

DECISION RECORD

Road Treatment Application

DOI-BLM-WY-R010-2011-0078-EA

BLM

Worland Field Office, Wind River/Bighorn Basin District, Wyoming

JUNE 2011



The BLM's multiple-use mission is to sustain the health and productivity of the public lands for the use and enjoyment of present and future generations. The Bureau accomplishes this by managing such activities as outdoor recreation, livestock grazing, mineral development, and energy production, and by conserving natural, historical, cultural, and other resources on public lands.

DOI-BLM-WY-R010-2011-0078-EA

DECISION RECORD
for DOI-BLM-WY-R010-2011-0078-EA
Road Treatment Application, Sundry Notice

I. DECISION

It is my decision to approve the associated Sundry Notice as described as Alternative 2 of Environmental Assessment No. DOI-BLM-WY-R010-2011-0078-EA, and to include those measures proposed by Merit Energy Co.'s Sundry Notice application.

This Authorization will be granted subject to the Conditions of Approval as attached.

II. PLAN CONFORMANCE AND CONSISTENCY:

The proposed action conforms to the Record of Decision and Approved Resource Management Plan for the Grass Creek Resource Area dated 1998. The decisions in the Grass Creek Resource Management Plan provide general management direction and allocation of uses and resources on the public lands in the area.

This plan has been reviewed to determine if the proposed action conforms to the land use plan as required by 43 CFR 1610.5. The Grass Creek RMP provides that the entire planning area (about 1,171,000 acres of BLM-administered mineral estate) is open to oil and gas leasing consideration. About 20,200 acres of BLM-administered mineral estate are open to leasing consideration with a "no surface occupancy" stipulation. The rest of the Planning area is subject to standard lease terms and conditions, and seasonal or other requirements. It is the decision of the Grass Creek Resource Management Plan that "surface disturbing and disruptive activities associated with all types of minerals exploration and development and with geophysical exploration will be subject to appropriate mitigation developed through use of the mitigation guidelines described in Appendix 3". (Record of Decision and Approved Resource Management Plan for the Grass Creek Planning Area, pg 15.)

III. ALTERNATIVES CONSIDERED

The Environmental Assessment (EA) for the Project considered three alternatives.

Alternative 1 -- The "Proposed Action" alternative assessed and disclosed the projected effects of the operator's proposal as detailed in the "Proposed Action" portion of the environmental assessment.

Alternative 2 -- The "Proposed Action with BLM implemented Design Features" alternative assessed the proposed action and BLM staff specialists input. It was felt that certain mitigation measures were necessary and proper to provide adequate protection of the surface and subsurface. For the purpose of analysis, the Conditions of Approval are part of this alternative.

Alternative 3 -- The "No Action" alternative assessed the effects of not implementing any portion of the proposal. Under the No Action Alternative, the WFO analyzed the effects of a denial of any further development associated with this project. This alternative provides a benchmark, enabling the decision-maker to compare the magnitude of the environmental effects of the alternatives.

IV. RATIONALE FOR DECISION

Alternative 2 was chosen as being the most environmentally sound alternative.

This decision is in conformance with the Grass Creek Management Plan.

Conditions of Approval necessary for this action are attached and are considered a part of this approval.

V. APPEALS

Under BLM regulations, this decision is subject to administrative review in accordance with 43 CFR 3165. Any request for administrative review of this decision must include information required under 43 CFR 3165.3(b) (State Director Review), including all supporting documentation. Such a request must be filed in writing with the State Director, Bureau of Land Management, P.O. Box 1828, Cheyenne, Wyoming 82003, no later than 20 business days after this Decision Record is received or considered to have been received.

Any party who is adversely affected by the State Director's decision may appeal that decision to the Interior Board of Land Appeals, as provided in 43 CFR 3165.4

/s/Don Krump

July 8, 2011

Authorized Officer

Date

Attachments --EA: DOI-BLM-WY-R010-2011-0078-EA; Conditions of Approval

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Road Treatment Application

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DOI-BLM-WY-R010-2011-0078-EA

FINDING OF NO SIGNIFICANT IMPACT
for DOI-BLM-WY-R010-2011-0078-EA
Road Treatment Application, Sundry Notice

Based on the analysis of potential environmental impacts contained in the environmental assessment DOI-BLM-WY-R010-2011-0078-EA, and considering the significance criteria in 40 CFR 1508.27, I have determined that the selected action will not have a significant effect on the human environment. An environmental impact statement is therefore not required.

