

DECISION RECORD

Flowline Replacement

DOI-BLM-WY-R010-2011-0124-EA

BLM

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

September 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-R010-2011-0124-EA

DECISION RECORD
for DOI-BLM-WY-R010-2011-0124-EA
Flowline Replacement, 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-R010-2011-0124-EA, and to include those measures proposed by Continental Resources'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 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.

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 Washakie 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/Carol Sheaff

9/07/2011

Authorized Officer (Acting)

Date

Attachments --EA: DOI-BLM-WY-R010-2011-0124-EA; Conditions of Approval

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DOI-BLM-WY-R010-2011-0124-EA

FINDING OF NO SIGNIFICANT IMPACT
for DOI-BLM-WY-R010-2011-0124-EA
Flowline Replacement, Sundry Notice

Based on the analysis of potential environmental impacts contained in the environmental assessment DOI-BLM-WY-R010-2011-0124-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/Carol Sheaff

9/07/2011

Authorized Officer (Acting)

Date

ENVIRONMENTAL ASSESSMENT

Flowline Replacement

DOI-BLM-WY-R010-2011-0124-EA

BLM

September 2011



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DOI-BLM-WY-R010-2011-0124-EA

Flowline Replacement DOI-BLM-WY-R010-2011-0124-EA

Type of Project:
Sundry Notice

General Location of Proposed Action:
660'FN, 1980'FE 1/4 1/4; sec 15; T.47N., R.91W.

Name and Location of Preparing Office:
*Worland Field Office
101 S. 23rd St.
Worland, WY 82401*

Lease/Serial/Case File Number:
WYW03995,

Applicant Name:
Continental Resources

INTRODUCTION

Continental Resources is requesting approval to replace existing 3" steel flowline from CCU 34 to CCU Battery #4, about 1800', with 3" SDR9 poly, down existing steel line ROW. Steel line has corrosion and needs replacement. Main section of line will be trenched with a chain trencher to limit disturbance. A backhoe will be used on battery to prevent damage to other existing lines.

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 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. The Washakie RMP provides that the entire planning area (about 1.6 million acres of BLM-administered mineral estate) is open to oil and gas leasing consideration.

About 86,100 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

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).

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

Continental Resources is requesting approval to replace existing 3" steel flowline from CCU 34 to CCU Battery #4, about 1800', with 3" SDR9 poly, down existing steel line ROW. Steel line has corrosion and needs replacement. Main section of line will be trenched with a chain trencher to limit disturbance. A backhoe will be used on battery to prevent damage to other existing lines.

Alternatives Considered

Alternative 1 (Proposed Action)

Approve replacement of existing 3" steel flowline from CCU 34 to CCU Battery #4, about 1800', with 3" SDR9 poly, down the existing steel line ROW.

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 in Conditions of Approval.

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, 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.

Land Use

Other than livestock grazing, oil and gas production, and wildlife use, there are no known land uses, or proposals for use, that occur in the area such as special recreation areas that would be affected by, or have the potential for cumulative impacts with this proposed action.

Geological Resources

The Bighorn Basin is an intermontane province bounded by Laramide fault uplifting. The surficial geology that would be disturbed by this pipeline are the terrace sand and gravel deposits along the river. Terrace sand and gravel deposits formed mostly during the Pleistocene, at higher elevations paralleling the major river corridors. Braided streams and sheet floods from the mountains provided material derived from various sources. The changing climate of the Pleistocene (glacial and non-glacial intervals in the higher mountains, dry and wetter cycles in the lower parts of Wyoming) resulted in terrace gravel deposition along mountain flanks. These terrace deposits are found west of Worland. The quality of such deposits varies greatly.

Cultural Resources, Traditional Cultural Properties, Native American Religious Concerns

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Project area is within existing disturbance previously inventoried at the Class III level (BLM Cultural Project 1583054). No historic properties were identified.

Vegetation

Native Vegetation

The site has been previously disturbed and receives some run-off from the surrounding slopes and adjacent road. The present vegetation is a mix of species from both the Loamy 5-9 inch and the Saline Upland ecological site descriptions. There is both sagebrush and Gardner's saltbush; perennial grasses such as Indian ricegrass, bluebunch wheatgrass, and bottlebrush squirreltail, and some annual grasses and forbs.

Invasive, Non Native Species Noxious Weeds

Several noxious weed species occur in the area, including Russian knapweed, Canada thistle, tamarisk (saltcedar) and hoary cress (whitetop).

