
Appendix N

Fluid Mineral Stipulations, Waivers, Modifications,
and Exceptions

APPENDIX N

FLUID MINERAL STIPULATIONS, WAIVERS, MODIFICATIONS, AND EXCEPTIONS

This appendix lists by alternative surface use stipulations for new fluid mineral (oil and gas, and geothermal) leases referred to throughout this Proposed Land Use Plan Amendment (LUPA) and Final Environmental Impact Statement (FEIS). In addition to fluid mineral leases, these surface use stipulations would also apply, where appropriate and practical, to other surface-disturbing activities (and occupancy) associated with land use authorizations, permits, and leases issued on BLM-administered or National Forest System lands. Subject to valid existing rights and applicable law and policy, the stipulations would apply to uses and activities other than fluid mineral leasing. The intent is to manage other activities and uses in the same manner as fluid mineral leasing.

Surface-disturbing activities are those that normally result in more than negligible disturbance to public lands. These activities normally involve disturbance to soils and vegetation to the extent that reclamation is required. They include, but are not limited to, the use of mechanized earth-moving equipment; truck-mounted drilling equipment; certain geophysical exploration activities; off-road vehicle travel in areas designated as limited or closed to off-highway vehicle (OHV) use; placement of surface facilities such as utilities, pipelines, structures, and geothermal and oil and gas wells; new road construction; and use of pyrotechnics, explosives, and hazardous chemicals. Surface-disturbing activities would not include livestock grazing, cross-country hiking, driving on designated routes, and minimum-impact filming permits.

DESCRIPTION OF SURFACE STIPULATIONS

Table N.1 shows the stipulations for the Proposed Plan, including exceptions, modifications, and waivers. **Table N.2** shows the stipulations for Alternatives A and D from the Draft LUPA/EIS, including exceptions, modifications, and waivers. Three surface use stipulations could be applied to land use authorizations: (1) no surface occupancy (NSO), (2) timing limitations (TL), and

(3) controlled surface use (CSU). There are no stipulations included for Alternatives B, C, and F from the Draft LUPA/EIS because all habitat is closed to all fluid mineral activities. All stipulations for other resources, besides Greater Sage-Grouse (sage-grouse or GRSG), included in the existing land use plans would still be applicable.

Areas identified as NSO would not allow surface-disturbing activities.

Areas identified as CSU would require proposed actions to be authorized in accordance with the controls or constraints specified. The controls would be applicable to all surface-disturbing activities.

Areas identified as TL would not allow surface-disturbing activities during identified time frames. TL areas would remain open to operational and maintenance activities, including associated vehicle travel, during the restricted time period unless otherwise specified in the stipulation.

RELIEF FROM STIPULATIONS

With regards to fluid minerals, surface use stipulations could have exceptions, modifications, or waivers applied with approval by the authorized officer. **Tables N.1a, N.1b, and N.2** specify the types of habitat where these stipulations would/not apply:

Exception

An exception to this stipulation may be granted by the authorized officer, in consultation with the appropriate state agency (NDOW, SETT, CDFW), if the operator submits a plan that demonstrates that impacts from the proposed action meet the net conservation gain threshold, are minimal, or have no direct, indirect, or cumulative effects on GRSG habitat.

For those leases that occur on National Forest System lands, the Forest Service authorized officer would consult with the appropriate state agency to determine if the submitted plan demonstrates that impacts from the proposed action meet the net conservation gain threshold, are minimal, or have no direct, indirect, or cumulative effects on GRSG habitat. The Forest Service authorized officer would recommend to the BLM authorized officer to deny or accept the proposed exception.

Modification

The boundaries of the stipulated area may be modified if the authorized officer, in consultation with the appropriate state agency (NDOW, SETT, CDFW), determines that portions of the area can be occupied without adversely affecting GRSG population or habitat, or the area no longer contains GRSG use and habitat. The dates for timing limitations may be modified if new information indicates the dates are not valid for the leasehold.

For those leases that occur on National Forest System lands, the Forest Service authorized officer would consult with the appropriate state agency to determine if portions of the area can be occupied without adversely affecting GRSG population or habitat, or the area no longer contains GRSG use and habitat. The Forest Service authorized officer would recommend to the BLM authorized officer to deny or accept the proposed modification.

Waiver

The stipulation may be waived if the authorized officer, in consultation with the appropriate state agency (NDOW, SETT, CDFW), determines that the entire leasehold no longer contains suitable habitat nor is used by GRSG.

For those leases that occur on National Forest System lands, the Forest Service authorized officer would consult with the appropriate state agency to determine if determines that the entire leasehold no longer contains suitable habitat nor is used by GRSG. The Forest Service authorized officer would recommend to the BLM authorized officer to deny or accept the proposed waiver.

Inclusion in Environmental Analysis

The environmental analysis document prepared for site-specific proposals such as fluid minerals (oil and gas, and geothermal) development (i.e., operations plans for geothermal drilling permit or master development plans for applications for permit to drill or sundry notices) also would need to address proposals to exempt, modify, or waive a surface use stipulation.

On National Forest System lands, this process would follow regulatory requirements at 36 CFR 228.104. This process includes ensuring compliance with NEPA, and assessing if the action would be consistent with applicable federal laws, the current land and resource management plan, and meet management objectives.

On BLM-administered lands, to exempt, modify, or waive a stipulation, the environmental analysis document would have to show that (1) the circumstances or relative resource values in the area had changed following issuance of the lease, (2) less restrictive requirements could be developed to protect the resource of concern, and (3) operations could be conducted without causing unacceptable impacts.