/s/Don Krump

July 8, 2011

Authorized Officer

Date

ENVIRONMENTAL ASSESSMENT

Road Treatment Application

DOI-BLM-WY-R010-2011-0078-EA

BLM

JUNE 2011



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DOI-BLM-WY-R010-2011-0078-EA

Road Treatment Application DOI-BLM-WY-R010-2011-0078-EA

Type of Project:

Sundry Notice

General Location of Proposed Action:

1/4 1/4; sec 13, 18, 24; T.44N., R.98W.

Name and Location of Preparing Office:

Worland Field Office

101 S. 23rd St.

Worland, WY 82401

Lease/Serial/Case File Number:

WYW138881X,

Applicant Name:

Merit Energy Co.

INTRODUCTION

Merit Energy Co. requests permission to clean tank bottoms from the Stepscale Gun Barrel and Water Injection Plant's #1 5000 Barrel Tanks place the material on roads within the Hamilton Dome Oil Field. The sludge would be applied to approximately 8714' of road by ripping the roads 18" deep and blading 2' berms on each side of the road. Then the material would be applied to the road bed and mixed with the berm material and rebladed. Merit Energy Co. has filed a road treatment application with WOGCC and submitted the lab reports with their application.

Purpose and Need for the Proposed Action

The purpose of this action is to allow the operator to complete work on their Oil & Gas leases for further recovery of mineral resources. This would result in maintaining the goals and objectives of the operators lease rights and are in compliance with Section 6 of their Lease Terms.

The need for the action is established by the BLM's responsibility under FLPMA to respond to this type of request.

Decision to be Made:

The BLM will decide whether or not to approve the application submitted by the operator, and if so, what conditions of approval would apply.

Conformance

The proposed action conforms to the Record of Decision and Approved Resource Management Plan for the Grass Creek Resource Area dated 1998. The decisions in the Grass Creek Resource Management Plan provide general management direction and allocation of uses and resources on the public lands in the area.

Relationship to Statutes, Regulations, Plans or Other Environmental Analyses

This Environmental Assessment (EA) is prepared in accordance with the National Environmental Policy Act of 1969, as amended (NEPA) and complies with applicable regulations and laws passed subsequent to the Act. In addition, this EA is prepared utilizing the stipulations and format outlined in the BLM NEPA Handbook H-1790-1 (BLM 1988). The Proposed Action and alternatives will comply with relevant federal, state, and local regulations, plans, and policies.

This action would allow the lessee to exercise their legal right to drill, explore, and produce hydrocarbons from the lease under regulations and policy derived from the Mineral Leasing Act. The Secretary of the Interior has entered into a lease agreement with the proponent that gives them the “exclusive right to drill for, mine, extract, remove and dispose of the oil and gas resources within the lease area.” The applicant has submitted a proposed action to the BLM to at least partially exercise their rights under this agreement, in accordance with 43 CFR 3162.3-1 and Onshore Oil and Gas Order No. 1.

This project does not fit any of the specified criteria allowing for Categorical Exclusion from NEPA analysis under Section 390 of the Energy Policy Act of 2005 and is therefore being analyzed herein.

The area was assessed as per the Wyoming Instruction Memorandum (IM) WY-IM-2010-012 (Greater Sage-grouse Habitat Management Policy on Wyoming Bureau of Land Management (BLM) Administered Lands including the Federal Mineral Estate). The IM directs the BLM to analyze Greater Sage-grouse habitat out to a minimum of four miles from the project location. This analysis is to occur both within and outside of the Greater Sage-grouse core areas (core areas as designated by the Wyoming Governor’s Executive Order EO 2010-4). This project does not fall within a Greater Sage-grouse core area and conforms to the guidance above.

The BLM Land Use Planning Handbook (H.1601-1) states that the BLM must consider the management of lands with wilderness characteristics during the land use planning process. The criteria used to identify these lands are essentially the same criteria used for determining wilderness characteristics for wilderness study areas (WSA). However, the authority set forth in Section 603(a) of FLPMA to complete the three part wilderness review process (inventory, study, and report to Congress) expired on October 21, 1993; therefore, FLPMA does not apply to new WSA proposals and consideration of new WSA proposals on BLM-administered public lands is no longer valid. As required by FLPMA, Section 201, as well as consistent with Secretarial Order 3310, the alternatives were evaluated and screened in accordance with the associated manuals.

