

DECISION RECORD

Gas Ventures LLC Water Pipeline ROW

DOI-BLM-WY-R010-2011-0113-EA

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

November 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-R010-2011-0113-EA

DECISION RECORD

for DOI-BLM-WY-R010-2011-0113-EA

Gas Ventures, LLC Right-of-way Application WYW-165238

I. DECISION

It is my decision to approve the associated right-of-way (ROW) as described as Alternative 2 of Environmental Assessment No. DOI-BLM-WY-R010-2011-0113-EA, and to include those measures proposed by Gas Ventures, LLC's ROW application.

Alternative 2 was chosen as being the most environmentally sound alternative. Terms and Conditions necessary for this action are attached and are considered a part of this approval. This action has been analyzed in the referenced EA and found to have no significant impacts, thus an EIS is not required.

MITIGATION

This authorization will be granted subject to the Terms and Conditions as attached.

MONITORING

To assure compliance with the approved action, the holder will be responsible for contacting the Authorized Officer 5 days prior to initiation of actions to allow for inspection of construction.

The approved action would be monitored during regularly scheduled field realty inspections.

II. COMPLIANCE WITH MAJOR LAWS PERTINENT TO THE DECISION

NEPA (42 U.S.C. §§ 4321- – 4347), as amended

Federal Land Policy and Management Act (FLPMA) of 1976

Mineral Leasing Act of 1920, as amended (30 U.S.C. 185)

43 Code of Federal Regulations § 2800

III. LAND USE PLAN CONFORMANCE AND CONSISTENCY:

The proposed action conforms to the Record of Decision and Approved Resource Management Plan for the Washakie Resource Area dated 1988. The decisions in the Washakie 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. WRMP ROD pg 14; "The RMP delineates preferred right-of-way corridors, right-of-way avoidance areas, right-of-way exclusion area, and area available for right-of-way under certain circumstances. This proposal would be within an area available for linear right-of-way generally open to rights-of-way, and thus it would be in conformance with the land use plan.

IV. PUBLIC INVOLVEMENT

The proposed action was reviewed by an interdisciplinary team. The right-of-way was received by the Worland Field Office July 14, 2011. Notification of preparation of this EA was also provided on the Wyoming BLM internet NEPA register (<http://www.wy.blm.gov/nepa/search/index.php>) on July 14, 2011. There were no issues raised by the public during this review. It was determined that the nature of the action is routine and that further public notification would not be necessary. Staff specialists reviewed the proposal and identified impacts and appropriate mitigation measures. The application was considered complete on September 30, 2011.

IV. 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 holder's proposal as detailed in the "Proposed Action" portion of the environmental assessment.

Alternative (2), the "Proposed Action with Terms and Conditions" 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 Terms and Conditions 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.

V. RATIONALE FOR DECISION

Approval of Alternative (2), as stated above, will allow Gas Ventures, LLC to construct the water pipeline as provided for in 43 CFR § 2800, the Federal Land Policy and Management Act of 1976, and other laws and policies. This decision recognizes that there will be minimal impacts to resources until such time as the site has been successfully reclaimed. Implementation of the mitigation measures stated above will address impacts to resource values identified in the EA.

V. APPEALS

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4 and the enclosed Form 1842-1. If an appeal is taken, your notice of appeal must be filed in this office (BLM Worland Field Office, 101 S. 23rd St., Worland, WY 82401) within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition (request) pursuant to regulation 43 CFR §2801.10 or 43 CFR § 2881.10 for a stay (suspension) of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR § 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

- (1) the relative harm to the parties if the stay is granted or denied;
- (2) the likelihood of the appellant's success on the merits;

- (3) the likelihood of immediate and irreparable harm if the stay is not granted;
and
- (4) whether the public interest favors granting the stay.



Authorized Officer

11/18/2011
Date

Attachments-- DOI-BLM-WY-R010-2011-0113-EA; Terms and Conditions; Plan of Development

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Gas Ventures LLC Water Pipeline ROW

DOI-BLM-WY-R010-2011-0113-EA

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

November 2011

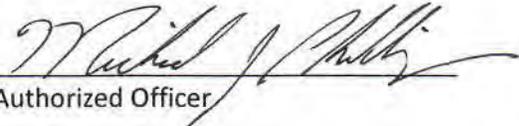


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DOI-BLM-WY-R010-2011-0113-EA

FINDING OF NO SIGNIFICANT IMPACT
for DOI-BLM-WY-R010-2011-0113-EA
Gas Ventures, LLC Right-of-way Application WYW-165238

Based on the analysis of potential environmental impacts contained in the environmental assessment DOI-BLM-WY-R010-2011-0113-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.


