

ATTACHMENT A

Memorandum of Understanding
between
The Bureau Of Land Management (BLM) And The Forest Service (FS)
For Management Of The Riley Ridge Project.

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MEMORANDUM OF UNDERSTANDING BETWEEN THE BUREAU OF LAND MANAGEMENT (BLM) AND THE FOREST SERVICE (FS) FOR MANAGEMENT OF THE RILEY RIDGE PROJECT

I. INTRODUCTION

The Bureau of Land Management (BLM) of the U.S. Department of Interior and the Forest Service (FS) of the U.S. Department of Agriculture have jointly prepared an environmental impact statement (EIS) on the Riley Ridge Project. The Riley Ridge Project would involve construction of proposed processing plants for sour gas treatment, gas field development, and associated ancillary facilities upon lands administered by the BLM and FS.

The BLM and FS are responsible for approving and issuing right-of-way grants, special land use permits, and other necessary permits for facilities utilizing or crossing lands administered by these agencies. In addition, the BLM is responsible for approving the gas wells and associated field development (due to merger of MMS with BLM by Secretarial Order No. 3087, dated December 3, 1982). The FS is responsible for making recommendations to the BLM on gas field development for those activities on FS lands.

II. PURPOSE

The purpose of this MOU is to establish agreement and procedure between the BLM and the FS for overseeing implementation of the Riley Ridge Project Record of Decision (ROD) including review and quality control of required applicant plans for associated construction, operation, maintenance, and termination of proposed facilities and well-field development.

III. RESPONSIBILITIES

WHEREAS, the State Director of the Wyoming BLM has the authority and responsibility to administer the surface resources of land reserved from the public domain under the jurisdiction of the BLM in Wyoming and has the authority and responsibility to administer leases for Federal minerals under the Mineral Leasing Act of 1920, as amended, within the jurisdictional areas of both the BLM and FS, and

WHEREAS, the Regional Forester of the Intermountain Region of the FS has the authority and responsibility to administer the surface resources of lands reserved from the public domain and acquired public lands of the National Forest System under the jurisdictional of the FS:

THE BLM AND FS AGREE TO THE FOLLOWING:

a. Each will identify and provide a representative or representatives to serve on a Implementation Task Force overseeing project development. This Task Force

will represent on-the-ground managers from each of the agencies (BLM Area Managers and FS District Ranger(s)). In addition the Task Force will include a representative from the BLM Rock Springs District Division of Mineral Resources and Division of Planning and Environmental Assistance, and a BLM or FS construction engineer. The Task Force will also include a member from the Wyoming Game and Fish Department (GF). The responsibilities of this Task Force are described below.

TASK FORCE RESPONSIBILITIES

1. Will ensure that the information contained in the Sensitivity Analysis is maintained and updated throughout the life of the Riley Ridge Project. BLM will computerize the Sensitivity Analysis and maintain it. FS will be provided access to the computerized sensitivity analysis system as requested. Funding of the system will be shared. Each agency's portion will be as mutually determined and documented in an annual work plan approved by both agencies.
2. Will jointly review all Applications for Permits to Drill (APDs) submitted for the Riley Ridge Well Field area (as defined in the EIS). Will ensure that the mitigation program contained in the ROD is incorporated into APDs submitted for this area. All reviews will occur during the required 30 day turn-around time period. (Flexibility will be maintained in required reviews. As a minimum the affected land manager(s), and BLM Divisions of Mineral Resources and of Planning and Environmental Assistance Task Force members would review submitted APDs).
3. Will utilize the Sensitivity Analysis (prepared during the Riley Ridge EIS process) during review of APDs.
4. Will ensure site-specific stipulations are attached to each APD, based upon measures determined through the EIS, ROD and the Sensitivity Analysis, and will attach any additional measures deemed appropriate as approved by appropriate management.
5. Will ensure coordination with and input from agency resource specialists, and agency construction engineer depending upon sensitivity of specific resources (as determined through the Sensitivity Analysis and the EIS).
6. Will obtain appropriate management approval of each APD action.
7. Will provide assistance to appropriate management in working with each of the Riley Ridge applicants in reviewing and revising construction and use plans for each right-of-way, temporary use permit, or other BLM or FS permit.
8. Will ensure that site-specific stipulations are attached to rights-of-way, temporary use permit, or other BLM or FS measures proposed in the EIS, ROD and Sensitivity Analysis. Will also ensure that site-specific EAs are prepared as needed. The Task Force will review these EAs to ensure conformance with the EIS ROD and Sensitivity Analysis.

9. Will ensure that appropriate management approval of each of these permits is obtained.

10. Will coordinate with and obtain input from local citizens and local special interest groups, as needed, on actions performed as a Task Force.

