

### BLM STIPULATIONS

1. To avoid disturbance and nest abandonment of migrating and nesting ducks, geese and shorebirds, construction activities shall be avoided from May 1<sup>st</sup> to August 1<sup>st</sup>.
2. Holder's construction crews should avoid leaving food or garbage while working in the area to avoid attracting bears and the possible taking of bears for the defense of life and property. Food and garbage shall be removed from the site on a daily basis.
3. Cable run through the embankment area should avoid removal of trees as much as possible. Direction of clearing for cable placement should follow natural terrain to break-up the visual impact of the project.
4. Holder will perform an as-built survey of the completed improvements installed during the construction project within 90 days after completion of construction. The survey will be of professional quality such that improvements such as the Cathodic Protection cables and equipment structures can be located on the ground in relation to the pipeline improvements. Holder will provide two copies of the as-built survey to the BLM Anchorage Field Office Manager, as well as two copies to the Chief, Division of Realty, Region 7 of the United States Fish & Wildlife Service.
5. 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 will be immediately reported to the Authorized Officer. The Holder will 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.  
  
Pursuant to 43 CFR 10.4(g), the Holder of this authorization must notify the Authorized Officer, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4(c) and (d), Holder must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the Authorized Officer.
6. Use of pesticides will comply with the applicable Federal and State laws. Pesticides will be used only in accordance with their registered uses and within limitations imposed by the Secretary of the Interior. Prior to the use of pesticides, the Holder will obtain from the Authorized Officer written approval of a plan showing the type and quantity of material to be used, pest(s) to be controlled, method of application, location of storage and disposal of containers, and any other information deemed necessary by the

Authorized Officer. The plan should be submitted no later than December 1 of any calendar year to cover the proposed activities for the next fiscal year. Emergency use of pesticides will be approved in writing by the Authorized Officer prior to such use.

7. No burning of trash, litter, trees, brush or other vegetative material generated by clearing the R/W will be allowed under this grant.
8. The Holder will comply with applicable State standards for public health and safety, environmental protection and siting, construction, operation and maintenance, if these State standards are more stringent than Federal standards for similar projects.
9. The Holder will comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated regarding toxic substances or hazardous materials. In any event, the Holder will 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 R/W or on facilities authorized under this R/W 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 will 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 will be furnished to the Authorized Officer concurrent with the filing of the reports to the involved Federal agency of State government.
10. The Holder of this R/W grant or the Holder's successor in interest will comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) and the regulations of the Secretary of Interior issued pursuant thereto.