Authorized Officer

11/18/2011
Date

ENVIRONMENTAL ASSESSMENT

**Gas Ventures LLC
Water Pipeline ROW**

DOI-BLM-WY-R010-2011-0113-EA

November 2011

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



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DOI-BLM-WY-R010-2011-0113-EA

DOI-BLM-WY-R010-2011-0113-EA

Gas Ventures, LLC Water Pipeline Right-of-way

Type of Project:

Right-of-way Application

General Location of Proposed Action:

T. 43 N., R. 91 W.,
sec. 19, NE¼SE¼;
sec. 20, E¼SW¼, NW¼SW¼;
sec. 28, SW¼NE¼, SE¼NW¼, NW¼SE¼;
sec. 29, NW¼NE¼, SE¼NE¼.

Name and Location of Preparing Office:

Worland Field Office
101 S. 23rd St.
Worland, WY 82401

Lease/Serial/Case File Number:

WYW-165238

Applicant Name:

Gas Ventures, LLC

INTRODUCTION

Gas Ventures, LLC has requested a right-of-way across public lands. The proposed action will allow Gas Ventures, LLC to install a 4 inch buried water flowline from the Lake Creek Unit 13 to Federal 1-19, including a 2 inch buried flowline tie in conduit containing communications cable.

Purpose and Need for the Proposed Action

The purpose of the proposed action is to construct a water flowline from the Lake Creek Unit 13 to the Federal 1-19 location. The purpose of the line will allow the transfer of water to be used for secondary recovery tool at the Packsaddle unit. The pipeline will have tie-ins at the Lake Creek 16 and Lake Creek 20 locations to provide additional support and cut cost on hauling water.

Decision to be Made

The BLM will decide whether or not to grant the right-of-way, and if so, what terms and conditions would apply.

Conformance

The proposed action conforms to the Record of Decision and Approved Resource Management Plan for the Washakie Resource Area dated 1988. The decisions in the Washakie 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. WRMP ROD pg 14; "The RMP delineates preferred right-of-way corridors, right-of-way avoidance areas, right-of-way exclusion area, and area available for right-of-way under certain circumstances. This proposal would be within an area available for linear right-of-way generally open to rights-of-way, and thus it would be in conformance with the land use plan.

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.

Title V of FLPMA, Sec. 501. [43 U.S.C. 1761] (a) The Secretary, with respect to the public lands (*including public lands, as defined in section 103(e) of this Act, which are reserved from entry pursuant of section 24 of the Federal Power Act (16 U.S.C. 818)*) [P.L. 102-486, 1992] and, the Secretary of Agriculture, with respect to lands within the National Forest System (except in each case land designated as wilderness), are authorized to grant, issue or renew rights-of-way over, upon, under, or through such lands for-(5) systems for transmission or reception of radio, television, telephone, telegraph, and other electronic signals, and other means of communications.

43 Code of Federal Regulations § 2800. It is BLM's objective to grant rights-of-way under the regulations in this part to any qualified individual, business, or government entity and to direct and control the use of rights-of-way on public lands in a manner that:

- (a) Protects the natural resources associated with public lands and adjacent lands, whether private or administered by a government entity;
- (b) Prevents unnecessary or undue degradation to public lands;
- (c) Promotes the use of rights-of-way in common considering engineering and technological compatibility, national security, and land use plans; and
- (d) Coordinates, to the fullest extent possible, all BLM actions under the regulations in this part with state and local governments, interested individuals, and appropriate quasi-public entities.

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).

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 SO 3310 and the Draft 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

Gas Ventures, LLC proposes to construct a water pipeline from the Lake Creek Unit 13 to the Federal 1-19 well location for use as a secondary recovery tool at the Packsaddle unit. The pipeline will be located parallel along the Hot Springs County Road right-of-way, WYW-81646 (Black Mountain Road). The length of the pipeline on public lands is 8,770 -feet in length, 50 –feet in width and involves 10.066 acres more or less. The pipeline diameter varies from 2 –inch, 3 – inch and 4 –inches and will be buried at a depth of five (5) feet. Construction equipment will consist of a trackhoe, possibly a trencher, dump truck if required to haul sand; a roustabout crew with truck and trailer, total workforce being 4 to 6 persons. No clearing or grading is anticipated and no facilities will be located on the right-of-way. The trench will be compacted during backfilling to minimize erosion and all disturbed areas will be seeded.

