
Appendix G

Leasable Mineral Stipulations, Waivers,
Modifications, and Exceptions

APPENDIX G

LEASABLE MINERAL STIPULATIONS, WAIVERS, MODIFICATIONS, AND EXCEPTIONS

GREATER SAGE-GROUSE STIPULATION EXCEPTIONS, MODIFICATIONS, AND WAIVERS

Exception

An exception to this stipulation may be granted by the authorized officer, in consultation with the State's Department of Wildlife, if the operator submits a plan that demonstrates that impacts from the proposed action are minimal or can be adequately mitigated, would not affect GRSG habitat.

Modification

The boundaries of the stipulated area may be modified if the authorized officer, in consultation with the State's Department of Wildlife, determines that portions of the area can be occupied without adversely affecting the GRSG habitat, or the area no longer contains GRSG habitat. The dates for timing restrictions may be modified if new information indicates the dates are not valid for the leasehold.

Waiver

The stipulation may be waived if the authorized officer, in consultation with the State's Department of Wildlife, determines that the entire leasehold no longer contains suitable habitat for GRSG.

Stipulations for Greater Sage-Grouse Habitat	
Language from Land Use Plan Amendment	SSUS-3: Year-Long Protection within 0.6 miles of active GRSG leks.
Objective	To protect GRSG lekking habitat.
Stipulation Type	No Surface Occupancy.
Stipulation	No surface occupancy would be allowed within 0.6 miles of active GRSG leks.
Exception	The Authorized Officer may grant an exception if an environmental review determines that the action, as proposed or otherwise restricted, does not adversely affect GRSG or their habitat. An exception may also be granted if the proponent, BLM, and NDOW negotiate mitigation that would satisfactorily offset the anticipated negative impacts. Actions designed to enhance the long-term utility or availability of the habitat to bighorn sheep may be exempted from the otherwise applicable restriction.
Modification	The Authorized Officer may modify the size and shape of the restricted area, or the period of limitation, if an environmental analysis indicates the actual suitability of the land for GRSG differs from that identified in the stipulation.
Waiver	The restriction may be waived if it is determined that the described lands do not contain GRSG or suitable habitat, or are otherwise incapable of serving the requirements of GRSG and therefore no longer warrant consideration as a component necessary for their protection. In certain instances this determination would come after consulting with other managing agencies or interested publics.
Language from Land Use Plan Amendment	SSUS-4: Seasonal Protection within four (4) miles of active GRSG leks from March 1 through May 15.
Objective	To protect GRSG lekking habitat.
Stipulation Type	Timing Limitation.
Stipulation	No surface activity would be allowed within 4 miles of active GRSG leks from March 1 through May 15.
Exception	The Authorized Officer may grant an exception if an environmental review determines that the action, as proposed or otherwise restricted, does not adversely affect GRSG or their habitat. An exception may also be granted if the proponent, BLM, and NDOW negotiate mitigation that would satisfactorily offset the anticipated negative impacts. Actions designed to enhance the long-term utility or availability of the habitat to bighorn sheep may be exempted from the otherwise applicable restriction.
Modification	The Authorized Officer may modify the size and shape of the restricted area, or the period of limitation, if an environmental analysis indicates the actual suitability of the land for GRSG differs from that identified in the stipulation.
Waiver	The restriction may be waived if it is determined that the described lands do not contain GRSG or suitable habitat, or are otherwise incapable of serving the requirements of GRSG and therefore no longer warrant consideration as a component necessary for their protection. In certain instances this determination would come after consulting with other managing agencies or interested publics.

