

APPENDIX A
LIST OF PROPOSED WELL LOCATIONS

Well Name/ Type	BLM Lease Number	Location/ Surface Ownership						Proposed Depth (feet)
		Twn	Rng	Sec	Qtr1	Qtr2	Owner	
VisborgFed42C-3191	MTM62340	9 S	41 E	31	SE	NE	Fee	1050
VisborgFed42D1-3191	MTM62340	9 S	41 E	31	SE	NE	Fee	540
VisborgFed42D2-3191	MTM62340	9 S	41 E	31	SE	NE	Fee	675
VisborgFed42D3-3191	MTM62340	9 S	41 E	31	SE	NE	Fee	810
VidborgFed42M-3191	MTM62340	9 S	41 E	31	SE	NE	Fee	920
Federal23C-2191	MTM83777	9 S	41 E	21	NE	SW	BLM	870
Federal23D1-2191	MTM83777	9 S	41 E	21	NE	SW	BLM	455
Federal23D2-2191	MTM83777	9 S	41 E	21	NE	SW	BLM	565
FederalD3-2191	MTM83777	9 S	41 E	21	NE	SW	BLM	700
Federal23M-2191	MTM83777	9 S	41 E	21	NE	SW	BLM	830
Federal33C-2191	MTM83777	9 S	41 E	21	NW	SE	BLM	935
Federal33D1-2191	MTM83777	9 S	41 E	21	NW	SE	BLM	445
Federal33D2-2191	MTM83777	9 S	41 E	21	NW	SE	BLM	585
Federal33D3-2191	MTM83777	9 S	41 E	21	NW	SE	BLM	695
Federal33M-2191	MTM83777	9 S	41 E	21	NW	SE	BLM	810
HolmesFed21C-2191	MTM83776	9 S	41 E	21	NE	NW	Fee	910
HolmesFed21D1-2191	MTM83776	9 S	41 E	21	NE	NW	Fee	460
HolmesFed21D2-2191	MTM83776	9 S	41 E	21	NE	NW	Fee	625
HolmesFed21D3-2191	MTM83776	9 S	41 E	21	NE	NW	Fee	725
HolmesFed21M-2191	MTM83776	9 S	41 E	21	NE	NW	Fee	830
HomesFed41C-2191	MTM83776	9 S	41 E	21	SE	NE	Fee	840
HolmesFed41D1-2191	MTM83776	9 S	41 E	21	SE	NE	Fee	345
HolmesFed41D2-2191	MTM83776	9 S	41 E	21	SE	NE	Fee	490
HolmesFed41D3-2191	MTM83776	9 S	41 E	21	SE	NE	Fee	605
HolmesFed41M-2191	MTM83776	9 S	41 E	21	SE	NE	Fee	715
HolmesFed42C-2091	MTM83776	9 S	41 E	20	SE	NE	Fee	830
HolmesFed42D1-2091	MTM83776	9 S	41 E	20	SE	NE	Fee	330
HolmesFed42D2-2091	MTM83776	9 S	41 E	20	SE	NE	Fee	480
HolmesFed42D3-2091	MTM83776	9 S	41 E	20	SE	NE	Fee	585
HolmesFed42M-2091	MTM83776	9 S	41 E	20	SE	NE	Fee	685
Federal 12C-2791	MTM64473	9 S	41 E	27	SW	NW	BLM	960
Federal 12D1-2791	MTM64473	9 S	41 E	27	SW	NW	BLM	545
Federal 12D2-2791	MTM64473	9 S	41 E	27	SW	NW	BLM	670
Federal 12D3-2791	MTM64473	9 S	41 E	27	SW	NW	BLM	815
Federal12M-2791	MTM64473	9 S	41 E	27	SW	NW	BLM	890
Federal 13C-3391	MTM83777	9 S	41 E	33	NW	SW	BLM	1258
Federal 13D1-3391	MTM83777	9 S	41 E	33	NW	SW	BLM	795
Federal13D2-3391	MTM83777	9 S	41 E	33	NW	SW	BLM	890
Federal13D3-3391	MTM83777	9 S	41 E	33	NW	SW	BLM	985
Federal13M-3391	MTM83777	9 S	41 E	33	NW	SW	BLM	1113
Federal14C-2791	MTM83777	9 S	41 E	27	SW	SW	BLM	1160
Federal14D1-2791	MTM83777	9 S	41 E	27	SW	SW	BLM	670
Federal14D2-2791	MTM83777	9 S	41 E	27	SW	SW	BLM	775
Federal14D3-2791	MTM83777	9 S	41 E	27	SW	SW	BLM	885
Federal14M-2791	MTM83777	9 S	41 E	27	SW	SW	Fee	1010
Federal21C-3391	MTM83777	9 S	41 E	33	NE	NW	BLM	1160
Federal21D1-3391	MTM83777	9 S	41 E	33	NE	NW	BLM	640
Federal21D2-3391	MTM83777	9 S	41 E	33	NE	NW	BLM	768
Federal21D3-3391	MTM83777	9 S	41 E	33	NE	NW	BLM	875
Federal21M-3391	MTM83777	9 S	41 E	33	NE	NW	BLM	1010
Federal21C-3491	MTM79440	9 S	41 E	34	SW	NW	BLM	920
Federal21D1-3491	MTM79440	9 S	41 E	34	SW	NW	BLM	600
Federal21D2-3491	MTM79440	9 S	41 E	34	SW	NW	BLM	700
Federal21D3-3491	MTM79440	9 S	41 E	34	SW	NW	BLM	815
Federal24C-2891	MTM83777	9 S	41 E	28	SE	SW	BLM	1030
Federal24D1-2891	MTM83777	9 S	41 E	28	SE	SW	BLM	545
Federal24D2-2891	MTM83777	9 S	41 E	28	SE	SW	BLM	670
Federal24D3-2891	MTM83777	9 S	41 E	28	SE	SW	BLM	780