With respect to granting relief from stipulations on other types of authorizations, such as solid mineral leases and land use authorizations, any changes to the contractual nature of these instruments would require environmental review and coordination with the Lessee, permittee, or authorization holder when specific surface-disturbing activities are proposed via an operation plan, permitting action, or similar instrument.

STANDARD TERMS AND CONDITIONS

All surface-disturbing activities are subject to standard terms and conditions. These include the stipulations that are required for proposed actions in order to comply with the Endangered Species Act. Standard terms and conditions for fluid mineral leasing provide for relocation of proposed operations up to 200 meters and for prohibiting surface-disturbing operations for a period not to exceed 60 days. The stipulations addressed in **Tables N.1** and **N.2** that are within the parameters of 200 meters and 60 days are considered open to fluid mineral leasing, subject to standard terms and conditions.

**Table N.1a
Proposed Plan –Fluid Mineral Stipulations for Greater Sage-Grouse Habitat**

Language from Land Use Plan Amendment	Stipulation SG-01-NSO: Sagebrush Focal Areas – Managed as No Surface Occupancy (NSO), without waiver, exception, or modification, for fluid mineral leasing (oil, gas, and geothermal).
Objective	To protect Greater Sage-Grouse habitat within the Sagebrush Focal Areas (SFAs).
Stipulation Type	Major Constraint
Stipulation	No Surface Occupancy
Exception	None
Modification	None
Waiver	None
Language from Land Use Plan Amendment	Stipulation SG-02-NV-OG-NSO: Priority Habitat Management Areas (PHMA) outside of Sagebrush Focal Areas– Manage oil and gas resources in Nevada as No Surface Occupancy (NSO), with two exceptions.
Objective	To protect Greater Sage-Grouse habitat in Priority Habitat Management Areas (PHMA)
Stipulation Type	Major Constraint
Stipulation	No Surface Occupancy
Exception	The Authorized Officer may grant an exception to an oil and gas lease no-surface-occupancy stipulation only where the proposed action: <ul style="list-style-type: none"> (i) Would not have direct, indirect, or cumulative effects on GRSG or its habitat; or, (ii) Is proposed to be undertaken as an alternative to a similar action occurring on a nearby parcel, and would provide a clear net conservation gain to GRSG and its habitat. <p>Exceptions based on conservation gain (ii) may only be considered in (a) PHMAs of mixed ownership where federal minerals underlie less than fifty percent of the total surface, or (b) areas of the public lands where the proposed exception is an alternative to an action occurring on a nearby parcel subject to a valid Federal oil and gas lease existing as of the date of this RMP amendment. Exceptions based on conservation gain must also include measures, such as enforceable institutional controls and buffers, sufficient to allow the BLM to conclude that such benefits will endure for the duration of the proposed action’s impacts.</p>

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Proposed Plan –Fluid Mineral Stipulations for Greater Sage-Grouse Habitat**

	<p>Any exceptions to this lease stipulation may be approved by the Authorized Officer only with the concurrence of the State Director. The Authorized Officer may not grant an exception unless the applicable state wildlife agency, the USFWS, and the BLM unanimously find that the proposed action satisfies (i) or (ii). Such finding shall initially be made by a team of one field biologist or other GRSG expert from each respective agency. In the event the initial finding is not unanimous, the finding may be elevated to the appropriate BLM State Director, USFWS State Ecological Services Director, and state wildlife agency head for final resolution. In the event their finding is not unanimous, the exception will not be granted. Approved exceptions will be made publicly available at least quarterly.</p>
Modification	None
Waiver	None
Language from Land Use Plan Amendment	Stipulation SG-02-CA-NSO: Priority Habitat Management Areas (PHMA) outside of Sagebrush Focal Areas– Manage fluid mineral resources (oil, gas, and geothermal) in California as No Surface Occupancy (NSO), with two exceptions.
Objective	To protect Greater Sage-Grouse habitat in Priority Habitat Management Areas (PHMA)
Stipulation Type	Major Constraint
Stipulation	No Surface Occupancy
Exception	<p>The Authorized Officer may grant an exception to an oil and gas lease no-surface-occupancy stipulation only where the proposed action:</p> <ul style="list-style-type: none"> (i) Would not have direct, indirect, or cumulative effects on GRSG or its habitat; or, (ii) Is proposed to be undertaken as an alternative to a similar action occurring on a nearby parcel, and would provide a clear net conservation gain to GRSG and its habitat. <p>Exceptions based on conservation gain (ii) may only be considered in (a) PHMAs of mixed ownership where federal minerals underlie less than fifty percent of the total surface, or (b) areas of the public lands where the proposed exception is an alternative to an action occurring on a nearby parcel subject to a valid Federal oil and gas lease existing as of the date of this RMP amendment. Exceptions based on conservation gain must also include measures, such as enforceable institutional controls and buffers, sufficient to allow the BLM to conclude that such benefits will endure for the duration of the proposed action’s impacts.</p> <p>Any exceptions to this lease stipulation may be approved by the Authorized Officer only with the concurrence of the State Director. The Authorized Officer may not grant an exception unless the applicable state wildlife agency, the USFWS, and the BLM unanimously find that the proposed action satisfies (i) or (ii). Such finding shall initially be made by a team of one field biologist or other GRSG expert from each respective agency. In the event the initial finding is not unanimous, the finding may be elevated to the appropriate BLM</p>