Stipulations for Greater Sage-Grouse Habitat	
Language from Land Use Plan Amendment	SSUS-5: Seasonal Protection of GRSG wintering areas from November 1 thru March 31.
Objective	To protect GRSG winter habitat.
Stipulation Type	Timing Limitation.
Stipulation	No surface activity would be allowed in GRSG winter habitat from November 1 through March 31.
Exception	The Authorized Officer may grant an exception if an environmental review determines that the action, as proposed or otherwise restricted, does not adversely affect GRSG or their habitat. An exception may also be granted if the proponent, BLM, and NDOW negotiate mitigation that would satisfactorily offset the anticipated negative impacts. Actions designed to enhance the long-term utility or availability of the habitat to bighorn sheep may be exempted from the otherwise applicable restriction.
Modification	The Authorized Officer may modify the size and shape of the restricted area, or the period of limitation, if an environmental analysis indicates the actual suitability of the land for GRSG differs from that identified in the stipulation.
Waiver	The restriction may be waived if it is determined that the described lands do not contain GRSG or suitable habitat, or are otherwise incapable of serving the requirements of GRSG and therefore no longer warrant consideration as a component necessary for their protection. In certain instances this determination would come after consulting with other managing agencies or interested publics.
Language from Land Use Plan Amendment	SSUS-6: Seasonal protection of GRSG brood rearing habitat from May 15 to August 15
Objective	To protect GRSG brood rearing habitat.
Stipulation Type	Timing Limitation.
Stipulation	No surface activity would be allowed in GRSG brood rearing habitat from May 15 to August 15.
Exception	The Authorized Officer may grant an exception if an environmental review determines that the action, as proposed or otherwise restricted, does not adversely affect GRSG or their habitat. An exception may also be granted if the proponent, BLM, and NDOW negotiate mitigation that would satisfactorily offset the anticipated negative impacts. Actions designed to enhance the long-term utility or availability of the habitat to bighorn sheep may be exempted from the otherwise applicable restriction.
Modification	The Authorized Officer may modify the size and shape of the restricted area, or the period of limitation, if an environmental analysis indicates the actual suitability of the land for GRSG differs from that identified in the stipulation.
Waiver	The restriction may be waived if it is determined that the described lands do not contain GRSG or suitable habitat, or are otherwise incapable of serving the requirements of GRSG and therefore no longer warrant consideration as a component necessary for their protection. In certain instances this determination would come after consulting with other managing agencies or interested publics.

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District:	Tonopah	Battle Mountain	Mount Lewis	Carson City	Elko	Ely	Las Vegas	Tonopah	Winnemucca
Stipulations for Greater Sage-Grouse Leks									
Stipulation:	<p>NV-065-22: No surface use is allowed within 0.25 mile radius of a GRSG lek(s). All valleys throughout the BLM Battle Mountain Resource Area. This stipulation does not apply to operations and maintenance of production facilities.</p> <p>Sage-Grouse Lek(s): For the purpose of: a. Protection of GRSG breeding activities and the integrity of the habitat associated with GRSG leks to maintain GRSG population, Tonopah RMP, p. 8 and Plan Maintenance Sheet 3.</p> <p>Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. For guidance on the use of the stipulation, see BLM Manual 1624 and 3103.</p> <p>NV-065-23: No surface activity is allowed within two miles of a GRSG lek from March 1 through May 15. This stipulation does not apply to operations and maintenance of production facilities.</p> <p>Sage Grouse Nesting</p>	<p>Timing Limitation Stipulation NSO-065-07 No surface use is allowed during the following time period(s). This stipulation does not apply to operations and maintenance of production facilities. On the land described below:</p> <p>Sage Grouse Lek(s): A 2 mile radius around a GRSG lek(s) from March 15 to May 1. All valleys throughout the BLM Battle Mountain Resource Area.</p>	<p>Greater Sage Grouse March 1st-May 15th: Avoid mineral or energy related facilities within 2 miles of active leks (strutting grounds). Minimize human activity within view (or by at least 0.6 mile) of leks especially between midnight and 10:00AM.</p> <p>April 15th-July 30th: Avoid nesting areas, the majority of which are within a two mile radius of lek sites in big sage.</p> <p>June 1st- November 1st: Avoid brood rearing areas (especially riparian areas where broods concentrate beginning usually in June) by 0.6 mile.</p> <p>Dates will vary:</p> <p>Avoid GRSG wintering areas by 0.6 mile while occupied.</p> <p>Minimize disturbance of vegetation in all known GRSG habitats.</p> <p>Do not allow dogs to run loose on project sites. Disturbance of nesting or brood rearing GRSG by dogs may cause the GRSG to abandon nest or young.</p>	No Stipulation	This lease contains lands which have been identified as GRSG strutting grounds (leks) that are subject to seasonal protection from disturbance. No Surface Occupancy is permitted within 0.5 miles, or other, lesser, appropriate distance based on site-specific conditions, of GRSG leks.	<p>Stipulation: No surface occupancy. No surface use would be allowed within 0.25 mile of a GRSG lek.</p> <p>Objective: To protect GRSG breeding activities and the integrity of the habitat associated with GRSG leks to maintain GRSG populations.</p> <p>Exception: An exception to this stipulation may be granted by the authorized officer, in consultation with Nevada Department of Wildlife, if the operator submits a plan that demonstrates that impacts from the proposed action would not affect breeding activity nor degrade the integrity of the habitat associated with the GRSG lek.</p> <p>Modification: The boundaries of the stipulated area may be modified if the authorized officer, in consultation with Nevada Department of Wildlife, determines that portions of the area can be occupied without adversely affecting the GRSG lek.</p>	No Stipulation	No Stipulation	No surface occupancy within 3.3 km (2 miles) of known leks at all times.