Well Name/ Type	BLM Lease Number	Location/ Surface Ownership						Proposed Depth (feet)
		Twn	Rng	Sec	Qtr1	Qtr2	Owner	
Federal24M-2891	MTM83777	9 S	41 E	28	SE	SW	BLM	900
Federal31C-2891	MTM83777	9 S	41 E	28	NW	NE	BLM	1015
Federal31D1-2891	MTM83777	9 S	41 E	28	NW	NE	BLM	545
Federal31D2-2891	MTM83777	9 S	41 E	28	NW	NE	BLM	675
Federal31D3-2891	MTM83777	9 S	41 E	28	NW	NE	BLM	785
Federal31M-2891	MTM83777	9 S	41 E	28	NW	NE	BLM	920
Federal32C-3391	MTM83777	9 S	41 E	33	SW	NE	BLM	1180
Federal32D1-3391	MTM83777	9 S	41 E	33	SW	NE	BLM	680
Federal32D2-3391	MTM83777	9 S	41 E	33	SW	NE	BLM	810
FederalD3-3391	MTM83777	9 S	41 E	33	SW	NE	BLM	905
Federal32M-3391	MTM83777	9 S	41 E	33	SW	NE	BLM	1040
Federal42C-3291	MTM83777	9 S	41 E	32	SE	NE	BLM	1190
Federal42D1-3291	MTM83777	9 S	41 E	32	SE	NE	BLM	725
Federal42D2-3291	MTM83777	9 S	41 E	32	SE	NE	BLM	860
Federal42D3-3291	MTM83777	9 S	41 E	32	SE	NE	BLM	950
Federal42M-3291	MTM83777	9 S	41 E	32	SE	NE	BLM	1080
Federal44C-2891	MTM83777	9 S	41 E	28	SE	SE	BLM	1115
Federal44D1-2891	MTM83777	9 S	41 E	28	SE	SE	BLM	655
Federal44D2-2891	MTM83777	9 S	41 E	28	SE	SE	BLM	775
Federal44D3-2891	MTM83777	9 S	41 E	28	SE	SE	BLM	875
Federal44M-2891	MTM83777	9 S	41 E	28	SE	SE	BLM	1000
HolmesFed14D1-2291	MTM64473	9 S	41 E	22	SW	SW	Fee	462
HolmesFed14D2-2291	MTM64473	9 S	41 E	22	SW	SW	Fee	605
HolmesFed14D3-2291	MTM64473	9 S	41 E	22	SW	SW	Fee	720
HolmesFed14M-2291	MTM64473	9 S	41 E	22	SW	SW	Fee	828
HolmesFed44C-2991	MTM83777	9 S	41 E	29	SE	SE	Fee	1095
HolmesFed44D1-2991	MTM83777	9 S	41 E	29	SE	SE	Fee	620
HolmesFed44D2-2991	MTM83777	9 S	41 E	29	SE	SE	Fee	745
HolmesFed44D3-2991	MTM83777	9 S	41 E	29	SE	SE	Fee	850
HolmesFed44M-2991	MTM83777	9 S	41 E	29	SE	SE	Fee	965
Federal 11C-1991	MTM62340	9 S	41 E	19	NW	NW	BLM	860
Federal 11D1/2-1991	MTM62340	9 S	41 E	19	NW	NW	BLM	510
Federal 11D3-1991	MTM62340	9 S	41 E	19	NW	NW	BLM	580
Federal 11M-1991	MTM62340	9 S	41 E	19	NW	NW	BLM	725
HolmesFed21C-2991	MTM62340	9 S	41 E	29	NE	NW	Fee	990
HolmesFed21D1-2991	MTM62340	9 S	41 E	29	NE	NW	Fee	530
HolmesFed21D2-2991	MTM62340	9 S	41 E	29	NE	NW	Fee	650
HolmesFed21D3-2991	MTM62340	9 S	41 E	29	NE	NW	Fee	765
HolmesFed21M-2991	MTM62340	9 S	41 E	29	NE	NW	Fee	895
HolmesFed21C-3291	MTM62340	9 S	41 E	32	NE	NW	Fee	1135
HolmesFed21D1-3291	MTM62340	9 S	41 E	32	NE	NW	Fee	705
HolmesFed21D2-3291	MTM62340	9 S	41 E	32	NE	NW	Fee	840
HolmesFed21D3-3291	MTM62340	9 S	41 E	32	NE	NW	Fee	925
HolmesFed21M-3291	MTM62340	9 S	41 E	32	NE	NW	Fee	1060
HolmesFed13C-2991	MTM62340	9 S	41 E	29	NW	SW	Fee	1115
HolmesFed13D1-2991	MTM62340	9 S	41 E	29	NW	SW	Fee	650
HolmesFed13D2-2991	MTM62340	9 S	41 E	29	NW	SW	Fee	785
HolmesFed13D3-2991	MTM62340	9 S	41 E	29	NW	SW	Fee	875
HolmesFed13M-2991	MTM62340	9 S	41 E	29	NW	SW	Fee	1000
HolmesFed34C-3091	MTM62340	9 S	41 E	30	SW	SE	Fee	1050
HolmesFed34D1-3091	MTM62340	9 S	41 E	30	SW	SE	Fee	635
HolmesFed34D2-3091	MTM62340	9 S	41 E	30	SW	SE	Fee	770
HolmesFed34D3-3091	MTM62340	9 S	41 E	30	SW	SE	Fee	855
HolmesFed34M-3091	MTM62340	9 S	41 E	30	SW	SE	Fee	900
HolmesFed42C-3091	MTM62340	9 S	41 E	30	SE	NE	Fee	1000
HolmesFed42D1-3091	MTM62340	9 S	41 E	30	SE	NE	Fee	625
HolmesFed42D2-3091	MTM62340	9 S	41 E	30	SE	NE	Fee	765
HolmesFed42D3-3091	MTM62340	9 S	41 E	30	SE	NE	Fee	865
HolmesFed42M-3091	MTM62340	9 S	41 E	30	SE	NE	Fee	900
VisborgFed23C-2490	MTM62338	9 S	40 E	24	NE	SW	Fee	880
VisborgFed23D1-2490	MTM62338	9 S	40 E	24	NE	SW	Fee	384
VisborgFed23D2-2490	MTM62338	9 S	40 E	24	NE	SW	Fee	470
VisborgFed23D3-2490	MTM62338	9 S	40 E	24	NE	SW	Fee	545
VisborgFed23M-2490	MTM62338	9 S	40 E	24	NE	SW	Fee	680