Alternatives Considered

Alternative 1 (Proposed Action)

Approve the proposed action as submitted by the applicant's right-of-way application with Plan of Development.

Alternative 2 (Proposed Action with incorporated Design Features)

Based on BLM staff specialists input, 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 right-of-way grant are considered part of Alternative 2 and attached in the Terms and Conditions.

Alternative 3 (No Action)

No action implies that on-going development and activities would be allowed to continue in the area, but the proposed action would be disallowed. Additional actions would be considered by the BLM on a case-by-case basis.

AFFECTED ENVIRONMENT

Resources and features not present or not affected by this action, 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, Threatened and Endangered Species (Animals and Plants), Wildlife.

Cultural Resources, Traditional Cultural Properties, Native American Religious Concerns

The project area was inventoried at the Class III level (BLM cultural project # 1511068). No eligible sites were located.

Paleontological

Proposed project is located within Cody Shale and Frontier Formation, both with a PFYC (Potential Fossil Yield Classification) rating of 3 or moderate. This means the project area has a moderate sensitivity for paleontological resources. Project is within an area of soil development and vegetation growth with little chance for significant fossils.

Vegetation

The vegetation in the area of the project is typically comprised of cool-season grasses and Big Sagebrush as the major components, while short warm-season grasses and miscellaneous forbs account for the balance of the understory.

Invasive, Non Native Species Noxious Weeds

Multiple species of noxious weeds have been identified along the Black mountain road in the vicinity of the project area, including Russian knapweed, hoary cress (whitetop), tamarisk (saltcedar) and Canada thistle.

Livestock Grazing

This project traverses three grazing allotments all operated by different permittees with separate authorizations. The allotments and authorization schedules are shown below:

Murphy Dome	#00049	83 Cattle	4/15 to 6/30
		110 Cattle	9/15 to 12/31
Lake Creek	#00196	60 Cattle	11/16 to 2/28
Pack Saddle Creek	#00079	500 Cattle	10/22 to 11/23

The project is situated on top of the Lake Creek Divide which is within the Foothills and Basins East 10-14 inch precipitation zone. The majority of the Range Sites along this area are Loamy or Shallow Loamy. Plant communities of these sites typically consist of cool-season grasses and Big Sagebrush as the major components, while short warm-season grasses and miscellaneous forbs account for the balance of the understory.

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

Recreation

The project area is located within an extensive recreational management area (ERMA).

Recreation management in an ERMA consists of custodial duties, such as signage, recreation maintenance, and maintaining public health and safety. It is considered front country which can be identified as within ½ mile of low clearance or passenger vehicle routes including unpaved county roads. The landscape is characterized by being partially modified by man-made features (e.g. roads, structure, utilities), but none overpower the natural landscape. The social settings within the area can be characterized as a back country setting where 3-6 encounters/day may occur off travel routes and 7-15 encounters/day on travel routes.

Although somewhat infrequent due to the presence of mineral extraction activities in the area, observed recreation use for this area consists of hunting, driving for pleasure (ORV and 4WD), and general dispersed recreation. The Washakie Resource Management Plan's direction for travel management is limited to existing roads and trails. Group size is usually 2-4 people per group and encounters with other users may exceed 10 per day but are usually less than 5 on motorized travel routes off US Highways. Encounters of motorized routes are less. Basic (BLM) maps and minimal on site signing is available to users. Enforcement patrols and BLM uniformed presence are infrequent.

VRM

The project areas are located in Visual Resource Management (VRM) Class IV.

Socioeconomic

In compliance with the Mineral Leasing Act, the lessee has the right to explore, drill, and extract hydrocarbons from their lease. The oil and gas sector plays an important role, generating tax revenues and vendor/employment incomes. Oil and gas exploration and development in the region has been part of the economic base for Hot Springs County since the early 1900's.

Public Health and Safety

The job safety analysis will include safety equipment that will be required throughout the project and additional safety equipment that may be necessary for certain steps in the project. Open trenches left open overnight shall be covered. Covers shall be secured in place and shall be strong enough to prevent livestock or wildlife from falling through and in a hole.