District:	Tonopah	Battle Mountain	Mount Lewis	Carson City	Elko	Ely	Las Vegas	Tonopah	Winnemucca
	Habitat Associated with Leks for the purpose of: a. Protection of GRSG nesting activities associated with leks to maintain GRSG populations, Tonopah RMP, p. 8 and Plan Maintenance Sheet 3. Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. For guidance on the use of the stipulation, see BLM Manual 1624 and 3103.					Waiver: The stipulation may be waived if the authorized officer, in consultation with Nevada Department of Wildlife, determines that the lek has been inactive for at least five consecutive years or the habitat has changed such that there is no likelihood the lek would become active.			
Stipulations for Greater Sage-Grouse Brood Rearing									
Stipulation:	No Stipulation	Greater Sage Grouse March 1st-May 15th Avoid mineral or energy related facilities within 2 miles of active leks (strutting grounds). Minimize human activity within view (or by at least 0.6 mile) of leks especially between midnight and 10:00AM. April 15th-July 30th Avoid nesting areas, the majority of which are within a two mile radius of lek sites in big sage. June 1st- November 1st Avoid brood rearing areas (especially riparian areas where broods concentrate	No Stipulation	This lease contains lands which have been identified as GRSG brood rearing areas that are subject to seasonal protection from disturbance. Seasonal restrictions from disturbance n GRSG brood rearing areas apply within 0.5 miles or other appropriate distance based on site-specific conditions from 5/15 to 8/15, inclusive. This restriction does not apply to operating facilities.	No Stipulation	No Stipulation	No Stipulation	NV-WDO-WILD-02, TL (2002/2008) Timing limitations on known or potential GRSG habitat. Prior to entry on any lease areas which include known or potential habitat, the lessee (operator) shall contact the appropriate BLM Field Office to discuss any proposed activities. During the times specified below, avoid all development or exploration activities within known or potential nesting, brood-rearing and winter habitat, and within 1 km (0.6 mile) of known or potential habitat (PMUs). The times specified are per	No Stipulation

District:	Tonopah	Battle Mountain	Mount Lewis	Carson City	Elko	Ely	Las Vegas	Tonopah	Winnemucca
		beginning usually in June) by 0.6 mile. Dates will vary: Avoid GRSG wintering areas by 0.6 mile while occupied. Minimize disturbance of vegetation in all known GRSG habitats. Do not allow dogs to run loose on project sites. Disturbance of nesting or brood rearing GRSG by dogs may cause the GRSG to abandon nest or young.						interim NV Guidelines or as determined by Field Office and Wildlife personnel. Nesting habitat and brood-rearing habitats: April through August Winter habitats: October through March	
Stipulations for Greater Sage-Grouse Crucial Winter Range									
Stipulation:	Timing Limitation Stipulation NSO-065-06 No surface use is allowed during the following time period(s). This stipulation does not apply to operations and maintenance of production facilities. Sage Grouse Winter Habitat: Sage grouse winter habitat from February 15 to May 15. Purpose: Protection of GRSG winter habitat and during periods of stress for the birds, Tonopah RMP, p. 8 and Plan Maintenance Sheet 3.		Greater Sage Grouse March 1st-May 15th Avoid mineral or energy related facilities within 2 miles of active leks (strutting grounds). Minimize human activity within view (or by at least 0.6 mile) of leks especially between midnight and 10:00AM. April 15th-July 30th Avoid nesting areas, the majority of which are within a two mile radius of lek sites in big sage. June 1st- November 1st Avoid brood rearing areas (especially riparian areas where broods concentrate beginning usually in June) by 0.6 mile. Dates will vary:	No Stipulation	This lease contains lands which have been identified as GRSG crucial winter habitat that are subject to seasonal protection from disturbance. Seasonal restrictions from disturbance in GRSG crucial winter habitat apply during the period November 1 to March 15. This stipulation does not apply to operating facilities.	Stipulation: Timing Limitation. No surface activity would be allowed within winter range for GRSG from November 1 through March 31. Objective: To protect GRSG from disturbance during the crucial winter period to maintain GRSG populations. Exception: An exception to this stipulation may be granted by the authorized officer, in consultation with Nevada Department of Wildlife, if the operator submits a plan that demonstrates that impacts from the proposed action are minimal or can be adequately mitigated.	No Stipulation	No Stipulation	NV-WDO-WILD-02, TL (2002/2008) Timing limitations on known or potential sage grouse habitat. Prior to entry on any lease areas which include known or potential habitat, the lessee (operator) shall contact the appropriate BLM Field Office to discuss any proposed activities. During the times specified below, avoid all development or exploration activities within known or potential nesting, brood-rearing and winter habitat, and within 1 km (0.6 mile) of known or potential habitat (PMUs). The times specified are per interim NV Guidelines or as determined by Field Office and Wildlife personnel.