Well Name/ Type	BLM Lease Number	Location/ Surface Ownership						Proposed Depth (feet)
		Twn	Rng	Sec	Qtr1	Qtr2	Owner	
VisborgFed42C-2490	MTM62338	9 S	40 E	24	SE	NE	Fee	875
VisborgFed42D1-2490	MTM62338	9 S	40 E	24	SE	NE	Fee	295
VisborgFed42D2-2490	MTM62338	9 S	40 E	24	SE	NE	Fee	390
VisborgFed42D3-2490	MTM62338	9 S	40 E	24	SE	NE	Fee	485
VisborgFed42M-2490	MTM62338	9 S	40 E	24	SE	NE	Fee	650
VisborgFed44C-2490	MTM62338	9 S	40 E	24	SE	SE	Fee	915
VisborgFed44D1-2490	MTM62338	9 S	40 E	24	SE	SE	Fee	434
VisborgFed44D2-2490	MTM62338	9 S	40 E	24	SE	SE	Fee	550
VisborgFed44D3-2490	MTM62338	9 S	40 E	24	SE	SE	Fee	620
VisborgFed44M-2490	MTM62338	9 S	40 E	24	SE	SE	Fee	770
State14C-1691	N/A	9 S	41 E	16	SW	SW	Fee	950
State14D2-1691	N/A	9 S	41 E	16	SW	SW	Fee	585
State14D3-1691	N/A	9 S	41 E	16	SW	SW	Fee	690
State14M-1691	N/A	9 S	41 E	16	SW	SW	Fee	820
State22C-1691	N/A	9 S	41 E	16	SE	NW	Fee	720
State22D2-1691	N/A	9 S	41 E	16	SE	NW	Fee	360
State22D3-1691	N/A	9 S	41 E	16	SE	NW	Fee	465
State22M-1691	N/A	9 S	41 E	16	SE	NW	Fee	570
State31C-1691	N/A	9 S	41 E	16	NW	NE	Fee	800
State31D2-1691	N/A	9 S	41 E	16	NW	NE	Fee	430
State31D3-1691	N/A	9 S	41 E	16	NW	NE	Fee	535
State43C-1691	N/A	9 S	41 E	16	NE	SE	Fee	860
State43D1-1691	N/A	9 S	41 E	16	NE	SE	Fee	315
State43D2-1691	N/A	9 S	41 E	16	NE	SE	Fee	485
State43D3-1691	N/A	9 S	41 E	16	NE	SE	Fee	605
State43M-1691	N/A	9 S	41 E	16	NE	SE	Fee	720
Holmes12C-2891	N/A	9 S	41 E	28	SW	NW	Fee	880
Holmes12D1-2891	N/A	9 S	41 E	28	SW	NW	Fee	395
Holmes12D2-2891	N/A	9 S	41 E	28	SW	NW	Fee	510
Holmes12D3-2891	N/A	9 S	41 E	28	SW	NW	Fee	630
Holmes12M-2891	N/A	9 S	41 E	28	SW	NW	Fee	760
Holmes42C-2991	N/A	9 S	41 E	29	SE	NE	Fee	965
Holmes42D1-2991	N/A	9 S	41 E	29	SE	NE	Fee	500
Holmes42D2-2991	N/A	9 S	41 E	29	SE	NE	Fee	615
Holmes42D3-2991	N/A	9 S	41 E	29	SE	NE	Fee	725
Holmes42M-2991	N/A	9 S	41 E	29	SE	NE	Fee	845
Holmes44C-2091	N/A	9 S	41 E	20	SE	SE	Fee	835
Holmes44D1-2091	N/A	9 S	41 E	20	SE	SE	Fee	343
Holmes44D2-2091	N/A	9 S	41 E	20	SE	SE	Fee	465
Holmes44D3-2091	N/A	9 S	41 E	20	SE	SE	Fee	566
Holmes44M-2091	N/A	9 S	41 E	20	SE	SE	Fee	700
Holmes13C-2091	N/A	9 S	41 E	20	NW	SW	Fee	975
Holmes13D1-2091	N/A	9 S	41 E	20	NW	SW	Fee	475
Holmes13D2-2091	N/A	9 S	41 E	20	NW	SW	Fee	605
Holmes13M-2091	N/A	9 S	41 E	20	NW	SW	Fee	845
Holmes22C-2091	N/A	9 S	41 E	20	SE	NW	Fee	950
Holmes22D1-2091	N/A	9 S	41 E	20	SE	NW	Fee	465
Holmes22D2-2091	N/A	9 S	41 E	20	SE	NW	Fee	585
Holmes22D3-2091	N/A	9 S	41 E	20	SE	NW	Fee	685
Holmes22M-2091	N/A	9 S	41 E	20	SE	NW	Fee	800
Holmes23C-1991	N/A	9 S	41 E	19	NE	SW	Fee	890
Holmes23D1-1991	N/A	9 S	41 E	19	NE	SW	Fee	420
Holmes23D2-1991	N/A	9 S	41 E	19	NE	SW	Fee	535
Holmes23D3-1991	N/A	9 S	41 E	19	NE	SW	Fee	615
Holmes23M-1991	N/A	9 S	41 E	19	NE	SW	Fee	800
Holmes42C-1991	N/A	9 S	41 E	19	SE	NE	Fee	960
Holmes42D1-1991	N/A	9 S	41 E	19	SE	NE	Fee	465
Holmes42D2-1991	N/A	9 S	41 E	19	SE	NE	Fee	595
Holmes42D3-1991	N/A	9 S	41 E	19	SE	NE	Fee	685
Holmes42M-1991	N/A	9 S	41 E	19	SE	NE	Fee	840
Holmes44C-1991	N/A	9 S	41 E	19	SE	SE	Fee	1040
Holmes44D1-1991	N/A	9 S	41 E	19	SE	SE	Fee	610
Holmes44D2-1991	N/A	9 S	41 E	19	SE	SE	Fee	585
Holmes44D3-1991	N/A	9 S	41 E	19	SE	SE	Fee	740

Well Name/ Type	BLM Lease Number	Location/ Surface Ownership						Proposed Depth (feet)
		Twn	Rng	Sec	Qtr1	Qtr2	Owner	
Holmes44M-1991	N/A	9 S	41 E	19	SE	SE	Fee	875
Visborg13C-2390	N/A	9 S	41 E	23	SE	SW	Fee	620
Visborg13D1-2390	N/A	9 S	41 E	23	SE	SW	Fee	293
Visborg13D2-2390	N/A	9 S	41 E	23	SE	SW	Fee	318
Visborg13D3-2390	N/A	9 S	41 E	23	SE	SW	Fee	415
Visborg13M-2390	N/A	9 S	41 E	23	SE	SW	Fee	540
Visborg22C-2390	N/A	9 S	41 E	23	SE	NW	Fee	580
Visborg22D2-2390	N/A	9 S	41 E	23	SE	NW	Fee	217
Visborg22D3-2390	N/A	9 S	41 E	23	SE	NW	Fee	305
Visborg22M-2390	N/A	9 S	41 E	23	SE	NW	Fee	450
Visborg22C-2490	N/A	9 S	41 E	24	SE	NW	Fee	580
Visborg22D1-2490	N/A	9 S	41 E	24	SE	NW	Fee	262
Visborg22D2-2490	N/A	9 S	41 E	24	SE	NW	Fee	320
Visborg22D3-2490	N/A	9 S	41 E	24	SE	NW	Fee	410
Visborg22M-2490	N/A	9 S	41 E	24	SE	NW	Fee	520
Visborg42C-2390	N/A	9 S	41 E	23	SE	NE	Fee	575
Visborg42D2-2390	N/A	9 S	41 E	23	SE	NE	Fee	306
Visborg42D3-2390	N/A	9 S	41 E	23	SE	NE	Fee	395
Visborg42M-2390	N/A	9 S	41 E	23	SE	NE	Fee	530
Visborg44C-2390	N/A	9 S	41 E	23	SE	SE	Fee	875
Visborg44D1-2390	N/A	9 S	41 E	23	SE	SE	Fee	375
Visborg44D2-2390	N/A	9 S	41 E	23	SE	SE	Fee	445
Visborg44D3-2390	N/A	9 S	41 E	23	SE	SE	Fee	530
Visborg44M-2390	N/A	9 S	41 E	23	SE	SE	Fee	630
Existing Wells:								
State31M-1691	N/A	9 S	41 E	16	NW	NE	State	819
Holmes13D3-2091	N/A	9 S	41 E	20	NW	SW	Fee	675
Federal21M-3491	MTM-79440	9 S	41 E	34	NE	NW	Federal	1250
Federal 14C-2291	MTM-64473	9 S	41 E	22	SW	SW	Federal	1010