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	State Director, USFWS State Ecological Services Director, and state wildlife agency head for final resolution. In the event their finding is not unanimous, the exception will not be granted. Approved exceptions will be made publicly available at least quarterly.
Modification	None
Waiver	None
Language from Land Use Plan Amendment	Stipulation SG-02-NV-GEOT-NSO: Priority Habitat Management Areas (PHMA) outside of Sagebrush Focal Areas– Manage Nevada geothermal resources as No Surface Occupancy (NSO), with one exception.
Objective	To protect Greater Sage-Grouse habitat in Priority Habitat Management Areas
Stipulation Type	Major Constraint
Stipulation	No Surface Occupancy
Exception	Geothermal projects within portions of the Nevada PHMAs outside of SFAs may be considered for authorization, if all of the following conditions are met: <ul style="list-style-type: none"> • A team comprised of BLM, FWS, and NDOW specialists advises the BLM State Director on appropriate mitigation measures for the project and its ancillary facilities, including lek buffer distances using the best available science; • Mitigation actions are consistent with this Plan’s mitigation strategy such as the Nevada Conservation Credit System, and; • The footprint of the project is consistent with the Disturbance Management Protocols identified in this Plan (see Action SSS 2 and Appendix I).
Modification	None
Waiver	None
Language from Land Use Plan Amendment	In PHMA in California only, limit the density of energy and mining facilities during project authorization to an average of one energy/mineral facility per 640 acres.
Objective	To protect PHMAs and the life-history needs of GRSG from habitat loss and GRSG populations from disturbance and limit fragmentation in PHMAs. This would be implemented as a lease notice associated with new leases, in addition to the No Surface Occupancy stipulations. This would only be applicable to new oil and gas leases if the exception criteria identified for the NSO stipulation above were granted.
Stipulation Type	Lease Notice
Stipulation	Lease Notice
Exception	None
Modification	None
Waiver	None

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Language from Land Use Plan Amendment	Stipulation SG-03-TL: Seasonal Protection within 4.0 miles of active or pending Greater Sage-Grouse leks in General Management Habitat Areas (GHMA)- Manage fluid mineral resources with timing limitations.
Objective	To protect Greater Sage-Grouse lekking habitat.
Stipulation Type	Timing Limitation.
Stipulation	No surface occupancy would be allowed within 4.0 miles of active or pending Greater Sage-Grouse leks from March 1 through May 15.
Exception	The Authorized Officer may grant an exception where an environmental review and consultation with the appropriate state agency (Nevada Department of Wildlife, Sagebrush Ecosystem Technical Team, California Department of Fish and Wildlife) determines that the action, as proposed or otherwise restricted, does not adversely affect Greater Sage-Grouse or its habitat. An exception may also be granted if the proponent, BLM, and appropriate state agency negotiate mitigation that would provide a clear net conservation gain to GRSG and its habitat.
Modification	The Authorized Officer may modify the size and shape of the restricted area, or the period of limitation, where an environmental review and consultation with the appropriate state agency (Nevada Department of Wildlife, Sagebrush Ecosystem Technical Team, California Department of Fish and Wildlife) determines that the action, as proposed or otherwise restricted, does not adversely affect Greater Sage-Grouse or its habitat.
Waiver	The Authorized Officer may waive the stipulation where an environmental review and consultation with the appropriate state agency (Nevada Department of Wildlife, Sagebrush Ecosystem Technical Team, California Department of Fish and Wildlife) determines that the described lands do not contain Greater Sage-Grouse or suitable habitat or are otherwise incapable of serving the requirements of Greater Sage-Grouse and therefore no longer warrant consideration as a component necessary for their protection.
Language from Land Use Plan Amendment	Stipulation SG-04-TL: Seasonal Protection of Greater Sage-Grouse winter habitat from November 1 through February 28 in General Habitat Management Areas (GHMAs).
Objective	To protect Greater Sage-Grouse winter habitat.
Stipulation Type	Timing Limitation.
Stipulation	No surface occupancy would be allowed in Greater Sage-Grouse winter habitat from November 1 through February 28.
Exception	The Authorized Officer may grant an exception where an environmental review and consultation with the appropriate state agency (Nevada Department of Wildlife, Sagebrush Ecosystem Technical Team, California Department of Fish and Wildlife) determines that the action, as proposed or otherwise restricted, does not adversely affect Greater Sage-Grouse or its habitat. An exception may also be granted if the proponent, BLM, and appropriate state agency negotiate mitigation that would provide a clear net conservation gain to GRSG and its habitat.
Modification	The Authorized Officer may modify the size and shape of the restricted area, or the period of limitation, where an environmental review and consultation with the appropriate state agency (Nevada Department of Wildlife, Sagebrush