Livestock Grazing

Upper Sand Creek #00184, Cattle and sheep from 12/15 to 02/28

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

Recreation

The project area is located within BLM-administered public lands managed as an extensive recreation management area (ERMA), where recreation management is custodial, and addresses use and user conflicts, public health and safety, and resource protection. Recreation use is

observed as very dispersed, and is somewhat constrained due to the front country settings, influenced by the industrial presence. Travel management limits motorized use to existing roads and trails.

Lands with Wilderness Characteristics

As mandated by FLPMA, section 201, the BLM is to maintain its inventories on all resources it manages for, including wilderness characteristics. A previous inventory on BLM-administered public lands surrounding the project area are absent of wilderness characteristics.

VRM

The project area is located within BLM-administered public lands managed under VRM Class III and IV objectives. Class III objectives are to partially retain the existing character of the landscape. The level of change to the characteristic landscape should be moderate. Management activities may attract attention but should not dominate the view of the casual observer. Changes should repeat the basic elements found in the predominant natural features of the characteristic landscape.

Class IV objectives are 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.

Soils

The pipeline would be constructed in a previously disturbed area replacing an existing steel pipeline. The soils along the proposed route are deep (40-60+ inches). They have silty clay loam, loam and sandy clay loam surface textures. Subsoil textures are clay loam and sandy clay loam. The soils support a Saline Upland 5-9 inch pz. and Loamy 5-9 inch pz ecological site. Slopes are 0 to 10 percent.

The soils offer few limitations for the placement of the pipeline. The reclamation potential of the soils is limited. Shallow topsoil depth (>4 inches), soil reaction (pH 8.4-9.0), salinity (8-16+mmhos/cm³) and low precipitation combine to make reclamation difficult.

The soils are ranked in Hydrologic Group D indicating that they have very slow rates of infiltration. Nonetheless, when the native vegetation is intact they are not susceptible to runoff and erosion, as confirmed by the US Forest Service web based Water Erosion Prediction Project (WEPP), Disturbed WEPP Model. WEPP predicts a 4 percent probability of runoff and a 2 percent probability of erosion for undisturbed soils. When calculated over a 50-year period, average erosion rates are virtually none.

Hydrology (Water Quality and Prime or Sole Source of Drinking Water, Wetlands and Riparian Zones)

The project is located in Nowood River- Sand Creek level 6 subwatershed USGS HUC #100800080706. The affected environment includes a flowline replacement line that would be trenched with minor surface disturbance to the surrounding watershed. The nearest downstream drainages is Sand Creek that is naturally and ephemeral channel that has received produced discharge water from oil and gas development in the watershed. The nearest affected channels

are unnamed ephemeral channels in the vicinity of the disturbance. The drainages are ephemeral tributaries to the Big Horn River and are within a 5-9 inch precipitation zone. The area is located in the center of the Bighorn Basin and has very low precipitation rates with very few days of the year when stormwater runoff is likely to occur. May is the month of greatest average precipitation for the general area. The area is in previously disturbed area with other oil field development facilities in the watershed.

Wildlife

The wildlife habitat within the proposed project area consists of gently rolling topography and shallow drainages with the primary vegetative community being dominated by sage brush, perennial grasses, cheat grass, prickly pear, and various forbs. The area provides habitat for numerous wildlife species including pronghorn antelope, mule deer, numerous small mammals, predators, passerines, and raptors. Habitat nearby has been designated as suitable for mountain plover, however none of the birds have been observed or recorded using the area. No known threatened or endangered animal species are known to inhabit this area. The proposed project area does not lie within a sage grouse core breeding area.

Socioeconomic

The lease was issued in 2007. 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 Washakie County since the early 1900's.

Hazardous or Solid Wastes

Replacing the pipeline requires the use of machinery such as backhoes and trenchers; which use fuels, lubricants, and other fluids. These can be hazardous if improperly handled or accidentally spilled. The pipeline should be purged before removal, but may contain a small amount of oil, and the pipe will be solid waste.

Public Health and Safety

As there are no drilling operations involved here there should be no concerns for public health and safety beyond those normally associated with construction activity in an oilfield.

ENVIRONMENTAL EFFECTS

Land Use

Alternative 1: There would be .041 acres of disturbance to the associated with the proposed action. Under the proposed action the operator does not address reclamation of the disturbed areas.

Alternative 2: Under this alternative design features would be incorporated into the proposed action to address reclaiming disturbed areas to meet predisturbance land uses.