Scoping, Public Involvement and Issues

The proposed action was reviewed by an interdisciplinary team. Based on the size and routine nature of the proposed project, it was determined that external scoping was not necessary.

PROPOSED ACTION AND ALTERNATIVES

Project Description

Merit Energy Co. requests permission to clean tank bottoms from the Stepscale Gun Barrel and Water Injection Plant's #1 5000 Barrel Tanks place the material on roads within the Hamilton Dome Oil Field.

Alternatives Considered

Alternative 1 (Proposed Action) --

Merit Energy Co. requests permission to clean tank bottoms from the Stepscale Gun Barrel and Water Injection Plant's #1 5000 Barrel Tanks place the material on roads within the Hamilton Dome Oil Field. The sludge would be applied to approximately 8714' of road by ripping the roads 18" deep and blading 2' berms on each side of the road. Then the material would be applied to the road bed and mixed with the berm material and rebladed. Merit Energy Co. has filed a road treatment application with WOGCC and submitted the lab reports with their application.

Alternative 2- (Proposed Action with incorporated Design Features)—

Based on BLM staff specialists input and the observations made at the joint field inspection, it was felt that additional measures were necessary and proper to provide adequate protection of the surface and subsurface.

The BLM can set forth design features that are necessary for the protection of the surface resources, uses and the environment; and for the reclamation of the disturbed lands. Design features are those specific means, measures, or practices that make up the proposed action and alternatives. Additional design features are added as needed to the proposed action or alternatives. Regulations, standard operating procedures, stipulations, and operator committed measures, and best management practices are usually considered design features. Design features are incorporated into the Proposed Action or alternatives to reduce or avoid adverse effects.

For the purpose of this analysis, the design features for the Sundry Notice are considered part of Alternative 2 and attached as Conditions of Approval.

Alternative 3(No Action)

The action would not be approved and the operator would have to find alternative means of disposal of this water or eliminate their water flood system.

AFFECTED ENVIRONMENT

Resources and features not present, and not discussed in this EA, include: Environmental Justice, Prime or Unique Farmlands, Flood Plains, Native American Religious Concerns, riparian areas, Class I visual management areas, Class I Airsheds, Wild and Scenic Rivers, Wetlands, Wilderness Values or Inventoried Lands with Wilderness Characteristics.

Cultural Resources, Traditional Cultural Properties, Native American Religious Concerns

1611052Y--

The project is located within the Hamilton Dome Oil Field (48HO643), this cultural property was previously determined not eligible for the National Register of Historic Places. A Class III Cultural Inventory was not necessary on the project location. It was determined that human activity within the last 50 years has created a new land surface to such an extent as to eradicate the potential for additional cultural properties and the project area was previously inventoried at the Class III level (BLM Project #1677003Y).

Vegetation

Native Vegetation

NONE; this project occurs within the road right-of-way, no vegetation is present.

Invasive, Non Native Species Noxious Weeds

Numerous noxious weed species occur in the Hamilton Dome oil field, especially in disturbed areas and around ditches.

Livestock Grazing

Hamilton Dome Allotment No. 00504, Season Long

The allotment encompasses Hamilton Dome, Wyoming. It is a common use allotment that is utilized by two (2) different permittees. The allotment is comprised of 11,125 public land acres and 1,156 private and state land acres for a total of 12,281 acres. The nearest BLM maintained rain gauges indicate that the area receives approximately 8-9 inches of precipitation per year which defines the allotment as being at the upper end of the 5-9" precipitation zone. The elevation ranges from approximately 5,700 feet at the southwestern area of the allotment to 5,000 feet in the northeastern area of the allotment. There are no natural live water sources on the allotment however produced water from the oil production facilities of the Hamilton Dome Oil Field is discharged down several small ditches or drainages that are tributaries of Cottonwood Creek. The landform varies from rolling topography dissected by multiple dry drainages to steep ridges and cliffs.