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	Ecosystem Technical Team, California Department of Fish and Wildlife) determines that the action, as proposed or otherwise restricted, does not adversely affect Greater Sage-Grouse or its habitat.
Waiver	The Authorized Officer may wave the stipulation where an environmental review and consultation with the appropriate state agency (Nevada Department of Wildlife, Sagebrush Ecosystem Technical Team, California Department of Fish and Wildlife) determines that the described lands do not contain Greater Sage-Grouse or suitable habitat or are otherwise incapable of serving the requirements of Greater Sage-Grouse and therefore no longer warrant consideration as a component necessary for their protection.
Language from Land Use Plan Amendment	Stipulation SG-05-TL: Seasonal protection of Greater Sage-Grouse early brood-rearing habitat from May 15 through June 15 in General Habitat Management Areas (GHMAs).
Objective	To protect Greater Sage-Grouse early brood rearing habitat.
Stipulation Type	Timing Limitation.
Stipulation	No surface occupancy would be allowed in GRSG early brood-rearing habitat from May 15 through June 15.
Exception	The Authorized Officer may grant an exception where an environmental review and consultation with the appropriate state agency (Nevada Department of Wildlife, Sagebrush Ecosystem Technical Team, California Department of Fish and Wildlife) determines that the action, as proposed or otherwise restricted, does not adversely affect Greater Sage-Grouse or its habitat. An exception may also be granted if the proponent, BLM, and appropriate state agency negotiate mitigation that would provide a clear net conservation gain to GRSG and its habitat.
Modification	The Authorized Officer may modify the size and shape of the restricted area, or the period of limitation, where an environmental review and consultation with the appropriate state agency (Nevada Department of Wildlife, Sagebrush Ecosystem Technical Team, California Department of Fish and Wildlife) determines that the action, as proposed or otherwise restricted, does not adversely affect Greater Sage-Grouse or its habitat.
Waiver	The Authorized Officer may wave the stipulation where an environmental review and consultation with the appropriate state agency (Nevada Department of Wildlife, Sagebrush Ecosystem Technical Team, California Department of Fish and Wildlife) determines that the described lands do not contain Greater Sage-Grouse or suitable habitat or are otherwise incapable of serving the requirements of Greater Sage-Grouse and therefore no longer warrant consideration as a component necessary for their protection.
Language from Land Use Plan Amendment	Stipulation SG-06-TL: Seasonal protection of Greater Sage-Grouse late brood-rearing habitat from June 15 through September 15 in General Habitat Management Areas (GHMAs).
Objective	To protect Greater Sage-Grouse late brood-rearing habitat.
Stipulation Type	Timing Limitation.
Stipulation	No surface occupancy would be allowed in Greater Sage-Grouse late brood rearing habitat from June 15 through September 15.

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Proposed Plan –Fluid Mineral Stipulations for Greater Sage-Grouse Habitat**

Exception	The Authorized Officer may grant an exception where an environmental review and consultation with the appropriate state agency (Nevada Department of Wildlife, Sagebrush Ecosystem Technical Team, California Department of Fish and Wildlife) determines that the action, as proposed or otherwise restricted, does not adversely affect Greater Sage-Grouse or its habitat. An exception may also be granted if the proponent, BLM, and appropriate state agency negotiate mitigation that would provide a clear net conservation gain to GRSG and its habitat.
Modification	The Authorized Officer may modify the size and shape of the restricted area, or the period of limitation, where an environmental review and consultation with the appropriate state agency (Nevada Department of Wildlife, Sagebrush Ecosystem Technical Team, California Department of Fish and Wildlife) determines that the action, as proposed or otherwise restricted, does not adversely affect Greater Sage-Grouse or its habitat.
Waiver	The Authorized Officer may waive the stipulation where an environmental review and consultation with the appropriate state agency (Nevada Department of Wildlife, Sagebrush Ecosystem Technical Team, California Department of Fish and Wildlife) determines that the described lands do not contain Greater Sage-Grouse 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.
Language from Land Use Plan Amendment	Stipulation SG-07-TL: Seasonal protection of Greater Sage-Grouse fall habitat from September 1 through October 31 in General Habitat Management Areas (GHMAs).
Objective	To protect Greater Sage-Grouse fall habitat.
Stipulation Type	Timing Limitation.
Stipulation	No surface occupancy would be allowed in Greater Sage-Grouse fall habitat from September 1 through October 31.
Exception	The Authorized Officer may grant an exception where an environmental review and consultation with the appropriate state agency (Nevada Department of Wildlife, Sagebrush Ecosystem Technical Team, California Department of Fish and Wildlife) determines that the action, as proposed or otherwise restricted, does not adversely affect Greater Sage-Grouse or its habitat. An exception may also be granted if the proponent, BLM, and appropriate state agency negotiate mitigation that would provide a clear net conservation gain to GRSG and its habitat.
Modification	The Authorized Officer may modify the size and shape of the restricted area, or the period of limitation, where an environmental review and consultation with the appropriate state agency (Nevada Department of Wildlife, Sagebrush Ecosystem Technical Team, California Department of Fish and Wildlife) determines that the action, as proposed or otherwise restricted, does not adversely affect Greater Sage-Grouse or its habitat.
Waiver	The Authorized Officer may waive the stipulation where an environmental review and consultation with the appropriate state agency (Nevada Department of Wildlife, Sagebrush Ecosystem Technical Team, California Department of Fish and Wildlife) determines that the described lands do not