APPENDIX B
SPECIAL STATUS SPECIES AFFECTS DETERMINATIONS
SUMMARY TABLES

Federally Listed Threatened and Endangered Species and Species Proposed for Listing

Species	Status	In Range (yes/no)	Habitat Present (yes/no)	Affects Determination (brief rationale)
Bald Eagle	T	yes	yes	May affect see discussion Sections 3.12, 4.2.12 & 4.3.12
Least tern	E	yes	no	
Mountain Plover	P	yes	no	
Piping Plover	T	no		
Whooping Crane	E	no		
Black-footed ferret	E	yes	no	
Canada Lynx	T	no		
Gray wolf	E	no		
Grizzly Bear	T	no		
Bull Trout	T	no		
Pallid Sturgeon	E	no		
Spalding's Catchfly	P	no		
Ute Ladies' -tresses	T	no		
Water Howellia	T	no		
Western Prairie Fringed Orchid	T	no		

**SPECIAL STATUS SPECIES AFFECTS DETERMINATIONS
SUMMARY TABLES**

BLM (Montana and Dakotas) Designated Sensitive Species

BIRDS			
Species	In Range (yes/no) 1	Habitat present (yes/no) 2	Effects Determination (brief rationale) 3
Bairds sparrow	yes	no	
Black-backed woodpecker	yes	no	
Black Tern	yes	no	
Boreal owl	no		
Burrowing owl	yes	no	
Canvasback duck	yes	no	
Columbian sharp-tailed grouse	no		
Common loon	no		
Dickcissel	yes	no	
Ferruginous hawk	yes	no	
Flammulated owl	no		
Great gray owl	no		
Hairy woodpecker	yes	yes	See discussion Sections 3.12, 4.2.12 & 4.3.12
Harlequin duck	no		
LeConte's sparrow	no		
Loggerhead shrike	yes	yes	See discussion Sections 3.12, 4.2.12 & 4.3.12
Long billed curlew	yes	no	
Northern goshawk	yes	no	Incidental observations on Ashland District of CNF
Peregrine falcon	yes	yes	Possible migrant
Pileated woodpecker	no		
Sage grouse	yes	yes	See discussion Sections 3.12, 4.2.12 & 4.3.12
Sage sparrow	no		
Swainson's hawk	yes	yes	See discussion Sections 3.12, 4.2.12 & 4.3.12

Three-toed woodpecker	yes	no	Documentation in counties west of project
Trumpeter swan	no		
White-faced ibis	no		

MAMMALS			
Species	In Range (yes/no) 1	Habitat present (yes/no) 2	Effects Determination (brief rationale) 3
Black-tailed prairie dog	yes	no	
Fisher	no		
Meadow jumping mouse	no		
Merriam's shrew	yes	yes	Very little known of this species
North American wolverine	no		
Northern Bog Lemming	no		
Preble's Shrew	yes	yes	Very little known of this species
Pygmy rabbit	no		
Spotted bat	yes	yes	Very little known of this species
Spotted skunk (western)	no		
Swift fox	yes	no	
Townsend's big-eared bat	yes	yes	
White-tailed prairie dog	no		
Woodland caribou	no		

REPTILES and AMPHIBIANS			
Species	In Range (yes/no) 1	Habitat present (yes/no) 2	Effects Determination (brief rationale) 3
Snapping turtle	yes	yes	
Spiny softshell turtle	yes	yes	See discussion Sections 3.12, 4.2.12 & 4.3.12
Canadian toad	no		

Coeur d'Alene salamander	no		
Spotted frog	no		
Tailed frog	no		
Wood frog	no		
Plains Spadefoot	no	yes	See Discussion Sections 3.12, 4.2.12 & 4.3.12
Great Plains Toad	no	yes	See Discussion Sections 3.12, 4.2.12 & 4.3.12

FISH			
Species	In Range (yes/no) 1	Habitat present (yes/no) 2	Effects Determination (brief rationale) 3
Arctic grayling	no		
Blue sucker	no		
Bull trout	no		
Northern redbelly X Finescale dace	no		
Paddlefish	no		
Pearl dace	no		
Sauger	yes	yes	See discussion Sections 3.12, 4.2.12 & 4.3.12
Shortnose gar	no		
Sicklefin chub	no		
Sturgeon chub	no		
Westslope cutthroat trout	no		
Yellowstone cutthroat trout	no		

- 1) If project is not within the range of the species no determination of habitat presence is needed.
- 2) If habitat is not present no effects determination is needed.
- 3) Detailed Effects Determination is provided in the narrative of Environmental Assessment

BLM (Montana and Dakotas) Designated Sensitive Species

Plant Species	Known sites in project area
Agastache cusickii	no
Arabis fecunda	no
Astragalus ceramicus var. apus	no
Astragalus geyeri	no
Astragalus scaphoides	no
Astragalus terminalis	no
Camissonia andina	no
Camissonia parvula	no
Carex crawei	no
Carex parryana var. idahoa (C. idahoa)	no
Cryptantha scoparia	no
Elymus flavescens (Leymus flavescens)	no
Eriogonum salsuginosum (Stenogonum salsuginosum)	no
Lesquerella carinata var. languida	no
Lesquerella lesicii	no
Lesquerella pulchella	no
Lomatium attenuatum	no
Malacothryx torreyi	no
Nama densum	no
Oenothera pallida var. idahoensis (O. pallida ssp. pallida)	no
Penstemon lemhiensis	no
Penstemon whippleanus	no
Quercus macrocarpa	no
Shoshonea pulvinata	no
Sphaeromeria argenta	no
Taraxacum eriophorum	no
Thalictrum alpinum	no
Thelypodium paniculatum	no

APPENDIX C

SOCIAL AND ECONOMIC ASSUMPTIONS

The following are the Social and Economic assumptions common to all alternatives:

The impact analysis is based on the assumptions used in the MT FEIS, 2003 at pages 4-8, 4-111, 4-112 and the ZurMehlen, 2001 and the Langhus, 2001 data for employment and income estimates. The Montana CBNG wells have an average life of 15 years and are expected to produce .3 BCF (MT FEIS Vol. II, MIN-16). Exploration wells do not produce income and ten percent are dry holes. A gas price of \$4.00 per thousand cubic feet is assumed for this analysis.