Paleontology

The surface formation is Frontier Formation and Mowry/Thermopolis Shales which have a PFYC (Potential Fossil Yield Classification) rating of 3 or moderate. This means the formation has a moderate sensitivity for paleontological resources. Typical fossils found within these formations include marine reptiles and fish. A paleontological inventory was not necessary for the project location. Existing disturbance has eradicated the potential for intact significant localities.

Recreation and Visual Resource Management; Special Designations Including ACECs, Wild and Scenic Rivers, Lands with Wilderness Characteristics

Recreation

The project area is located within the extensive recreation management area (ERMA), which recreation management is custodial and addresses resource protection, use and user conflicts, and public health and safety. The project area is located within an area where recreational opportunities are very limited due to the heavy industrialized settings. Recreational opportunities exist in other areas, such as the Absaroka Mountain Foothills beyond the project area. Travel and Transportation management limits motorized use to existing roads and trails.

Wilderness Characteristics

As mandated by FLPMA, Section 201, the BLM is required to maintain an inventory of BLM-administered public lands to determine whether they possess wilderness characteristics. Recent inventories have found the immediate project area and surrounding areas absent of wilderness characteristics.

VRM

Although the project area is located on the fringes of the Absaroka foothills, the immediate area is managed as visual resource management (VRM) class IV. The objective of this class is to provide for management activities which require major modifications of the existing character of the landscape. The level of change to the characteristic landscape can be high. These management activities may dominate the view and be the major focus of viewer attention. However, every attempt should be made to minimize the impact of these activities through careful location, minimal disturbance, and repeating the basic elements. Currently, there is a significant amount of industrial facilities present which distract the casual observer from the natural elements of form, line, color, and texture.

Wildlife

The wildlife habitat within the proposed project area consists of rolling hills and incised drainages with the vegetative community dominated by Wyoming sagebrush, perennial and annual grasses, and various forbs. The area is characterized by numerous facilities, structures, and considerable surface disturbance because of past development and current oil and gas production activity associated with the Hamilton Dome Oil Field. The area does provide habitat for several wildlife species, some seasonally and some yearlong. The Northwestern portion of the Hamilton Dome oilfield is mapped as crucial winter range for mule deer and the Southwestern corner is crucial winter range for antelope, and smaller numbers of these big game species could be expected throughout the area year around. The closest active sage-grouse lek is approximately 1 mile south of the Hamilton Dome Oil Field. Sage-grouse habitats within the proposed project area do not appear to be suitable for nesting and brood rearing, primarily because of oilfield disturbance. There are also numerous other small mammals, predators, passerines, and raptors that use this area, some yearlong. No known threatened or endangered animal species are known to inhabit this area.

Hazardous or Solid Wastes

The operator proposes to utilize E&P waste from their production facility and incorporate it into the roadbed. The material has been tested and is under all regulatory limits.

ENVIRONMENTAL EFFECTS

Cultural Resources, Traditional Cultural Properties, Native American Religious Concerns

Alternative 1: Heavy previous surface disturbance has removed the potential for intact cultural properties and the project area was previously inventoried at the Class III level. No additional consequences would be expected under this alternative.

Alternative 2: No additional consequences would be expected under this alternative. The project authorization is recommended with standard stipulations included in the conditions of approval.

Alternative 3: Under the No Action Alternative, the development of the proposed Action would not occur. No resulting effects on cultural resources would be expected to occur beyond the current situation.

Vegetation

Native Vegetation

NONE; this project occurs within the road right-of-way, no vegetation is present.

Invasive, Non Native Species Noxious Weeds

Alternative 1: Risk increases for new noxious weed infestation to occur through movement of seeds or vegetative parts of weeds on machinery. Uncertain of effect of sludge on existing or potential weed infestation.

Alternative 2: Risk of new weed infestation can be reduced through mitigation below.

Alternative 3: No change to current risk of noxious weed infestation.

Livestock Grazing

Alternative 1. The proposed action of existing road use/maintenance will not affect grazing management or rangeland resource management.

Alternative 2. There are no mitigations applied or desired from a grazing or vegetation management perspective for the road management of the area.

Alternative 3. The No Action Alternative also would not affect grazing management or rangeland resources.

Paleontology

Alternative 1: The surface formations are Frontier Formation and Mowry/Thermopolis Shales which have a moderate sensitivity for paleontological resources. Existing disturbance has eradicated the potential for intact significant localities. No additional consequences would be expected under this alternative.