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	contain Greater Sage-Grouse 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.
Language from Land Use Plan Amendment	Stipulation SG-08-CSU: Authorizations/permits would limit noise from discretionary activities (during construction, operation, or maintenance) to not exceed 10 decibels above ambient sound levels at least 0.25 miles from active and pending leks from 2 hours before to 2 hours after sunrise and sunset during the breeding season from March 1 through May 15.
Objective	To protect Greater Sage-Grouse lek sites
Stipulation Type	Controlled Surface Use
Stipulation	Authorizations/permits would limit noise from discretionary activities (during construction, operation, or maintenance) to not exceed 10 decibels above ambient sound levels at least 0.25 miles from active and pending leks from 2 hours before to 2 hours after sunrise and sunset during the breeding season from March 1 through May 15.
Exception	None
Modification	None
Waiver	None
Language from Land Use Plan Amendment	Stipulation SG-9-CSU: BLM will apply lek buffer-distances as recommended in the United States Geological Service Report Conservation Buffer Distance estimates for Greater Sage Grouse- A Review Open File-Report 2014-1239 (Manier et al. 2014). (See Appendix B)
Objective	To protect Greater Sage-Grouse leks
Stipulation Type	Controlled Surface Use
Stipulation	The BLM will apply lek buffer-distances specified as the lower end of the interpreted range in the report unless justifiable departures are determined to be appropriate (see below). The lower end of the interpreted range of the lek buffer-distances is as follows: <ul style="list-style-type: none"> • linear features (roads) within 3.1 miles of leks • infrastructure related to energy development within 3.1 miles of leks. • tall structures (e.g., communication or transmission towers, transmission lines) within 2 miles of leks. • low structures (e.g., fences, rangeland structures) within 1.2 miles of leks. • surface disturbance (continuing human activities that alter or remove the natural vegetation) within 3.1 miles of leks. • noise and related disruptive activities including those that do not result in habitat loss (e.g., motorized recreational events) at least 0.25 miles from leks.
Exception	Justifiable departures to decrease or increase from these distances, based on local data, best available science, landscape features, and other existing protections (e.g., land use allocations, state regulations) may be appropriate for determining activity impacts. The United States Geological Service (USGS) report recognized “that because of variation in populations, habitats, development patterns, social context, and other factors, for a particular disturbance type, there is no single distance that is an appropriate buffer for

**Table N.1a
Proposed Plan –Fluid Mineral Stipulations for Greater Sage-Grouse Habitat**

	all populations and habitats across the sage-grouse range”. The USGS report also states that “various protection measures have been developed and implemented... [which have] the ability (alone or in concert with others) to protect important habitats, sustain populations, and support multiple-use demands for public lands”. All variations in lek buffer-distances will require appropriate analysis and disclosure as part of activity authorization.
Modification	None
Waiver	None
Language from Land Use Plan Amendment	Stipulation SG-NV-10-CSU: Nevada 3% Disturbance Cap- New development/activity would not exceed the 3% disturbance cap protocol at either the Biological Significant Unit (BSU) or project scale, unless a technical team (described under the exception) determines that new or site-specific information indicates the project could be modified to result in a net conservation gain at the BSU level.
Objective	To create a net conservation gain at the project and BSU level.
Stipulation Type	Controlled Surface Use
Stipulation	New development/activity would not exceed the 3% disturbance cap protocol at either the Biological Significant Unit (BSU) or project scale, unless a technical team (described under the exception) determines that new or site-specific information indicates the project could be modified to result in a net conservation gain at the BSU level.
Exception	Nevada Lands Only- Any exceptions to the disturbance cap may be approved by the Authorized Officer only with the concurrence of the State Director. The Authorized Officer may not grant an exception unless the Nevada Department of Wildlife (NDOW), the United States Fish and Wildlife Service (USFWS), and the BLM unanimously find that the proposed action satisfies the conditions stated in the stipulation. Such finding shall initially be made by the technical team, which consists of a field biologist or other Greater Sage-Grouse expert from each respective agency. In the event the initial finding is not unanimous, the finding may be elevated to the BLM State Director, USFWS State Ecological Services Director and NDOW Director for final resolution. In the event their recommendation is not unanimous to grant the exception, the exception will not be granted.
Modification	None
Waiver	None
Language from Land Use Plan Amendment	Stipulation SG-CA-11-CSU: California 3% Disturbance Cap- New development/activity would not exceed the 3% disturbance cap at either the Biological Significant Unit (BSU) or project scale.
Objective	To create a net conservation gain at the project and BSU level.
Stipulation Type	Controlled Surface Use
Stipulation	New development/activity would not exceed the 3% disturbance cap at either the Biological Significant Unit (BSU) or project scale.
Exception	None
Modification	None
Waiver	None

Table N.1b
Alternatives B-F –Fluid Mineral Stipulations for Greater Sage-Grouse Habitat

Language from Land Use Plan Amendment	Stipulation 1: Priority Habitat Management Areas (PHMAs): Manage Fluid Minerals under a No Surface Occupancy (NSO).
Objective	To protect Greater Sage-Grouse habitat in Priority Habitat Management Areas (PHMA)
Stipulation Type	Major Constraint
Stipulation	No Surface Occupancy
Exception	None
Modification	None
Waiver	None
Language from Land Use Plan Amendment	Stipulation 2: General Habitat Management Areas (PHMAs): Manage Fluid Minerals under a No Surface Occupancy (NSO).
Objective	To protect Greater Sage-Grouse habitat in General Habitat Management Areas (PHMA)
Stipulation Type	Major Constraint
Stipulation	No Surface Occupancy
Exception	The Authorized Officer may grant an exception where an environmental review and consultation with the appropriate state agency (Nevada Department of Wildlife, Sagebrush Ecosystem Technical Team, California Department of Fish and Wildlife) determines that the action, as proposed or otherwise restricted, does not adversely affect Greater Sage-Grouse or its habitat. An exception may also be granted if the proponent, BLM, and appropriate state agency negotiate mitigation that would provide a clear net conservation gain to GRSG and its habitat.
Modification	The Authorized Officer may modify the size and shape of the restricted area, or the period of limitation, where an environmental review and consultation with the appropriate state agency (Nevada Department of Wildlife, Sagebrush Ecosystem Technical Team, California Department of Fish and Wildlife) determines that the action, as proposed or otherwise restricted, does not adversely affect Greater Sage-Grouse or its habitat.
Waiver	The Authorized Officer may waive the stipulation where an environmental review and consultation with the appropriate state agency (Nevada Department of Wildlife, Sagebrush Ecosystem Technical Team, California Department of Fish and Wildlife) determines that the described lands do not contain Greater Sage-Grouse or suitable habitat or are otherwise incapable of serving the requirements of Greater Sage-Grouse and therefore no longer warrant consideration as a component necessary for their protection.
Language from Land Use Plan Amendment	Stipulation 3: Seasonal Protection within 4.0 miles of active or pending Greater Sage-Grouse leks in General Management Habitat Areas (GHMA)- Manage fluid mineral resources with timing limitations.
Objective	To protect Greater Sage-Grouse lekking habitat.
Stipulation Type	Timing Limitation.