District:	Tonopah	Battle Mountain	Mount Lewis	Carson City	Elko	Ely	Las Vegas	Tonopah	Winnemucca
			Avoid GRSG wintering areas by 0.6 mile while occupied. Minimize disturbance of vegetation in all known GRSG habitats. Do not allow dogs to run loose on project sites. Disturbance of nesting or brood rearing GRSG by dogs may cause the GRSG to abandon nest or young.			<p>Modification: The boundaries of the stipulated area may be modified if the authorized officer, in consultation with Nevada Department of Wildlife, determines that portions of the area no longer contain GRSG winter habitat. The dates for the timing restriction may be modified if new information indicates the dates are not valid for the leasehold.</p> <p>Waiver: The stipulation may be waived if the authorized officer, in consultation with Nevada Department of Wildlife determines that the entire leasehold no longer contains winter range for GRSG.</p>			Nesting habitat and brood-rearing habitats: April through August Winter habitats: October through March
Stipulations for Greater Sage-Grouse Crucial Nesting									
Stipulation:	No Stipulation	Greater Sage Grouse March 1st-May 15th Avoid mineral or energy related facilities within 2 miles of active leks (strutting grounds). Minimize human activity within view (or by at least 0.6 mile) of leks especially between midnight and 10:00AM. April 15th-July 30th Avoid nesting areas, the majority of which are within a two mile radius of lek sites in	No Stipulation	No Stipulation	<p>Stipulation: Timing Limitation. No surface activity would be allowed within two miles of a GRSG lek from March 1 through May 15 (June 15).</p> <p>Objective: To protect GRSG nesting activities associated with leks to maintain GRSG populations.</p> <p>Exception: An exception to this stipulation may be granted by the</p>	No Stipulation	No Stipulation	NV-WDO-WILD-02, TL (2002/2008) Timing limitations on known or potential GRSG habitat. Prior to entry on any lease areas which include known or potential habitat, the lessee (operator) shall contact the appropriate BLM Field Office to discuss any proposed activities. During the times specified below, avoid all development or exploration activities	No Stipulation

District:	Tonopah	Battle Mountain	Mount Lewis	Carson City	Elko	Ely	Las Vegas	Tonopah	Winnemucca
		<p>big sage.</p> <p>June 1st- November 1st Avoid brood rearing areas (especially riparian areas where broods concentrate beginning usually in June) by 0.6 mile.</p> <p>Dates will vary: Avoid GRSG wintering areas by 0.6 mile while occupied. Minimize disturbance of vegetation in all known GRSG habitats. Do not allow dogs to run loose on project sites. Disturbance of nesting or brood rearing GRSG by dogs may cause the GRSG to abandon nest or young.</p>			<p>authorized officer, in consultation with Nevada Department of Wildlife, if the operator submits a plan that demonstrates that impacts from the proposed action are minimal or can be adequately mitigated.</p> <p>Modification: The boundaries of the stipulated area may be modified if the authorized officer, in consultation with Nevada Department of Wildlife, determines that portions of the area can be occupied without adversely affecting GRSG nesting activity. The dates for the timing restriction may be modified if new information indicates the dates are not valid for the leasehold.</p> <p>Waiver: The stipulation may be waived if the authorized officer, in consultation with Nevada Department of Wildlife determines that the entire leasehold no longer contains nesting habitat for GRSG.</p>			<p>within known or potential nesting, brood-rearing and winter habitat, and within 1 km (0.6 mile) of known or potential habitat (PMUs). The times specified are per interim NV Guidelines or as determined by Field Office and Wildlife personnel.</p> <p>Nesting habitat and brood-rearing habitats: April through August Winter habitats: October through March</p>	

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