Alternative 2: No additional consequences would be expected under this alternative. The project authorization is recommended with standard stipulations included in the conditions of approval.

Alternative 3: Under the No Action Alternative, the development of the proposed Action would not occur. No resulting effects on paleontological resources would be expected to occur beyond the current situation.

Recreation and Visual Resource Management; Special Designations Including ACECs, Wild and Scenic Rivers, Lands with Wilderness Characteristics

Alternative 1

Recreation

Impacts to recreation from the proposed action are negligible. Traffic within these areas are dominantly used for industrial purposes. The action will not interfere with desired goals, opportunities, or beneficial outcomes of those visiting within proximity or through the area.

VRM

The proposed action will not impact or interfere with VRM Class IV objectives.

Alternative 2

Recreation

Impacts to recreation will be the same as those in the proposed action.

VRM

Impacts to VRM will be the same as those in the proposed action

Alternative 3

Recreation

Under the No Action Alternative, the development of the proposed Action would not occur. No resulting effects on recreation would be expected to occur beyond the current situation.

VRM

Under the No Action Alternative, the development of the proposed Action would not occur. No resulting effects on VRM would be expected to occur beyond the current situation.

Wildlife

Alternative 1: Very little disturbance and/or displacement of wildlife, already acclimated to this oil field, is anticipated in association with this proposed road treatment. The amount of disturbance from this proposal will not significantly differ from the preexisting and ongoing oil field disturbance. The application of the big game crucial winter range seasonal stipulation for wintering mule deer and antelope is not recommended in this situation, primarily because the existing infield industrial activities and use of access roads is such that seasonally stipulating activities associated with this project would have little or no effect on reducing disturbance to wintering big game.

Alternative 2: Very little disturbance and/or displacement of wildlife, already acclimated to this oil field, is anticipated in association with this proposed road treatment. The amount of disturbance from this proposal will not significantly differ from the preexisting and ongoing oil field disturbance. The application of the big game crucial winter range seasonal stipulation for wintering mule deer and antelope is not recommended in this situation, primarily because the existing infield industrial activities and use of access roads is such that seasonally stipulating activities associated with this project would have little or no effect on reducing disturbance to wintering big game.

Alternative 3: Under the No Action Alternative, the pipeline installation and reclamation activities proposed would not occur. No resulting effects on wildlife resources would be expected to occur beyond the current situation.

Hazardous or Solid Wastes

Alternative 1: Application of this material to the roadbed would utilize the E&P waste and allow the operator to maintain their lease roads for all-season travel.

Should the materials be used in an improper manner, there could be environmental impacts resulting from an accidental spill or an inappropriate discharge. This could result in impacts to the soil, water, air, wildlife, and cultural resources, in addition to impacts to human health and safety.

Alternative 2: Proper incorporation into the roadbed would greatly reduce any potential impacts. The operator is required to report undesirable events under NTL3-A.

The Operator and their contractors would comply with all applicable federal and state laws and regulations as they relate to hazardous materials. Hazardous materials being those chemicals listed in Title III List of Lists, EPA's Consolidated List of Chemicals Subject to Emergency Planning and the Community Right to Know Act (EPCRA) and Section 112(r) of the Clean Air Act, as amended, or the 40CFR 302.4 Table-List of Hazardous Substances and Reportable Quantities, as amended. In the event any hazardous materials are used, they would be handled in an appropriate manner to prevent environmental contamination. Any release of hazardous materials of reportable quantities, would be reported both to the National Response Center (NRC), as required in the National Oil and Hazardous Materials Contingency Plan (40 CFR 300), and the Worland Field Office, as per the Hazardous Materials Contingency Plan.

Alternative 3: Under the No Action Alternative, the development of the proposed Action would not occur. No resulting effects would be expected to occur beyond the current situation.

Cumulative, Irreversible and Irretrievable Effects Analysis

The lease roads are very old and have most likely been treated with this type of material before. Reclamation of these roads in the future may be difficult to achieve and the asphalt like product that is applied may need to be removed prior to reclamation activities.

TRIBES, INDIVIDUALS, ORGANIZATIONS, or AGENCIES CONSULTED

Person Consulted	Agency/Tribe/Organization
<i>Roger Hart</i>	<i>Merit Energy Co.</i>
-----	<i>WYOGCC</i>

LIST OF PREPARERS

The following Worland Field Office personnel reviewed or have been contacted with regard to this EA.