Table N.1b
Alternatives B-F –Fluid Mineral Stipulations for Greater Sage-Grouse Habitat

Stipulation	No surface occupancy would be allowed within 4.0 miles of active or pending Greater Sage-Grouse leks from March 1 through May 15.
Exception	The Authorized Officer may grant an exception where an environmental review and consultation with the appropriate state agency (Nevada Department of Wildlife, Sagebrush Ecosystem Technical Team, California Department of Fish and Wildlife) determines that the action, as proposed or otherwise restricted, does not adversely affect Greater Sage-Grouse or its habitat. An exception may also be granted if the proponent, BLM, and appropriate state agency negotiate mitigation that would provide a clear net conservation gain to GRSG and its habitat.
Modification	The Authorized Officer may modify the size and shape of the restricted area, or the period of limitation, where an environmental review and consultation with the appropriate state agency (Nevada Department of Wildlife, Sagebrush Ecosystem Technical Team, California Department of Fish and Wildlife) determines that the action, as proposed or otherwise restricted, does not adversely affect Greater Sage-Grouse or its habitat.
Waiver	The Authorized Officer may waive the stipulation where an environmental review and consultation with the appropriate state agency (Nevada Department of Wildlife, Sagebrush Ecosystem Technical Team, California Department of Fish and Wildlife) determines that the described lands do not contain Greater Sage-Grouse or suitable habitat or are otherwise incapable of serving the requirements of Greater Sage-Grouse and therefore no longer warrant consideration as a component necessary for their protection.
Language from Land Use Plan Amendment	Stipulation 4: Seasonal Protection of Greater Sage-Grouse winter habitat from November 1 through February 28 in General Habitat Management Areas (GHMAs).
Objective	To protect Greater Sage-Grouse winter habitat.
Stipulation Type	Timing Limitation.
Stipulation	No surface occupancy would be allowed in Greater Sage-Grouse winter habitat from November 1 through February 28.
Exception	The Authorized Officer may grant an exception where an environmental review and consultation with the appropriate state agency (Nevada Department of Wildlife, Sagebrush Ecosystem Technical Team, California Department of Fish and Wildlife) determines that the action, as proposed or otherwise restricted, does not adversely affect Greater Sage-Grouse or its habitat. An exception may also be granted if the proponent, BLM, and appropriate state agency negotiate mitigation that would provide a clear net conservation gain to GRSG and its habitat.
Modification	The Authorized Officer may modify the size and shape of the restricted area, or the period of limitation, where an environmental review and consultation with the appropriate state agency (Nevada Department of Wildlife, Sagebrush Ecosystem Technical Team, California Department of Fish and Wildlife) determines that the action, as proposed or otherwise restricted, does not adversely affect Greater Sage-Grouse or its habitat.

Table N.1b
Alternatives B-F –Fluid Mineral Stipulations for Greater Sage-Grouse Habitat

Waiver	The Authorized Officer may wave the stipulation where an environmental review and consultation with the appropriate state agency (Nevada Department of Wildlife, Sagebrush Ecosystem Technical Team, California Department of Fish and Wildlife) determines that the described lands do not contain Greater Sage-Grouse or suitable habitat or are otherwise incapable of serving the requirements of Greater Sage-Grouse and therefore no longer warrant consideration as a component necessary for their protection.
Language from Land Use Plan Amendment	Stipulation 5: Seasonal protection of Greater Sage-Grouse early brood-rearing habitat from May 15 through June 15 in General Habitat Management Areas (GHMAs).
Objective	To protect Greater Sage-Grouse early brood rearing habitat.
Stipulation Type	Timing Limitation.
Stipulation	No surface occupancy would be allowed in GRSG early brood-rearing habitat from May 15 through June 15.
Exception	The Authorized Officer may grant an exception where an environmental review and consultation with the appropriate state agency (Nevada Department of Wildlife, Sagebrush Ecosystem Technical Team, California Department of Fish and Wildlife) determines that the action, as proposed or otherwise restricted, does not adversely affect Greater Sage-Grouse or its habitat. An exception may also be granted if the proponent, BLM, and appropriate state agency negotiate mitigation that would provide a clear net conservation gain to GRSG and its habitat.
Modification	The Authorized Officer may modify the size and shape of the restricted area, or the period of limitation, where an environmental review and consultation with the appropriate state agency (Nevada Department of Wildlife, Sagebrush Ecosystem Technical Team, California Department of Fish and Wildlife) determines that the action, as proposed or otherwise restricted, does not adversely affect Greater Sage-Grouse or its habitat.
Waiver	The Authorized Officer may wave the stipulation where an environmental review and consultation with the appropriate state agency (Nevada Department of Wildlife, Sagebrush Ecosystem Technical Team, California Department of Fish and Wildlife) determines that the described lands do not contain Greater Sage-Grouse or suitable habitat or are otherwise incapable of serving the requirements of Greater Sage-Grouse and therefore no longer warrant consideration as a component necessary for their protection.
Language from Land Use Plan Amendment	Stipulation 6: Seasonal protection of Greater Sage-Grouse late brood-rearing habitat from June 15 through September 15 in General Habitat Management Areas (GHMAs).
Objective	To protect Greater Sage-Grouse late brood-rearing habitat.
Stipulation Type	Timing Limitation.
Stipulation	No surface occupancy would be allowed in Greater Sage-Grouse late brood rearing habitat from June 15 through September 15.
Exception	The Authorized Officer may grant an exception where an environmental review and consultation with the appropriate state agency (Nevada Department of Wildlife, Sagebrush Ecosystem Technical Team, California

