWSE of this section.
	13	The 1 Veil and 2 Veil wells and all proposed infrastructure in the W1/2 of this section.
	14	All proposed infrastructure in the NESE and SESE of this section.
	23	The 1 Mask well and all proposed infrastructure in the NENE of this section.
	24	The 1 Disguise and 4 Mask wells and all proposed infrastructure in the NW of this section.

- b. If occupied mountain plover habitat is identified, then a seasonal disturbance-free buffer of ¼ mile shall be maintained between March 15 and July 31. If no mountain plover observations are identified, then surface disturbing activities may be permitted within suitable habitat until the following breeding season (March 15).
- c. No dogs will be permitted at work sites to reduce the potential for harassment of mountain plovers.

**Sage Grouse**

1. The following wells and access roads will have timing limitation stipulations of no surface disturbing activities (to include maintenance, unless an emergency) from March 15-June 30 for the life of the project: Spooky CS 1, Balcony CS 3, Balcony CS 7, Balcony CS 8, Balcony CS 9, Balcony CS 11, Veranda 2 CS 1, Veranda 2 CS 4, Disguise CS 1, Mask CS 5, and Mask CS 6 wells.
2. A sage-grouse survey will be conducted by a biologist following the most current WGFD protocol. All survey results shall be submitted in writing to a Buffalo BLM biologist and approved prior to surface disturbing activities.
3. All impoundments approved in this authorization and holding water will be treated each year to kill mosquito larvae.
4. Maximum design speed on all operator-constructed and maintained roads (except county roads) will not exceed 25 miles per hour except travel along roads within 1/2 mile of the following leks:

Kaufman Draw, and Upper Kaufman Draw. Roads Access to well #1 Gal (Section 18) will be posted by the operator at 10 mph during daylight hours between March 1-June 15.

5. For the portion of access/utilities that is within 0.25 mile radius of the lek, surface disturbance will be restricted to the roadway as delineated in figure 2, page 19 of the 2007 BLM Gold Book for engineered or template roads; or within four feet of the existing wheel tracks on primitive roads. No disruptive activities (e.g. human occupancy of more than one hour) will be allowed between 6:00 pm and 8:00 am, March 15 to May 15.

### **Cultural**

All surface disturbing activity in the following areas will be monitored by a BLM cultural resource use permit (CRUP) holder or permitted crew chief. The BLM has identified these areas as having a high potential for buried cultural deposits (areas containing alluvial deposits along Beaver Creek). Some portions of the monitoring areas as described may lie outside alluvial deposits and exact monitoring areas are left to the discretion of the archeological monitor. All monitored areas must be plotted on the map provided with the monitoring report. The submission of two copies of a monitoring report to BFO is required within 30 days of the completion of all monitoring work.

1. All surface disturbing activity associated with the construction of the well pit, access and corridor for well 5-Balcony, north to the 4-Balcony well. Also, that portion of water line proposed from the 5-Balcony to the 2-Balcony that lies within the alluvial terraces of Beaver Creek shall be monitored.
2. All surface disturbing activity associated with the construction of the utility corridor from the 6-Balcony well north to the 4-Balcony well.
3. All surface disturbing activity associated with the construction of the utility corridor from the 10-Balcony well north to the 6-Veranda well.

All surface disturbing activity in the following areas will be monitored by a BLM cultural resource use permit (CRUP) holder or permitted crew chief. Surface disturbing activities in these areas are near (100') eligible sites and are planned in similar landscapes. All monitored areas must be plotted on the map provided with the monitoring report. The submission of two copies of a monitoring report to BFO is required within 30 days of the completion of all monitoring work.

1. All Surface disturbing activities that occur within 200' of the site boundary of 48CA6811.
2. All Surface disturbing activities that occur within 200' of the site boundary of 48CA6812.