List of Reviewers

Name	Title
Marit Bovee	Archaeologist / Paleontologist
Tim Stephens	Wildlife Biologist
Paul Rau	Recreation/Visual Specialist
John Elliott	Range Management Specialist
Karen A. Hepp	Range Management Specialist (T&E/Sensitive Plants)
Monica Goepferd	Civil Engineer
Stephen Kiracofe	Soils Scientist
CJ Grimes	NRS/Weeds
Jared Dalebout	Hydrologist

Reviewer (Environmental Coordinator)

Conditions of Approval

Road Treatment Application, Sundry Notice

The approval of this request is contingent upon joint approval from the WYOGCC. A copy of their approval shall be submitted to this office within 10 days of commencing operations.

The applicant shall adhere to practices as outlined in the submitted notice, received April 29, 2011.

Dust shall be controlled during application of the material.

Roadway shall be scarified to a minimum depth of 6 inches. The material shall be spread along the roadway in lifts not to exceed 3 inches and compacted. Gravel placed after material shall be the same thickness as the original gravel course. Road gravel shall have 100% of the particles smaller than 1-1/2 inch and shall be free of organic matter and shall not be applied when frozen.

No application shall be allowed when road conditions are wet and muddy.

The application of material is limited to in width to the existing disturbed crowned surface, not extending into the borrow ditch.

Care shall be taken such that the PCS shall not enter or run off into any drainage areas. No material application shall be allowed within 500' of either side of any perennial or ephemeral drainage.

The Operator and their contractors shall comply with all applicable federal and state laws and regulations as they relate to hazardous materials. Hazardous materials being those chemicals listed in Title III List of Lists, EPA's Consolidated List of Chemicals Subject to Emergency Planning and the Community Right to Know Act (EPCRA) and Section 112(r) of the Clean Air Act, as amended, or the 40CFR 302.4 Table-List of Hazardous Substances and Reportable Quantities, as amended. In the event any hazardous materials are used, they would be handled in an appropriate manner to prevent environmental contamination. Any release of hazardous materials of reportable quantities, would be reported both to the National Response Center (NRC), as required in the National Oil and Hazardous Materials Contingency Plan (40 CFR 300), and the Worland Field Office, as per the Hazardous Materials Contingency Plan.

All Undesirable Events shall be reported in compliance with NTL-3A.

The operator shall be responsible for weed control on disturbed areas within the limits of the permit. The operator is responsible for consultation with the authorized officer and/or local authorities for acceptable weed control methods. Which include, but are not limited to the following conditions:

1. Use only certified weed-free hay, straw and/or any other materials used for erosion control and other reclamation activities.
2. Use only certified weed-free gravel and earthen materials for road surfacing and maintenance.

3. Cleaning of equipment and vehicles used in the construction, mining or reclamation activities prior to entering or leaving a management area. (Pressure washing or other means in a designated area).
4. Reseed all areas immediately following construction, mining or other restoration activities.
5. Use only certified weed-free seed for the reclamation/restoration of areas disturbed by related development activities.
6. Adhere to reclamation requirement #9 (Manage Invasive Plants) under the 2009 Wyoming Reclamation Policy.

The authorized Officer may add additional conditions of approval to protect the resources, if conditions require it. The operator shall comply with applicable laws and regulations.

Cultural/Paleontology

The operator is responsible for informing all persons in the area who are associated with this project 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 construction, the operator is to immediately stop work that might further disturb such materials, and 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); and,
 - 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. 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 measures.
- Develop a weed management plan for the entire field, which includes at a minimum the following items: Standards for equipment cleaning; inventory, treatment and monitoring protocols; and use of certified weed-free seeds and materials (i.e. gravel, straw).
- The operator is responsible for informing all persons in the area who are associated with this project that they will be subject to prosecution for knowingly disturbing paleontological localities, or for collecting vertebrate fossils. If paleontological materials are uncovered during operations, the operator is to immediately stop work that might further disturb such materials, and contact the authorized officer (AO).

Within five (5) working days the AO will evaluate the discoveries and take necessary actions to protect or remove the resource. Decisions regarding the appropriate measures to mitigate effects to such resources will be made in consultation with the operator.