

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

RIGHT-OF-WAY GRANT/TEMPORARY USE PERMIT

Issuing Office
Arctic District

Serial Number
F-43687

1. A (right-of-way) ~~grant~~ is hereby granted pursuant to:

- a. Title V of the Federal Land Policy and Management Act of October 21, 1976 (90 Stat. 2776; 43 U.S.C. 1761);
- b. Section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185);
- c. Other (describe) _____.

2. Nature of Interest:

- a. By this instrument, the holder State of Alaska Department of Transportation receives a right to construct, operate, maintain, and terminate a access road into Wiseman, Alaska on public lands (or Federal land for MLA Rights-of-Way) described as follows:

Metes and Bounds within Section 7, Township 30 North,
Range 11 West, Fairbanks Meridian.

Alaska project No. FAS 6270 Parcel No. 1.

BLM-AK-975
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- b. The right-of-way or permit area granted herein is 84 feet wide, 1,900 feet long and contains 3.66 acres, more or less. If a site type facility, the facility contains _____ acres.
- c. This instrument shall terminate on June 22, 2012, 21 years from its effective date unless, prior thereto, it is relinquished, abandoned, terminated, or modified pursuant to the terms and conditions of this instrument or of any applicable Federal law or regulation.
- d. This instrument may may not be renewed. If renewed, the right-of-way or permit shall be subject to the regulations existing at the time of renewal and any other terms and conditions that the authorized officer deems necessary to protect the public interest.
- e. Notwithstanding the expiration of this instrument or any renewal thereof, early relinquishment, abandonment, or termination, the provisions of this instrument, to the extent applicable, shall continue in effect and shall be binding on the holder, its successors, or assigns, until they have fully satisfied the obligations and/or liabilities accruing herein before or on account of the expiration, or prior termination, of the grant.

3. Rental: Waived pursuant to 43 CFR 2803.1-2(6)(i)


For and in consideration of the rights granted, the holder agrees to pay the Bureau of Land Management fair market value rental as determined by the authorized officer unless specifically exempted from such payment by regulation. Provided, however, that the rental may be adjusted by the authorized officer, whenever necessary, to reflect changes in the fair market rental value as determined by the application of sound business management principles, and so far as practicable and feasible, in accordance with comparable commercial practices.

4. Terms and Conditions:

- a. This grant or permit is issued subject to the holder's compliance with all applicable regulations contained in Title 43 Code of Federal Regulations parts 2800 and 2880.
- b. Upon grant termination by the authorized officer, all improvements shall be removed from the public lands within _____ days, or otherwise disposed of as provided in paragraph (4)(d) or as directed by the authorized officer.
- c. Each grant issued pursuant to the authority of paragraph (1)(a) for a term of 20 years or more shall, at a minimum, be reviewed by the authorized officer at the end of the 20th year and at regular intervals thereafter not to exceed 10 years. Provided, however, that a right-of-way or permit granted herein may be reviewed at any time deemed necessary by the authorized officer.
- d. The stipulations, plans, maps, or designs set forth in Exhibit(s) A&B, dated _____, attached hereto, are incorporated into and made a part of this grant instrument as fully and effectively as if they were set forth herein in their entirety.
- e. Failure of the holder to comply with applicable law or any provision of this right-of-way grant or permit shall constitute grounds for suspension or termination thereof.
- f. The holder shall perform all operations in a good and workmanlike manner so as to ensure protection of the environment and the health and safety of the public.

IN WITNESS WHEREOF, The undersigned agrees to the terms and conditions of this right-of-way grant or permit.

X 
(Signature of Holder)


(Signature of Authorized Officer)

X CHIEF, RIGHT OF WAY
(Title)

Arctic District Manager
(Title)

X 3/19/91
(Date)

4/3/91
(Effective Date of Grant)

HAMMOND RIVER ROAD

PROPOSED ROAD CONSTRUCTION

MILE 188.6

EXISTING COMMUNITY ACCESS
(across floodplain and over pipeline)



SCALE: 1"=1330'

MIDDLE FORK
KOYUKUK RIVER

TRANS ALASKA
PIPELINE

DALTON HIGHWAY

*Section 7
T. 30 N., R. 11 W.,
FAIRBANKS MCR*

NOLAN
ROAD

COMMUNITY OF
WISEMAN

TO FAIRBANKS

Application by
Alaska DOT/PF
Wiseman Road
Wiseman, Alaska
8-22-90

HAMMOND RIVER ROAD



SCALE: 1"=150'

PROPOSED ROADWAY
CENTERLINE

MIDDLE FORK
KOYUKUK RIVER

UNNAMED DRAINAGE

EXISTING
COMMUNITY
ACCESS

GRAVEL BAR
MATERIAL
SOURCE

HIGHWATER CHANNEL

Application by
Alaska DOT/PF
Wiseman Road
Wiseman, Alaska
8-22-90

PROJECT SPECIFIC STIPULATIONS

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1. The Holder shall submit a detailed Plan of Development outlining, at a minimum, the following items:
 - (a) Minimum maintenance requirements and maintenance schedules.
 - (b) Agreements detailing joint maintenance responsibilities, if any, and cooperation with other users.
 - (c) Placement of control, warning, and directional traffic signs.
 - (d) Maintenance of "special needs" such as snow removal, seasonal closures, and controlled access.
 - (e) A detailed As Built drawing shall be submitted within ninety (90) days of completing the project showing in detail the road realignment.
2. Prior to construction, the Holder shall submit, in writing, a schedule of its construction activities.
3. The Holder shall submit standard or typical cross sections of the road to be constructed and maintained. The cross sections should include, but are not limited to, the proposed road width, ditch dimensions, cut and fill slopes, and typical culvert installations.