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	Department of Fish and Wildlife) determines that the action, as proposed or otherwise restricted, does not adversely affect Greater Sage-Grouse or its habitat. An exception may also be granted if the proponent, BLM, and appropriate state agency negotiate mitigation that would provide a clear net conservation gain to GRSG and its habitat.
Modification	The Authorized Officer may modify the size and shape of the restricted area, or the period of limitation, where an environmental review and consultation with the appropriate state agency (Nevada Department of Wildlife, Sagebrush Ecosystem Technical Team, California Department of Fish and Wildlife) determines that the action, as proposed or otherwise restricted, does not adversely affect Greater Sage-Grouse or its habitat.
Waiver	The Authorized Officer may wave the stipulation where an environmental review and consultation with the appropriate state agency (Nevada Department of Wildlife, Sagebrush Ecosystem Technical Team, California Department of Fish and Wildlife) determines that the described lands do not contain Greater Sage-Grouse 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.
Language from Land Use Plan Amendment	Stipulation 7: Seasonal protection of Greater Sage-Grouse fall habitat from September 1 through October 31 in General Habitat Management Areas (GHMAs).
Objective	To protect Greater Sage-Grouse fall habitat.
Stipulation Type	Timing Limitation.
Stipulation	No surface occupancy would be allowed in Greater Sage-Grouse fall habitat from September 1 through October 31.
Exception	The Authorized Officer may grant an exception where an environmental review and consultation with the appropriate state agency (Nevada Department of Wildlife, Sagebrush Ecosystem Technical Team, California Department of Fish and Wildlife) determines that the action, as proposed or otherwise restricted, does not adversely affect Greater Sage-Grouse or its habitat. An exception may also be granted if the proponent, BLM, and appropriate state agency negotiate mitigation that would provide a clear net conservation gain to GRSG and its habitat.
Modification	The Authorized Officer may modify the size and shape of the restricted area, or the period of limitation, where an environmental review and consultation with the appropriate state agency (Nevada Department of Wildlife, Sagebrush Ecosystem Technical Team, California Department of Fish and Wildlife) determines that the action, as proposed or otherwise restricted, does not adversely affect Greater Sage-Grouse or its habitat.
Waiver	The Authorized Officer may wave the stipulation where an environmental review and consultation with the appropriate state agency (Nevada Department of Wildlife, Sagebrush Ecosystem Technical Team, California Department of Fish and Wildlife) determines that the described lands do not contain Greater Sage-Grouse 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.

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Alternatives B-F –Fluid Mineral Stipulations for Greater Sage-Grouse Habitat

Language from Land Use Plan Amendment	Stipulation 8: Authorizations/permits would limit noise from discretionary activities (during construction, operation, or maintenance) to not exceed 10 decibels above ambient sound levels at least 0.25 miles from active and pending leks from 2 hours before to 2 hours after sunrise and sunset during the breeding season from March 1 through May 15.
Objective	To protect Greater Sage-Grouse lek sites
Stipulation Type	Controlled Surface Use
Stipulation	Authorizations/permits would limit noise from discretionary activities (during construction, operation, or maintenance) to not exceed 10 decibels above ambient sound levels at least 0.25 miles from active and pending leks from 2 hours before to 2 hours after sunrise and sunset during the breeding season from March 1 through May 15.
Exception	None
Modification	None
Waiver	None
Language from Land Use Plan Amendment	Stipulation 9: Proximity of Tall Structures from Leks and Nesting Habitat: 3 miles (5 kilometers).
Objective	To protect Greater Sage-Grouse lek sites and nesting habitat
Stipulation Type	Controlled Surface Use
Stipulation	Due not place tall structures within 3 miles of Leks and Nesting Habitat.
Exception	The Authorized Officer may grant an exception where an environmental review and consultation with the appropriate state agency (Nevada Department of Wildlife, Sagebrush Ecosystem Technical Team, California Department of Fish and Wildlife) determines that the action, as proposed or otherwise restricted, does not adversely affect Greater Sage-Grouse or its habitat. An exception may also be granted if the proponent, BLM, and appropriate state agency negotiate mitigation that would provide a clear net conservation gain to GRSG and its habitat.
Modification	The Authorized Officer may modify the size and shape of the restricted area, or the period of limitation, where an environmental review and consultation with the appropriate state agency (Nevada Department of Wildlife, Sagebrush Ecosystem Technical Team, California Department of Fish and Wildlife) determines that the action, as proposed or otherwise restricted, does not adversely affect Greater Sage-Grouse or its habitat.
Waiver	The Authorized Officer may wave the stipulation where an environmental review and consultation with the appropriate state agency (Nevada Department of Wildlife, Sagebrush Ecosystem Technical Team, California Department of Fish and Wildlife) determines that the described lands do not contain Greater Sage-Grouse 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.