ENVIRONMENTAL EFFECTS

Cultural Resources, Traditional Cultural Properties, Native American Religious Concerns

Alternative 1:

A Class III cultural resource inventory identified no historic properties within the project area. The proposed project will have no effect on known historic properties.

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.

Paleontological

Alternative 1:

Soil development, vegetation, and existing disturbance within the project area has reduced the potential for significant localities. Due to the low potential to impact significant paleontological localities, a site specific inventory was not necessary. 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.

Vegetation

Alternative 1:

There would be approximately 10.066 acres affected by the proposed action. The area has been previously disturbed; the new disturbance will be compacted during backfilling to minimize erosion and seeded with BLM seed mixture.

Alternative 2:

No additional consequences would be expected under this alternative. The project authorization is recommended with BLM seed mix 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 vegetation would be expected to occur beyond the current situation.

Invasive, Non Native Species Noxious Weeds

Alternative 1:

Increases risk for new noxious weed infestations through surface disturbance, and movement of weed seeds and vegetative parts on equipment.

Alternative 2:

Mitigations will reduce the risk for new noxious weed infestations.

Alternative 3:

No change in risk for new weed infestation.

Livestock Grazing

Alternative 1:

Under the Proposed Action, livestock grazing management on the three allotments would occur in the same manner as in the past. The project's amount of disturbance will reduce a total of five AUMs; four of which, occurs in the Lake Creek Allotment, and less than one AUM in Pack Saddle and Murphy Dome Allotments. However this impact will not permanently reduce AUMs or vegetation since the disturbance area will be reseeded. Construction of the pipeline along a county road will not have any major displacement effects on livestock.

Alternative 2:

Same as Alternative 1. No mitigation recommended.

Alternative 3:

If no action is taken grazing would occur as it has in the past.

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

Alternative 1:

Recreation

The project area is located within an area which the recreational physical and social settings have been altered. The proposed project will further determine the front country settings as the project will be very noticeable and observed by those passing through the area. The area provides a naturally appearing landscape although modified from roads and facilities associated with oil & gas development. Cumulative impacts of continued development of roads, power lines and facilities will continue to alter the physical and social recreational settings for the area for such things as viewing scenery, hunting quality, and feeling of remoteness, naturalness and solitude.

VRM

The proposed project will create contrasting elements of form, line, color, and texture against the surrounding natural elements. However, due to the surrounding development and proximity to any sensitive viewing areas or key observation points, the project will not compromise the visual integrity of the area or compromise the Class IV objectives.

Alternative 2:

Recreation

Impacts to recreation will be the same as those addressed in Alternative 1.

VRM

Impacts to VRM will be the same as those analyzed 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 recreational resources 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 visual resources would be expected to occur beyond the current situation.

Socioeconomic

Alternative 1:

This water pipeline is necessary for continued production for Gas Ventures LLC Oil & Gas facilities related to this project, the socioeconomic benefits would be positive.

Alternative 2:

No additional consequences would be expected under this alternative.

Alternative 3:

Under the No Action Alternative, the development of the proposed Action would not occur. Some minor resulting effects on socioeconomics could possibly occur beyond the current situation.

Public Health and Safety

Alternative 1:

The job safety analysis will include safety equipment that will be required throughout the project and additional safety equipment that may be necessary for certain steps in the project.

Alternative 2:

Open trenches left open overnight shall be covered. Covers shall be secured in place and shall be strong enough to prevent livestock or wildlife from falling through and in a hole.

Alternative 3:

The development of the proposed Action would not occur. No resulting effects on public health and safety would be expected to occur beyond the current situation.

Cumulative Effects

Cumulative impacts of continued development of roads, power lines and facilities will continue to alter the physical and social recreational settings for the area for such things as viewing scenery, hunting quality, and feeling of remoteness, naturalness and solitude.