11. Will conduct a formal annual field evaluation and compliance review of project implementation. A status report will be prepared summarizing progress, conformance with the mitigation program incorporated into APDs and construction and use plans, identification of problems, and recommendations for problem resolution. This report will be submitted to the BLM, Wyoming State Director and Rock Springs District Manager, and the FS, Intermountain Regional Forester and Bridger-Teton National Forest Supervisor, through the Riley Ridge Management Committee. Additional evaluations and reviews will be conducted if major changes in condition warrant.

B. The BLM will, because of its authority and responsibility to administer leases for Federal minerals within the jurisdictional areas of both the BLM and FS, and because the planned sweetening plants and ancillary facilities are located on BLM administered lands, designate a Riley Ridge Project Coordinator within the Rock Springs District. The responsibilities of the Project Coordinator are described below.

PROJECT COORDINATOR RESPONSIBILITIES

1. Will be one of the BLM designees to the implementation Task Force overseeing project development.

2. Will ensure project implementation continuity, and insure that all the Task Force responsibilities are in fact carried out.

3. Will ensure that all Task Force members are kept informed of any changes, new developments, etc.

4. Will ensure that the District Manager, Forest Supervisor, and Riley Ridge Management Committee are kept apprised of Task Force activities and project implementation progress and status.

5. Will ensure appropriate Task Force member review of APDs within the time period allowed. Will consolidate Task Force APD review input and submit it to appropriate management for final APD processing.

6. Will ensure the actual maintenance and update of the information contained in the Sensitivity Analysis for both the manual overlay and computerized systems. All updates will be coordinated with the Task Force.

7. Will ensure/conduct the actual coordination with and input from BLM and/or FS resource specialists as deemed appropriate by the Task Force.

8. Will receive and consolidate all Task Force input and review comments generated during reviews/revisions of construction and use plans for each right-of-way, temporary use, or other BLM or FS permits. Will ensure that the Task Force input/comments are received by appropriate management and adequately considered or addressed in the construction and use plans.
9. Will ensure that each Task Force member receives a copy of required site-specific EAs for review and comment, and that comments are consolidated and submitted to appropriate management.
10. Will be responsible for making all arrangements for coordination with and receiving input from local citizens and special interest groups as deemed necessary by the Task Force.
11. Will arrange and coordinate the dates and logistics of the annual work plan meeting and the annual field evaluation and compliance. Will be responsible for drafting the status report, circulating to the Task Force members for comment, incorporating their comments and finalizing for Task Force signature. Will keep a chronology and photo record of project for future studies and/or potential future lawsuits.
12. Will, on at least a quarterly basis, prepare an estimate and maintain a record of reimbursable expenditures chargeable to the applicant(s) and administer the cost recovery regulations, billing the applicant(s) for the necessary costs associated with processing the right-of-way applications including subsequent monitoring of construction, operation, maintenance, and termination of any authorized project facilities as provided under Public Law 94-579 of October 21, 1976, Title V, Section 504(g) (Federal Land Policy and Management Act).

IV. GENERAL PROVISIONS

A. Each agency will be responsible for designating a representative or representatives to the Task Force and for providing management and administrative support of the Task Force and its functions. Members of the Task Force shall be designated in writing by each of the signatories of this MOU.

Letters or memoranda shall be addressed to the Chairperson of the Riley Ridge EIS Management Committee.

B. This MOU incorporates provisions from the following documents by reference for use in the Task Force functions:

1. The Riley Ridge Project Final Environmental Impact Statement (estimated completion date November 1983), and eight Technical Reports in support of the DEIS.
2. Appropriate Federal APD processing Procedures.
3. Standard Right-of-Way Stipulations prepared by the Wyoming Bureau of Land Management (Instruction Memorandum No. WY-81-413, dated August 19, 1981), as updated.

4. Land and Resource Management Plan for the Bridger-Teton National Forest and its appendices when completed. (The interim, Big Piney Unit Plan, Multiple Use Plan for Pinedale, Bridger Wilderness Management Plan.
5. BLM Pioneer Trails Management Framework Plan (dated 1974) and amendments (dated 1973 and 1981).
7. Other pertinent planning documentation in the project area.

C. Nothing in this agreement will be construed as limiting or affecting, in any way, the authority or legal responsibility of the BLM or the FS or as binding the BLM or FS to perform beyond the respective authority of each.

D. Nothing in this agreement will be construed as conflicting with existing laws and procedures governing the APD and Federal permitting process.

E. All BLM and FS activities under this MOU will be subject to available manpower and appropriations.

F. This MOU may be amended at any time by mutual agreement of all parties.

G. The period of this agreement shall be from the date of execution (not later than the date of the filing of the final EIS) until terminated by mutual agreement or on 30 days written notice from either party to the other.

Maxwell P. Brewster

7/27/83

State Director, Bureau of Land Management, Wyoming

Date

William C. Cunniff

8/2/83

for Regional Forester, Forest Service, Intermountain Region

Date