The employment and income created are related to the project phase. The number of jobs and the associated wages for each phase are estimated as follows (ZurMehlen, 2001): 7 jobs and payroll of \$365,000 per 160 wells for exploration and development plus \$6,600 per well for 42 contract well drillers and pipeline installers (Langhus, 2001); 9 jobs and payroll of \$345,000 per 160 wells for production; and 12 jobs and payroll of \$415,000 per 160 wells for abandonment. Typical drilling operations, whether exploration or production, would require 3 to 5 days with an additional 2 to 3 days for completion work. A maximum 7 to 8 people would be present at any one time during the construction phase.

All dollar amounts are reported in 2001 dollars with no adjustments for inflation for comparison with the MT FEIS analysis.

Royalty rates for all lease ownerships, Federal, State and private, are assumed at 12.5 percent of well head value. Montana receives 50 percent of the Federal royalties paid. Montana taxes all gas production at 9.3 percent of well head value, after the first year. Private royalties are taxed at 15.1 percent. On average, 50 percent of the production taxes are returned to the local governments.

Impacts to livestock operations could result from construction of the well pad sites, groundwater drawdown and produced water. However, the 80 acre density of the well pads and the temporary nature of the activities associated with CBNG drilling and testing, should not result in a reduction of AUM's to individual operators and suitable produced water can be used for livestock (see Livestock section). Also, the MT-BOGC requires CBNG operators to offer water mitigation agreements to owners of water wells or natural springs adversely impacted by CBNG development (see Hydrology section).

Direct economic impacts include changes in personal income and employment; lease royalties; income and production taxes. Indirect impacts would include induced economic activity from local purchases for supplies, equipment and services.

Social impacts could include changes to social well being due to changes in personal income and employment and possible effects to private surface owners whose land is underlain by federal minerals.

**APPENDIX D
LIST OF RIGHTS-OF-WAY**

COAL CREEK PROJECT PLAN OF DEVELOPMENT

**Fidelity Exploration & Production Company Right-of-Way
2585 Heartland Drive
Sheridan, Wyoming 82801
307-672-7111**

Purpose of this Right-of-Way application is to provide access across federal lands on new and existing 2-track roads and Resource roads and for buried gas, water, and electric lines for the production and transportation of CBNG. Desired term of the ROW grant is 20 years with the right of renewal requested. The gas lines and water lines will be used for year round transporting of CBNG. Volume or amount of product to be transported is unknown. The duration and timing of the construction should be no more than three weeks per project. No temporary work areas will be required

Right of Way Width: 50'
Type of Gas Line: 4" Poly
Type of Water Line: 3" Poly and 12" Poly
Electric Lines: 3 Phase, 480 Volt (.48 kV)
Width of Trench for Gas/Water: 18"-36"
Depth of gas and water lines: 5' to 8'

The buried electric line will be plowed in at a depth of 24 inches, in a trench 4 inches wide, and run parallel to the gas and water lines at a distance of 10'.

The 12" Poly water line will run parallel to Bitter Creek Pipeline's gas line right-of-way – it will be buried 5 to 8 feet deep, in a trench 18 to 36 inches wide, 15 feet from the Bitter Creek Steel Gas Pipeline.

T	R	Sec.	Description	Length across public lands	Number of gas lines	Number & Type of Water Lines	Electric Line(s)	Access road
9S	41E	19	SE¼NW¼	1375'	On Lease	--	--	Improved to Resource Road
9S	41E	21	SW¼SW¼	300'	10	1-3" Poly	1	Existing Two-Track
9S	41E	21	SW¼NW¼	1310'	10	2-3" Poly 1-12" Poly	1	Resource Road will be constructed from existing Two-Track.
9S	41E	21	SW¼NE¼, S½NW¼	1672'	5	1-3" Poly		New Two-Track
9S	41E	21	NW¼SE¼	250'	--	--	1	
9S	41E	21	N½SW¼	890'	--	1-12" Poly	--	Resource Road
9S	41E	21	SW¼	2060'		1-12" Poly		New Two-Track
9S	41E	21	NE¼SW¼, SE¼SW¼	3960'	--	--	--	Resource Road
		28	NE¼NW¼, NW¼NE¼					
9S	41E	28	NE¼NE¼	300'	10	2-3" Poly	1	New Two-Track
9S	41E	28	N½NE¼	1705'	10	2-3" Poly	1	New Two-Track
9S	41E	28	NW¼NE¼, SW¼NE¼, NW¼SE¼	1810'	10	2-3" Poly	--	Resource Road
9S	41E	27	SW¼SW¼	4080'	5	1-3" Poly	--	New Two-Track
		28	N½SE¼, SE¼SE¼					
9S	41E	27	SW¼SW¼	790'	5	1-3" Poly	1	New Two-Track
9S	41E	28	NW¼SE¼, N½SW¼, SE¼NW¼-	1420'	15	3-3" Poly	--	Resource Road

Powder River Energy Corporation Right-of-Way
P. O. Box 5087
Sheridan, Wyoming 82801
307-674-6466

Purpose of this Right of Way application is to provide access across federal lands for 14.4/24.9 kV overhead and buried 3-phase, 4 wire, distribution powerlines for Fidelity E & P's CBNG Projects. Desired term of the ROW grant is 99 years with the right of renewal requested. The powerline would be used year round. The powerline would operate at 500kw. The duration and timing of the construction would be no more than four weeks and would take place as soon as the right-of-way is issued. No temporary work areas would be required

Right of Way Width: 70'
Length: 29,321' (21,216' overhead; 8,105' buried)
Electric Lines: 14.4/29.9 kV
Power Poles: Approx. 106 Western Red Cedar or Douglas Fire Poles
Height & Class of Poles 30-5 to 50-2
Distance Between Poles: Approx. 275'
Depth of Power Line Pole Holes: 6' to 6½'
Depth of Buried Powerlines: 3.5 to 4 feet

The power lines would be constructed and installed using standard utility construction equipment such as but not limited to digger trucks, four-wheel drive utility trucks, back hoes, and associated equipment. The underground power line would be installed using a trencher.