Alternative 3: Under this alternative the sundry notice would not be approved. No resulting effects on current land uses would be expected to occur beyond the current situation.

Geological Resources

There will be no environmental effects on the geology from this project.

Cultural Resources, Traditional Cultural Properties, Native American Religious Concerns

Alternative 1:

Project area is within existing disturbance previously inventoried at the Class III level. No historic properties were identified.

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

Alternative 1: There would be approximately 0.41 acres affected by the proposed action, including the area available for vehicle travel. The operator does not make provisions for reclamation of disturbed areas in the proposed action.

Alternative 2: Design features would be implemented under this alternative. The appropriate seed mix would be prescribed and once installation of the flowlines is complete seeding would occur. Impacts would not be significant.

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: Greatest risk for introduction of noxious weeds to the site is from construction equipment. Newly disturbed areas will be most at risk for weed germination and growth.

Alternative 2: Risk for weed spread is reduced and new infestations are detected and treated sooner.

Alternative 3: Risk of new noxious weed infestation at the site remains at current level.

Livestock Grazing

Proposed project would have no effect on permitted livestock grazing.

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

Alternative 1 - proposed action

Recreation

The proposed action will not displace recreational users or impact recreational resources. Because of the pre-existing industrial presence, the proposed project may go unnoticed, especially after the project is completed. The proposed action will not impact recreation.

VRM

The proposed action will temporarily introduce elements of color, texture, form, and line against the surrounding natural elements. The new contrast will not dominate the viewshed, and may even go unnoticed to the casual observer. The proposed project is within VRM Class III and IV objectives and will not impact visual resources.

Alternative 2 - Proposed action with mitigation

Recreation

Impacts to recreation will be the same as those addressed in alternative one.

VRM

Impacts to VRM will be the same as those addressed in alternative one.

Alternative 3 - no action

Recreation

Under the No Action Alternative, the development of the proposed Action would not occur. Recreation use is somewhat restrictive or non-desirable due to the amount of existing industrial land uses already present in the area. 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 recreation would be expected to occur beyond the current situation.

Soils

Alternative 1

Surface disturbance increases the potential for runoff and soil erosion. By utilizing a chain trencher for pipeline installation the potential for runoff and erosion would be reduced since surface disturbance would be minimal and the soil surface would be left in a roughened condition. WEPP predicts a 6 percent probability of runoff and erosion the year following disturbance with an average erosion rates of 0.08 tons per acre per year. In the unlikely event of a 50-year storm cycle, the annual erosion rate would be 3.45 tons per acre per year.

Successful reclamation is anticipated despite the limited reclamation potential of the site. Surface disturbance would be limited. Weedy species, including cheatgrass, may also likely establish further reducing runoff and erosion.

Alternative 2

No additional mitigations are being proposed to protect the soil resource. Impacts would be the same as those described under the Proposed Action.

Alternative 3

Under this alternative the pipeline would not be installed. There would be no impacts to the soil resource.

Hydrology (Water Quality and Prime or Sole Source of Drinking Water, Wetlands and Riparian Zones)

Alternative 1. The proposed action will cause a minor disturbance to the soil profile surrounding the trenched area. Minor erosion around the disturbed area would likely occur in the event of a storm of significant intensity to produce surface runoff. Specific amounts of estimated runoff is calculated in the soils section. Proper compaction of the trench area to avoid loose soil would be required to minimize runoff around the disturbance site. See soils section for runoff and erosion estimates from this proposed action.

Alternative 2. Same as Alternative 1. No mitigation required

Alternative 3. The no action alternative would exclude the 0.5 acres of disturbance and downstream sedimentation and increased erosion from the disturbed area would not occur.

Wildlife

Alternative 1. Regarding impact to wildlife resources under the proposed action, current and ongoing activity associated with existing oil and gas development in the area reduces the probability that significant additional impact to wildlife resources would occur as a result of this project.

Alternative 2. no mitigation concerning wildlife resources is recommended under the proposed action.

Alternative 3. no additional effects to wildlife resources would occur in the event that the proposed action does not occur.

Socioeconomic

Alternative 1: The present socioeconomic benefits of the existing oilfield facilities will continue and the construction of the new line will provide a temporary boost in those benefits.

Alternative 2: Effects will be the same as Alternative 1.

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

Hazardous or Solid Wastes

Alternative 1:

Should hazardous 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 containment of fuels, oil and other hazardous materials in appropriately designed and maintained storage facilities and an immediate response in the event of a release would greatly reduce any potential impacts. The operator is required to report all 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.