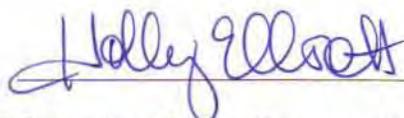
**TRIBES, INDIVIDUALS, ORGANIZATIONS, or AGENCIES
CONSULTED**

Agency/Tribe/Organization

List of Preparers

BLM Preparers

Name	Title	Responsible for the Following Section(s) of this Document
Marit Bovee	Archaeologist	Cultural/Paleontological
Paul Rau	Recreation Specialist	Recreation/LWC/VRM
CJ Grimes	NRS	Weeds
Ted Igleheart	Wildlife Biologist	Wildlife
Carol Sheaff	Realty Specialist	Lands
Monica Goepferd	Civil Engineer	Engineering
Mike Peck	Range Management Specialist	Range
Karen Hepp	Range Management Specialist	T & E Plant Species



Planning & Environmental Coordinator

Terms & Conditions

The following Terms & Conditions are for the construction, operation, maintenance, and termination of Gas Ventures, LLC buried water flowline (pipeline), ROW WYW-165238.

DOI-BLM-WY-R010-2011-0113-EA

General

Erosion Control

1. Operators are required to obtain a National Pollution Discharge Elimination System (NPDES) Storm Water Permit from the Wyoming DEQ for any projects that disturb one acre or more. This general construction storm water permit must be obtained from the WDEQ prior to any surface disturbing activities and can be obtained by following direction on the WDEQ website at <http://deq.state.wy.us>. Further information can be obtained by contacting the NPDES coordinator at (307) 775-7570.

2. The operator shall ensure all appropriate measures are taken to control erosion. Upon completion of construction the operator shall initiate the approved Storm Water Discharge Plans on the location.

Cultural

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 time frame 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.

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 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.

Construction

The operator shall contact the authorized officer a minimum of 5 days prior to beginning any construction activity.

The holder shall conduct all activities associated with the construction, operation, and termination of the right-of-way within the authorized limits of the right-of-way.

Construction sites shall be maintained in a sanitary condition at all times; waste materials at those sites 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 and pipe.

With the overall objective of minimizing surface disturbance and retaining land stability, the operator shall utilize equipment that is appropriate to the scope and scale of work being done for construction of the pipeline (utilize equipment no larger than needed for the job).

Construction-related traffic shall be restricted to approved routes. Cross-country vehicle travel shall not be allowed.

No construction or routine maintenance activities shall be performed during periods when the soil is too wet to adequately support construction equipment. If such equipment creates ruts in excess of 4 inches deep, the soil shall be deemed too wet to adequately support construction equipment.

All design, material, construction, operation, maintenance, and termination practices shall be in accordance with safe and proven engineering practices.

Construction activity shall not be conducted using frozen or saturated soil material or during periods when watershed damage or excessive rutting is likely to occur.

The holder shall construct, operate, and maintain the facilities, improvements, and structures within this right-of-way in strict conformity with the application/plan of development which was approved and made part of the grant on its effective date. Any relocation, additional construction, or use that is not in accord with the approved plan of development, shall not be initiated without the prior written approval of the authorized officer. A copy of the complete right-of-way grant, including all stipulations and approved plan of development, shall be made available on the right-of-way area during construction, operation, and termination to the authorized officer. Noncompliance with the above will be grounds for an immediate temporary suspension of activities if it constitutes a threat to public health and safety or the environment.

Operation

The holder shall ensure that equipment is thoroughly cleaned before beginning project.

The holder shall monitor site during growing season and perform weed treatment if necessary. (Refer to Wyoming BLM Reclamation Policy requirements, item #9)

Reclamation

All disturbed areas shall be drill seeded. Where drilling is impractical, seed shall be broadcast and the area raked or chained to cover seed.

All disturbed areas shall be reseeded with the following mixture of all Pure Live Seed

Species	Pounds PLS/Acre
Western wheatgrass	4.0
Bluebunch wheatgrass	4.0
Indian rice grass	3.0
Green needlegrass	2.0
Fourwing saltbrush	2.0
Winterfat	1.0

Fall seeding shall be completed after September 1, and prior to ground frost. Spring seeding shall be completed after the frost has left the ground and prior to May 15. Seeding shall be repeated if a satisfactory stand is not obtained.

Abandonment

Prior to termination of the right-of-way, the holder shall contact the authorized officer to arrange a joint inspection of the right-of-way. This inspection will be held to agree to an acceptable termination (and rehabilitation) plan. This plan shall include, but is not limited to, removal of facilities, drainage structures, or surface material, abandonment in place and recontouring, topsoiling, or seeding. The authorized officer must approve the plan in writing prior to the holder's commencement of any termination activities.