T	R	Sec.	Description	Length across public lands	Type of Line [OH-Overhead B-Buried]	Access
9S	41E	17	NW¼SW¼	1,722	Main OH	Via County Road and two-track road
9S	41E	19	Lot 6, SE¼NW¼	2,148 944	Main OH SE OH Tap	Via County Road and two-track road
9S	41E	21	SW¼NE¼, S½NW¼, N½SW¼, SE¼SW¼, W½SE¼	1,322 1,771 3,029	Main OH E OH Tap Main OH	Via existing two-track road which will be upgraded to a Resource Road by Fidelity E & P and new two-track road
9S	41E	28 and 27 and 33	N½NE¼, SW¼NE¼, NE¼NW¼, NW¼SW¼, SE¼SW¼, N½SE¼, SE¼SE¼ and SW¼SW¼ and NW¼NE¼, NE¼NW¼	1,648 1,436 1,710 6,395 272 1,164 1,209 872 1,300 1,698	SW OH Tap Main OH NE B Tap Main B Main OH SW OH Tap Main OH Main OH SW OH Tap Main OH	Via existing two-track road which will be upgraded to a Resource Road by Fidelity E & P and existing and new two-track roads.
9S	41E	32	NE¼NE¼	681	OH Tap	Via new two-track road

Bitter Creek Pipelines, LLC Right-of-Way
900 Gillette Street
Sheridan, WY 82801

Purpose of this Right of Way application is to provide access across federal lands for the transportation of CBNG. Desired term of the ROW grant is 30 years with the right of renewal requested. The gas line will be used for year round transporting of CBNG. Volume or amount of product to be transported is unknown. The duration and timing of the construction should be no more than three weeks. No temporary work areas will be required.

Right of Way Width: 50'
 Type of gas line: 12" High pressure steel, rated at 1480 PSI, MAOP
 16" Low pressure steel, rated 280 PSI, MAOP
 Width of Trench for gas line: 24" for each pipeline
 Depth of gas line: 5' trench depth with minimum of 3' coverage
 Equipment: Wheel trencher/track hoe

The gas line right-of-way will run parallel to Fidelity Exploration & Production's water and/or gas and electric lines and access road.

T	R	Sec.	Description	Length across public lands	Number of gas lines	Access road
9S	41E	21	SW $\frac{1}{4}$ NW $\frac{1}{4}$	1310'		Bitter Creek will use Resource road constructed by Fidelity Exploration & Production Co. from existing two track.
9S	41E	21	SW $\frac{1}{4}$	2950'		New 2-track

APPENDIX E

RIGHT-OF-WAY STIPULATIONS

The right-of-way grant to Fidelity Exploration & Production Company for the buried gas and water pipelines, buried powerlines, and access roads would be issued under the authority of Section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185) and subject to the terms and conditions in 43 CFR 2880, in the application and plan of development, and subject to the stipulations listed below.

STIPULATIONS: Fidelity E & P Right-of-Way MTM-93705

1. The holder shall construct, operate, and maintain the facilities, improvements, and structures within this right-of-way in strict conformity with Fidelity's Coal Creek Plan of Development which was approved and made a part of the grant. 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(s) of development, shall be made available to the authorized officer on the right-of-way area during construction, operation, and termination. 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.
2. Any cultural and/or paleontological resource (historic or prehistoric site or object) discovered by the holder, or any person working on his behalf, on public or Federal land shall be immediately reported to the authorized officer. Holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the authorized officer. An evaluation of the discovery will be made by the authorized officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The holder will be responsible for the cost of evaluation and any decision as to proper mitigation measures will be made by the authorized officer after consulting with the holder.
3. The holder shall comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated. In any event, the holder(s) shall comply with the Toxic Substances Control Act of 1976, as amended (15 U.S.C. 2601, et seq.) with regard to any toxic substances that are used, generated by or stored on the right-of-way or on facilities authorized under this right-of-way grant. (See 40 CFR, Part 702-799 and especially, provisions on polychlorinated biphenyls, 40 CFR 761.1-761.193.) Additionally, any release of toxic substances (leaks, spills, etc.) in excess of the reportable quantity established by 40 CFR, Part 117 shall be reported as required by the Comprehensive Environmental Response, Compensation and Liability Act of 1980, Section 102b. A copy of any report required or requested by any Federal agency or State government as a result of a reportable release or spill of any toxic substances shall be furnished to the authorized officer concurrent with the filing of the reports to the involved Federal agency or State government.
4. 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.
5. Holder shall remove only the minimum amount of vegetation necessary for the construction of structures and facilities. Topsoil shall be conserved during excavation and reused as cover on disturbed areas to facilitate regrowth of vegetation.
6. The holder shall seed all disturbed areas with native seed, using an agreed upon method suitable for the location. Seeding shall be repeated if a satisfactory stand is not obtained as determined by the authorized officer upon evaluation after one growing season. The holder must seed all disturbed areas with the seed mixture(s) listed below. The seed mixture(s) must be planted in the amounts specified in pounds of pure live seed (PLS)/acre. There must be no primary or secondary noxious weed seed in the seed mixture. Seed must be tested and the viability testing of seed must be done in accordance with State law(s) and within six months prior to purchase. Commercial seed

must be either certified or registered seed. The seed mixture container must be tagged in accordance with State law(s) and available for inspection by the authorized officer.

Seed must be planted using a drill equipped with a depth regulator to ensure proper depth of planting where drilling is possible. The seed mixture must be evenly and uniformly planted over the disturbed area. Smaller/heavier seeds have a tendency to drop to the bottom of the drill and are planted first. The holder must take appropriate measures to ensure this does not occur. Where drilling is not possible, seed may be broadcast and the area raked or chained to cover the seed. When broadcasting the seed, the pounds per acre noted below are to be doubled. The seeding must be repeated until a satisfactory stand is established as determined by the Authorized Officer. Evaluation of growth will not be made before completion of the second growing season after seeding. The Authorized Officer is to be notified a minimum of seven days prior to seeding of the project.

ROW Seed Mixture (Silty or Clayey Ecological Sites)

The combination must include at least four of the following species. Western wheatgrass must be included in the mix. Thickspike wheatgrass may be substituted for wheatgrass only when western wheatgrass is unavailable.

