

Appendix C. Central Coast Oil and Gas Stipulations

No Surface Occupancy

General

All or a portion of this lease has been identified by the current RMP (e.g., ACECs and areas of ecological importance with this stipulation prescribed) as containing unique or significant natural or cultural values. No new surface disturbing activity is allowed on the lease. This stipulation may be granted exception, modified, or waived as follows:

Exception: The Authorized Officer may grant an exception if after discussion with an appropriate agency (e.g., CDFW, SHPO, and USFWS) it decides that an environmental review determines the action as proposed or conditioned would not impair the values present because of temporary conditions.

Modification: The Authorized Officer may modify this stipulation to allow surface use on a portion or even all of the lease if an environmental review determines the action as proposed or conditioned would not impair the values present.

Waiver: The Authorized Officer may grant a waiver if an environmental review determines the values for which the NSO was applied no longer exist.

Objective: To minimize or eliminate adverse effects on unique or significant natural and cultural resources that are incompatible with fluid mineral development.

Application: The NSO-General stipulation would be applied when adequate protection of surface resources cannot be provided through mitigation, and fluid mineral development of the lease from an off-site location is recommended. If there is no surface location available for directional drilling, the land would not be leased.

Review Process: Any proposed surface-disturbing activity would be reviewed to determine whether it is in compliance with the NSO stipulation. If the review determines the proposed action would not impair the values present and would be consistent with the management of the ACEC or area of ecological or cultural importance, exception or modification may be granted. Any decision to grant an exception or modification would be based on field inspection and inventory and the NEPA review process.

Controlled Surface Use

CSU – Defense

All or a portion of this lease contains federal mineral estate under the surface administration of the Department of Defense. Surface disturbing activities may be moved, modified, or prohibited at the discretion of the Base Commander(s) to ensure these activities do not interfere with military activity on the base and to ensure personnel safety. Furthermore, processing times for

proposed actions may be delayed beyond established standards to accommodate review and coordination with the Base Commander(s). This stipulation shall not be modified or granted exception; however, it may be waived as follows:

Waiver: The Authorized Officer may grant a waiver to this stipulation if the surface administration changes from the Department of Defense to another entity.

Objective: To minimize or eliminate conflict between fluid mineral development and military base operations.

Application: The CSU-Defense stipulation would be applied to federal reserved mineral estate under the surface administration of the Department of Defense. Coordination with local government agencies regarding the development of stipulations would be at the discretion of the base commander.

When a tract of land on a military installation is nominated for lease sale, the legal description of the tract of interest would be forwarded to the attention of the base commander. The base commander would respond to the BLM with the recommended wording of the CSU-Defense stipulation. The wording would vary based on the base mission and would be applied to the entire military installation or to a limited portion of the parcel, at the discretion of the base commander. The BLM may alternatively identify in advance of lease sale offerings the terms and conditions applicable to military installations and thus be able to offer the leases for bid with advance disclosure of the terms and conditions.

Review Process: Generally, the following procedure would be used to approve surface disturbing activities on leases with the CSU-Defense stipulation. The proposed activity would be reviewed to determine if the mission of the military installation would be affected. The review process would involve meetings coordinated by the BLM between the lessee and the representatives of the military base to determine impacts and potential effects.

Approval: If the review determines that the mission of the military installation would not be affected Bureau approval of the proposed activity would normally be granted within 30 days of the review. If the review determines that the mission of the military installation would be adversely affected, the BLM would coordinate with the Base Commander and the applicant to modify the proposal. Modifications may include movement of activities, seasonal restrictions, mitigation and/or compensation. Modified proposals would be developed cooperatively with the applicant to ensure that the modified project still meets the applicant's objective.

CSU – Protected Species

All or a portion of the lease occurs within the range of one or more plant or animal species that are either listed or proposed for listing as threatened or endangered by the USFWS. A list of such species will be provided at the time of leasing and updated as necessary over the term of the lease. To determine whether species on this list or their habitat are present, a preliminary environmental review will be conducted for all surface disturbing activities. Presence of habitat or species may result in the proposed action being moved, modified, or delayed to mitigate project effects. Offsite compensation that would satisfactorily offset the loss of habitat may be

required. Prohibition of all surface disturbing activities on the lease will only occur as needed to avoid jeopardizing the continued existence of a listed or proposed species, or when the proposed action is inconsistent with the recovery needs of a species as identified in an approved USFWS Recovery Plan through consultation with USFWS. Furthermore, processing times for proposed actions may be delayed beyond established standards to accommodate species surveys, and consultation or conferencing with the USFWS. This stipulation shall not be waived; however, it may be modified or an exception may be granted as follows:

Exception: The Authorized Officer may grant an exception if an environmental review determines the action as proposed or conditioned would have no effect on listed or proposed species.

Modification: The Authorized Officer may modify this stipulation to reflect new information with regard to the range of listed or proposed species through the expansion or reduction of lands subject to this stipulation for a specific species.

Objective: To minimize or eliminate adverse effects associated with fluid mineral development on federally proposed and listed species.

Application: At the time of leasing, the CSU-Protected Species stipulation would be attached to all leases within the range of federally listed or proposed species. A list of protected species found within the Field Office boundary would be included with the stipulation for each lease at the time of leasing. This list may be updated at the time of APD/NOS submittal.