The only fluids/waste materials that are authorized to go into the reserve pit are RCRA exempt exploration and production wastes.

Alternative 3:

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

Public Health and Safety

There are no drilling operations involved with the proposed actions. The replacement of pipe does not pose threats to public health and safety.

Cumulative Effects

As there will be no new surface disturbance, and effects to vegetation will be temporary, there are no cumulative effects

LIST OF PREPARERS

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

List of Reviewers

Resource	Name	Title
Cultural Resources	Marit Bovee	Archaeologist
Wildlife, T&E animal Recreation/VRM/Travel Management/Special Designations	Ted Igleheart	Wildlife Biologist
Livestock Grazing	Paul Rau	Recreation/Visual Specialist
T&E Plants	Cam Henrichsen	Range Management Specialist
Engineering	Karen A. Hepp	Range Management Specialist (T&E/Sensitive Plants)
Soils/Haz. Mat.	Stephen Kiracofe	Civil Engineer
Invasive Species	CJ Grimes	Soils Scientist
Water resources	Jared Dalebout	NRS/Weeds
Paleontology	Marit Bovee	Hydrologist
		Archaeologist

Planning & Environmental Coordinator

Conditions of Approval

Flowline Replacement, Sundry Notice

Standard Cultural Stipulations:

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.

Invasive, Non Native Species Noxious Weeds Stipulations:

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).

Hazardous or Solid Waste Stipulations:

The pipe to be replaced will be purged/emptied prior to breaking.
The replaced pipe will be removed, and if unusable, will be disposed of at a municipal landfill or recycling facility.

Standard Stipulations:

1. The operator shall contact the authorized officer a minimum of 5 days prior to beginning any construction activities.
2. No surface disturbance or construction activity shall occur outside the approved right-of-way (approximately 7.5' from center). All vehicle traffic shall be kept within the approved right-of-way.
3. Upon installation of the new flowlines, any existing lines not needed for production operations shall be removed and hauled to an approved disposal facility.
4. Construction activity will not be conducted using frozen or saturated soil material or during periods when watershed damage or excessive rutting is likely to occur.

5. 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.
6. Topsoil shall be removed at a depth of 4-6inches from all areas of surface disturbance. Topsoil shall be clearly segregated from spoil material.
7. Following construction all disturbed areas shall be restored, topsoil replaced and areas reseeded as prescribed. To prevent erosion, waterbars, mulching, or other protective measures may be required. Backfill shall be thoroughly compacted. Topsoil shall be spread evenly over all areas to be reclaimed.
8. No mounding shall be permitted.
9. Trenches shall be routinely inspected and maintained to ensure proper settling, stabilization and reclamation.
10. Construction holes left open for more than 24 hours shall be covered or left in a manner to allow for escape of any entrapped animal. Covers shall be secured in place and shall be strong enough to prevent livestock or wildlife from falling through and into a hole.
11. 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.
12. 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 and associated access.
13. The Operator is responsible for inspection of the construction area for the presence of both surface and subsurface utility facilities and shall notify the Wyoming One-Call System (1-800-849-2476, www.onecallofwyoming.com) before construction activities begin. The Operator will use extra safety precautions when working near or around pipelines, power lines, underground cables, or other utility installations.
14. 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.

15. All Undesirable Events shall be reported in compliance with NTL-3A. If during any phase of the construction, drilling, production, or reclamation of the approved actions any oil or other pollutant should be discharged from the approved area, containers or vehicles impacting Federal lands, the control and total removal, disposal, and cleanup of such oil or other pollutant, wherever found, shall be the responsibility of the operator, regardless of fault. Upon failure of the operator to control, cleanup, or dispose of such discharge on or affecting Federal lands, or to repair all damages to Federal lands resulting therefrom, the authorized officer may take such measures as he deems necessary to control and cleanup the discharge and restore the area, including, where appropriate, the aquatic environment and fish and wildlife habitats, at the full expense of the operator. Such action by the authorized officer shall not relieve the operator of any liability or responsibility.

16. 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, oil drums, petroleum products, ashes, and equipment.

17. All disturbed areas shall be drill seeded. Where drilling is impractical, seed shall be broadcast and the area raked or chained to cover seed. If broadcast seeding is used, the approved seed mix shall be doubled.

18. All disturbed areas shall be reseeded with the prescribed seed mixture of all Pure Live Seed. 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.

Continental Resources Inc. has an approved seed mixture for use on the Cottonwood Oil Field. It shall be used on this site at the usual rate of spread.

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.