<i>Species of Seed</i>	<i>(Variety)</i>	<i>Common Name</i>	<i>Pounds/acre *(PLS)</i>
<u>Pascopyrum smithii</u>	(Rosanna)	Western wheatgrass	3.00
<u>Pseudoroegneria spicata</u>	(Goldar)	Bluebunch wheatgrass	2.00
<u>Stipa viridula</u>	(Lodom)	Green needlegrass	2.00
<u>Elymus trachycaulus</u>	(Pryor)	Slender wheatgrass	2.00
<u>Stipa comata</u>		Needleandthread	1.00
<u>Bouteloua curtipendula</u>		Sideoats Grama	2.00
<u>Schizachyrium scoparium</u>		Little bluestem	2.00

**Pure Live Seed (PLS) formula: % of purity of seed mixture times % germination of seed mixture = portion of seed mixture that is PLS*

7. The proposed improved road shall be constructed and maintained in accordance with the BLM standards prescribed for a Resource Road as described in the *Surface Operating Standards for Oil and Gas Exploration and Development* (BLM 1989; also known as the “Gold Book”).
8. The holder shall be responsible for weed control on disturbed areas within the limits of the right-of-way. The holder is responsible for consultation with the authorized officer and/or local authorities for acceptable weed control methods (within the limits imposed in the grant stipulations).
9. 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 3-4 inches deep, the soil shall be deemed too wet to adequately support construction equipment.
10. *The holder shall coordinate with the parties holding authorized rights on the adjacent and affected land [such as the grazing permittee/lessee and right-of-way holders].
11. Sixty days 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, recontouring, topsoiling, or seeding. The authorized officer must approve the plan in writing prior to the holder’s commencement of any termination activities.

* This non-standard stipulation was approved by the District Manager, which is the next higher level of Bureau line management, for right-of-way MTM-83461, on September 28, 1994.

The right-of-way grant to Powder River Energy Corp. would be issued under the authority of Title V of the Federal Land Policy and Management Act of October 21, 1976 (90 Stat. 2776; 43 U.S.C. 1761) and subject to the terms and conditions in 43 CFR 2800, in the application/plan of development, and subject to the stipulations listed below.

STIPULATIONS: Powder River Energy Corporation Right-of-Way MTM-93792

1. Any cultural and/or paleontological resource (historic or prehistoric site or object) discovered by the holder, or any person working on his behalf, on public or Federal land shall be immediately reported to the authorized officer. Holder shall suspend all operations in the immediate areas of such discovery until written authorization to proceed is issued by the authorized officer. An evaluation of the discovery will be made by the authorized officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The holder will be responsible for the cost of evaluation and any decision as to proper mitigation measures will be made by the authorized officer after consulting with the holder.
2. The holder shall comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated. In any event, the holder(s) shall comply with the Toxic Substances Control Act of 1976, as amended (15 U.S.C. 2601, et seq.) with regard to any toxic substances that are used, generated by or stored on the right-of-way or on facilities authorized under this right-of-way grant. (See 40 CFR, Part 702-799 and especially, provisions on polychlorinated biphenyls, 40 CFR 761.1-761.193.) Additionally, any release of toxic substances (leaks, spills, etc.) in excess of the reportable quantity established by 40 CFR, Part 117 shall be reported as required by the Comprehensive Environmental Response, Compensation and Liability Act of 1980, Section 102b. A copy of any report required or requested by any Federal agency or State government as a result of a reportable release or spill of any toxic substances shall be furnished to the authorized officer concurrent with the filing of the reports to the involved Federal agency or State government.
3. 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.
4. The holder shall seed all disturbed areas with native seed, using an agreed upon method suitable for the location. Seeding shall be repeated if a satisfactory stand is not obtained as determined by the authorized officer upon evaluation after one growing season. The holder must seed all disturbed areas with the seed mixture(s) listed below. The seed mixture(s) must be planted in the amounts specified in pounds of pure live seed (PLS)/acre. There must be no primary or secondary noxious weed seed in the seed mixture. Seed must be tested and the viability testing of seed must be done in accordance with State law(s) and within six months prior to purchase. Commercial seed must be either certified or registered seed. The seed mixture container must be tagged in accordance with State law(s) and available for inspection by the authorized officer.

Seed must be planted using a drill equipped with a depth regulator to ensure proper depth of planting where drilling is possible. The seed mixture must be evenly and uniformly planted over the disturbed area. Smaller/heavier seeds have a tendency to drop to the bottom of the drill and are planted first. The holder must take appropriate measures to ensure this does not occur. Where drilling is not possible, seed may be broadcast and the area raked or chained to cover the seed. When broadcasting the seed, the pounds per acre noted below are to be doubled. The seeding must be repeated until a satisfactory stand is established as determined by the Authorized Officer. Evaluation of growth will not be made before completion of the second growing season after seeding. The Authorized Officer is to be notified a minimum of seven days prior to seeding of the project.

ROW Seed Mixture (Silty or Clayey Ecological Sites)

The combination must include at least four of the following species. Western wheatgrass must be included in the mix. Thickspike wheatgrass may be substituted for wheatgrass only when western

wheatgrass is unavailable.

<i>Species of Seed</i>	<i>(Variety)</i>	<i>Common Name</i>	<i>Pounds/acre *(PLS)</i>
<u>Pascopyrum smithii</u>	(Rosanna)	Western wheatgrass	3.00
<u>Pseudoroegneria spicata</u>	(Goldar)	Bluebunch wheatgrass	2.00
<u>Stipa viridula</u>	(Lodom)	Green needlegrass	2.00
<u>Elymus trachycaulus</u>	(Pryor)	Slender wheatgrass	2.00
<u>Stipa comata</u>		Needleandthread	1.00
<u>Bouteloua curtipendula</u>		Sideoats Grama	2.00
<u>Schizachyrium scoparium</u>		Little bluestem	2.00

**Pure Live Seed (PLS) formula: % of purity of seed mixture times % germination of seed mixture = portion of seed mixture that is PLS*