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Alternatives B-F –Fluid Mineral Stipulations for Greater Sage-Grouse Habitat

Language from Land Use Plan Amendment	Stipulation 10: California 3% Disturbance Cap- New development/activity would not exceed the 3% disturbance cap.
Objective	To create a net conservation gain at the project and BSU level.
Stipulation Type	Controlled Surface Use
Stipulation	New development/activity would not exceed the 3% disturbance cap.
Exception	None
Modification	None
Waiver	None
Language from Land Use Plan Amendment	Stipulation SG-NV-11-CSU: Nevada 3% Disturbance Cap- New development/activity would not exceed the 3% disturbance cap protocol at either the Biological Significant Unit (BSU) or project scale, unless a technical team (described under the exception) determines that new or site-specific information indicates the project could be modified to result in a net conservation gain at the BSU level.
Objective	To create a net conservation gain at the project and BSU level.
Stipulation Type	Controlled Surface Use
Stipulation	New development/activity would not exceed the 3% disturbance cap protocol at either the Biological Significant Unit (BSU) or project scale, unless a technical team (described under the exception) determines that new or site-specific information indicates the project could be modified to result in a net conservation gain at the BSU level.
Exception	Nevada Lands Only- Any exceptions to the disturbance cap may be approved by the Authorized Officer only with the concurrence of the State Director. The Authorized Officer may not grant an exception unless the Nevada Department of Wildlife (NDOW), the United States Fish and Wildlife Service (USFWS), and the BLM unanimously find that the proposed action satisfies the conditions stated in the stipulation. Such finding shall initially be made by the technical team, which consists of a field biologist or other Greater Sage-Grouse expert from each respective agency. In the event the initial finding is not unanimous, the finding may be elevated to the BLM State Director, USFWS State Ecological Services Director and NDOW Director for final resolution. In the event their recommendation is not unanimous to grant the exception, the exception will not be granted.
Modification	None
Waiver	None

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**Table N-2
Draft LUPA/ EIS Alternative A Fluid Mineral Stipulations**

District:	Tonopah	Battle Mountain	Mount Lewis	Carson City	Elko	Ely	Las Vegas	Tonopah	Winnemucca
Fluid Mineral 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</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</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</p>	No Stipulation	No Stipulation	No surface occupancy within 3.3 km (2 miles) of known leks at all times.

**Table N-2
Draft LUPA/ EIS Alternative A Fluid Mineral Stipulations**

District:	Tonopah	Battle Mountain	Mount Lewis	Carson City	Elko	Ely	Las Vegas	Tonopah	Winnemucca
	<p>production facilities.</p> <p>Sage Grouse Nesting Habitat Associated with Leks for the purpose of:</p> <p>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.</p>		to abandon nest or young.			<p>affecting the GRSG lek.</p> <p>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.</p>			
Stipulations for Greater Sage-Grouse Brood Rearing									
Stipulation:	No Stipulation	<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</p>	No Stipulation	<p>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 in 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.</p>	No Stipulation	No Stipulation	No Stipulation	<p>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</p>	No Stipulation

**Table N-2
Draft LUPA/ EIS Alternative A Fluid Mineral Stipulations**

District:	Tonopah	Battle Mountain	Mount Lewis	Carson City	Elko	Ely	Las Vegas	Tonopah	Winnemucca
		<p>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>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>	
Stipulations for Greater Sage-Grouse Crucial Winter Range									
Stipulation:	<p>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.</p> <p>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</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</p>	No Stipulation	<p>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.</p>	<p>Stipulation: Timing Limitation. No surface activity would be allowed within winter range for GRSG from November 1 through March 31.</p> <p>Objective: To protect GRSG from disturbance during the crucial winter period to maintain GRSG populations.</p> <p>Exception: An exception to this stipulation may be granted by the authorized officer, in consultation with Nevada Department</p>	No Stipulation	No Stipulation	<p>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</p>

**Table N-2
Draft LUPA/ EIS Alternative A Fluid Mineral Stipulations**

District:	Tonopah	Battle Mountain	Mount Lewis	Carson City	Elko	Ely	Las Vegas	Tonopah	Winnemucca
	and Plan Maintenance Sheet 3.		<p>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>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 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>			<p>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>
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	No Stipulation	No Stipulation	Stipulation: Timing Limitation. No surface activity would be allowed within two miles of a GRSG lek from March 1 through May 15 (June 15).	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	No Stipulation

**Table N-2
Draft LUPA/ EIS Alternative A Fluid Mineral Stipulations**

District:	Tonopah	Battle Mountain	Mount Lewis	Carson City	Elko	Ely	Las Vegas	Tonopah	Winnemucca
		<p>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: 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>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 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</p>			<p>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.</p> <p>Nesting habitat and brood-rearing habitats: April through August Winter habitats: October through March</p>	

Table N-2
Draft LUPA/ EIS Alternative A Fluid Mineral Stipulations

District:	Tonopah	Battle Mountain	Mount Lewis	Carson City	Elko	Ely	Las Vegas	Tonopah	Winnemucca
					consultation with Nevada Department of Wildlife determines that the entire leasehold no longer contains nesting habitat for GRS.				