GENERAL STIPULATIONS

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1.0 General

- 1.1 The Arctic District Manager is the Authorized Officer (AO), as defined by 43 CFR 2800.0-5(c)
- 1.2 The applicant will provide the Authorized Officer with the name of project and field representatives. Changes to this list will be made promptly.
- 1.3 Section 404 Permit. The Holder shall comply with the construction practices and mitigating measures established by 33 CFR 323.4 which set forth the parameters of the "nationwide permit" required by Section 404 of the Clean Water Act. If the proposed action exceeds the parameters of the nationwide permit, the Holder shall obtain an individual permit from the appropriate office of the Army Corps of Engineers and provide the Authorized Officer with a copy of the same. Failure to comply with this requirement shall be cause for suspension or termination of this right-of-way.
- 1.4 Civil Rights. The Holder of this right-of-way grant or the Holders successor in interest shall comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000 et seq) and the regulations of the Secretary of the Interior issued pursuant thereto.

2.0 Environmental

- 2.1 Cultural and Paleontological Resources. Any cultural 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 AO. An evaluation of the discovery will be made by the AO 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 the proper mitigation measures will be made by the AO after consulting with the Holder.
- 2.2 Operations must not impede rural residents from pursuing their traditional subsistence activities (ANILCA, PL 96-487).

3.0 Operational

- 3.1 Protection of Survey Monuments. The Holder shall protect all survey monuments. Survey monuments include, but are not limited to, General Land Office and Bureau of Land Management Cadastral Survey Corners, reference corners, witness points, U.S. Coast and Geodetic benchmarks and triangulation stations, military control monuments, and recognizable civil (both public and private) survey monuments. In the event of obliteration or disturbance of any of the above, the Holder shall immediately report the incident, in writing, to the Authorized Officer and the respective installing agency, if known. Where General Land Office or Bureau of Land Management right-of-way monuments or references are obliterated during operations, the Holder shall secure the services of a registered land surveyor or a Bureau Cadastral surveyor to restore the disturbed monuments and references using surveying procedures found in the Manual of Surveying Instructions for the Survey of Public Lands of the United States, latest edition. If the Bureau cadastral surveyors or other Federal surveyors are used to restore the disturbed survey monuments, the Holder shall be responsible for survey costs.

4.0 Air and Water Quality

- 4.1 All operations shall comply with applicable Air and Water Quality Standards of the State of Alaska.

5.0 Solid Waste

- 5.1 All solid wastes shall be removed from the public lands to Alaska State DEC approved solid waste disposal facilities. Solid waste combustibles may be incinerated. All non-combustible solid waste, including ash from incineration and fuel drums, shall be removed for approved disposal. There will be no burial of garbage or solid wastes.

6.0 Fuel Handling and Storage

6.1 Spills

- 6.1.1 All fuel spills will be cleaned up immediately, taking precedence over all other matters, except the health and safety of personnel. Spills will be cleaned up utilizing absorbent pads or other Alaska State DEC approved methods.
- 6.1.2 As soon as possible, but not later than 24 hours, notice of any such discharge as defined in Alaska Statute Title 18, Chapter 75, Article 2, will be given

to the Authorized Officer and any other Federal and State officials as are required by law.

- 6.1.3 DEC approved oil spill cleanup materials (absorbents) will be carried by each field crew and stored at all fueling points and vehicle maintenance areas.

6.2 Storage and Handling

- 6.2.1 State and Federal safety standards for fuel handling will be followed.
- 6.2.2 No fuel storage or refueling of equipment will be allowed within the flood plain of a river or lake.
- 6.2.3 Drip basins or absorbent diapers will be placed under all non dry-disconnect-type fuel line couplings and valves.
- 6.2.4 Fuel, other petroleum products and/or other liquid chemicals designated by the Authorized Officer, whether in a single tank or multiple containers, that total in excess of 660 gallons, shall be stored within an impermeably lined and diked area capable of containing 110% of the stored volume. The storage area shall be located at least 100 feet from any river, lake, or stream. Material used as a liner must be capable of remaining impermeable during typical weather extremes expected throughout the storage period. Visqueen is not considered to be an impermeable liner and does not meet the requirements of this stipulation..
- 6.2.5 All fuel containers, including barrels and propane tanks, shall be marked with Holder's name, product type, and year filled or purchased (e.g., Company Name, Hydraulic Fluid, 1989).