5. The holder shall be responsible for weed control on disturbed areas within the limits of the right-of-way. The holder is responsible for consultation with the authorized officer and/or local authorities for acceptable weed control methods (within limits imposed in the grant stipulations).
6. Unless otherwise agreed to by the authorized officer in writing, powerlines shall be constructed in accordance to standards outlined in "Suggested Practices for Raptor Protection on Powerlines," Raptor Research Foundation, Inc., 1981, as amended in 1996. The holder shall assume the burden and expense of providing that pole designs not shown in the above publication are "eagle safe." Such proof shall be provided by a raptor expert approved by the authorized officer. The BLM reserves the right to require modifications or additions to all powerline structures placed on this right-of-way, should they be necessary to ensure the safety of large perching birds. Such modifications and/or additions shall be made by the holder without liability or expense to the United States.
7. The holder of this right-of-way grant or the holder's successor in interest shall comply with Title VI of the Civil Rights Act of 1964 (43 U.S.C. 200d et seq.) and the regulations of the Secretary of the Interior issued pursuant thereto.
8. 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 3-4 inches deep, the soil shall be deemed too wet to adequately support construction equipment.
9. * The grant is issued subject to the holder's compliance with the mitigations set forth in the application.
10. * The holder shall coordinate with the parties holding authorized rights on the adjacent and affected land [such as the grazing permittee/lessee and right-of-way holders].
11. If "cross country" access is necessary, clearing vegetation or grading a roadbed will be avoided whenever practicable. All construction and vehicular traffic shall be confined to the right-of-way or designated access routes, roads, or trails unless otherwise authorized in writing by the authorized officer. All temporary roads used for construction shall be rehabilitated after construction is completed. Only one road or access route will be permitted to each site requiring access.
12. Sixty days 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, recontouring, topsoiling, or seeding. The authorized officer must approve the plan in writing prior to the holder's commencement of any termination activities.

* These non-standard stipulations were approved by the District Manager, which is the next higher level of

Bureau line management, for right-of-way MTM-83461, on September 28, 1994.

The right-of-way grant to Bittercreek Pipelines LLC for the buried gas pipelines would be issued under the authority of Section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185) and subject to the terms and conditions in 43 CFR 2880, in the application/plan of development, and subject to the stipulations listed below.

STIPULATIONS: Bittercreek Pipeline LLC Right-of-Way MTM-94037

1. Any cultural and/or paleontological resource (historic or prehistoric site or object) discovered by the holder, or any person working on his behalf, on public or Federal land shall be immediately reported to the authorized officer. Holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the authorized officer. An evaluation of the discovery will be made by the authorized officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The holder will be responsible for the cost of evaluation and any decision as to proper mitigation measures will be made by the authorized officer after consulting with the holder.
2. The holder shall comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated. In any event, the holder(s) shall comply with the Toxic Substances Control Act of 1976, as amended (15 U.S.C. 2601, et seq.) with regard to any toxic substances that are used, generated by or stored on the right-of-way or on facilities authorized under this right-of-way grant. (See 40 CFR, Part 702-799 and especially, provisions on polychlorinated biphenyls, 40 CFR 761.1-761.193.) Additionally, any release of toxic substances (leaks, spills, etc.) in excess of the reportable quantity established by 40 CFR, Part 117 shall be reported as required by the Comprehensive Environmental Response, Compensation and Liability Act of 1980, Section 102b. A copy of any report required or requested by any Federal agency or State government as a result of a reportable release or spill of any toxic substances shall be furnished to the authorized officer concurrent with the filing of the reports to the involved Federal agency or State government.
3. 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.
4. Holder shall remove only the minimum amount of vegetation necessary for the construction of structures and facilities. Topsoil shall be conserved during excavation and reused as cover on disturbed areas to facilitate regrowth of vegetation.
5. The holder shall seed all disturbed areas with native seed, using an agreed upon method suitable for the location. Seeding shall be repeated if a satisfactory stand is not obtained as determined by the authorized officer upon evaluation after one growing season. The holder must seed all disturbed areas with the seed mixture(s) listed below. The seed mixture(s) must be planted in the amounts specified in pounds of pure live seed (PLS)/acre. There must be no primary or secondary noxious weed seed in the seed mixture. Seed must be tested and the viability testing of seed must be done in accordance with State law(s) and within six months prior to purchase. Commercial seed must be either certified or registered seed. The seed mixture container must be tagged in accordance with State law(s) and available for inspection by the authorized officer.

Seed must be planted using a drill equipped with a depth regulator to ensure proper depth of planting where drilling is possible. The seed mixture must be evenly and uniformly planted over the disturbed area. Smaller/heavier seeds have a tendency to drop to the bottom of the drill and are planted first. The holder must take appropriate measures to ensure this does not occur. Where drilling is not possible, seed may be broadcast and the area raked or chained to cover the seed. When broadcasting the seed, the pounds per acre noted below are to be doubled. The seeding must be repeated until a satisfactory stand is established as determined by the Authorized Officer. Evaluation of growth will not be made before completion of the second growing season after

seeding. The Authorized Officer is to be notified a minimum of seven days prior to seeding of the project.

ROW Seed Mixture (Silty or Clayey Ecological Sites)

The combination must include at least four of the following species. Western wheatgrass must be included in the mix. Thickspike wheatgrass may be substituted for wheatgrass only when western wheatgrass is unavailable.

<i>Species of Seed</i>	<i>(Variety)</i>	<i>Common Name</i>	<i>Pounds/acre *(PLS)</i>
<u>Pascopyrum smithii</u>	(Rosanna)	Western wheatgrass	3.00
<u>Pseudoroegneria spicata</u>	(Goldar)	Bluebunch wheatgrass	2.00
<u>Stipa viridula</u>	(Lodom)	Green needlegrass	2.00
<u>Elymus trachycaulus</u>	(Pryor)	Slender wheatgrass	2.00
<u>Stipa comata</u>		Needleandthread	1.00
<u>Bouteloua curtipendula</u>		Sideoats Grama	2.00
<u>Schizachyrium scoparium</u>		Little bluestem	2.00

**Pure Live Seed (PLS) formula: % of purity of seed mixture times % germination of seed mixture = portion of seed mixture that is PLS*

6. The holder shall be responsible for weed control on disturbed areas within the limits of the right-of-way. The holder is responsible for consultation with the authorized officer and/or local authorities for acceptable weed control methods (within the limits imposed in the grant stipulations).
7. 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 3-4 inches deep, the soil shall be deemed too wet to adequately support construction equipment.
8. * The grant is issued subject to the holder's compliance with the mitigations set forth in the application.
9. *The holder shall coordinate with the parties holding authorized rights on the adjacent and affected land [such as the grazing permittee/lessee and right-of-way holders].
10. If "cross country" access is necessary, clearing vegetation or grading a roadbed will be avoided whenever practicable. All construction and vehicular traffic shall be confined to the right-of-way or designated access routes, roads, or trails unless otherwise authorized in writing by the authorized officer. All temporary roads used for construction shall be rehabilitated after construction is completed. Only one road or access route will be permitted to each site requiring access.
11. Sixty days 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, recontouring, topsoiling, or seeding. The authorized officer must approve the plan in writing prior to the holder's commencement of any termination activities.

* These non-standard stipulations were approved by the District Manager, which is the next higher level of Bureau line management, for right-of-way MTM-83461, on September 28, 1994.