Review Process: Generally, the following process would be used to approve surface-disturbing activities on leases with the CSU-Protected Species stipulation. The proposed activity would be reviewed to determine if listed or proposed species would be affected. This review may involve site-specific surveys for plant and animal species conducted according to established methods that may specify certain seasons or other conditions. In some cases, this may mean that a survey cannot be completed until the next growing season for some plant species or after seasonal appearance for some animal species.

If the review determines that listed or proposed species would not be affected, an exception to the stipulation and approval of the application would normally be granted within 30 days of the review.

If the review were to determine that listed or proposed species may be affected, but in a beneficial, insignificant, or benign manner, and written concurrence is received from the USFWS, approval of the application would normally be granted within 30 days of receiving USFWS concurrence. There is no regulatory timeframe for USFWS to provide their written concurrence.

If it is determined that a listed or proposed species may be adversely affected, the BLM would work with the applicant to modify the proposal to minimize impacts. Modifications may include movement of activities, seasonal restrictions, mitigation, or compensation. Modified proposals would be developed with the applicant to ensure that the modified project still meets the

applicant's objective. If the modified project would still adversely affect a listed or proposed species, the BLM would begin formal consultation or conference with the USFWS.

Coordination with the USFWS on Listed Species: Currently there are two options for meeting the formal consultation requirement. A new consultation may be initiated or a previously completed formal consultation may be used.

If a new consultation were initiated, the USFWS would issue a document, called the biological opinion. The USFWS has up to 135 days to complete a biological opinion, and it may request a 60-day extension. Extensions beyond 195 days require the consent of an applicant. A previously completed formal consultation may also be used to meet the formal consultation requirement.

Upon completion of a new consultation or determination that a previously completed consultation can be used, approval of the application will normally be granted within 30 days. If the new consultation concludes that a listed species may be jeopardized, then surface disturbance will be prohibited on the lease.

Surface disturbance will also be prohibited if the consultation concludes that the proposed action is inconsistent with the recovery needs of the listed species as identified in an approved USFWS Recovery Plan. Although Recovery Plans are not requirements, BLM has voluntarily chosen to apply their recommendations through the land use plan, and these recommendations are reflected in this stipulation.

Coordination with the USFWS on Proposed Species: BLM policy requires a conferencing with the USFWS on any action that may adversely affect proposed species. Depending on the complexity of the situation, a conference may be completed in a single telephone conversation or may require the time frames of a consultation. Generally, on completion of the conference, approval of the application will be granted within 30 days.

If the conference were to show that a proposed species may be jeopardized, surface-disturbing activities would be prohibited on the lease.

Final Approval: Final approval of applications that would have no effect on listed or proposed species would normally be granted within 30 days of the review. Final approval for projects that may affect listed or proposed species in a beneficial, insignificant, or benign manner would normally be granted within 30 days of receiving USFWS written concurrence.

For projects that require consultation or conference with the USFWS, final approval would normally be granted within 30 days of consultation or conference completion. Conditions of approval would include any conditions specified by the BLM or USFWS for minimizing impacts.

CSU – Critical Habitat

All or a portion of this lease lies within an area that is designated as critical habitat, or is proposed for designation as critical habitat by the USFWS. A list of these areas affecting this lease will be provided at the time of leasing and will be updated as necessary over the term of the lease. Any proposed surface disturbing activity occurring on the affected portions of this lease will be reviewed to determine if the activity would affect designated or proposed critical habitat. Determination of effects to designated or proposed critical habitat may result in the proposed action being moved, modified, seasonally restricted, or delayed. Consultation or conference with the USFWS is required if designated or proposed critical habitat may be affected. Off-site compensation that would satisfactorily offset the loss of habitat may be required. Prohibition of all surface disturbing activities on the lease will only occur as needed to avoid destroying or adversely modifying critical habitat or proposed critical habitat, or when the proposed action is inconsistent with the recovery needs identified in an approved USFWS Recovery Plan based on consultation with USFWS. Furthermore, processing times for proposed actions may be delayed beyond established standards to accommodate species surveys, and consultation or conferencing with the USFWS. This stipulation shall not be waived; however, it may be granted exception or modified as follows:

Exception: The Authorized Officer may grant an exception if an environmental review determines the action as proposed or conditioned would have no effect on critical habitat or proposed critical habitat.

Modification: The Authorized Officer may modify this stipulation to reflect new information with regard to the critical habitat or proposed critical habitat through the expansion or reduction of lands subject to this stipulation for a specific species.

Objective: To minimize or eliminate adverse effects associated with fluid mineral development on habitat designated as critical, or is proposed for designation as critical habitat by the USFWS.

Application: The CSU-Critical Habitat stipulation would be applied to leases in areas that are designated as critical habitat or that are proposed for designation as critical habitat for certain species. A list of species and parcels would be included with the stipulation for each lease. The USFWS designates or proposes critical habitat according to the regulations found in 50 CFR 424. Critical habitat is one of the following:

- Specific areas within the geographical area currently occupied by a species, at the time it is listed in accordance with the Endangered Species Act, on which are found those physical or biological features (i) essential to the conservation of the species and (ii) that may require special management considerations or protection, and
- Specific areas outside the geographical area occupied by a species at the time it is listed upon a determination by the Secretary that such areas are essential for conservation of the species (50 CFR 424.02).

Review Process: Generally, the following process would be used to approve surface-disturbing activities on leases with the CSU-Critical Habitat stipulation. The proposed activity would be reviewed to determine if designated or proposed critical habitat would be affected. This review

may involve site-specific surveys for plant and animal species, conducted according to established methods, which may specify certain seasons or other conditions. In some cases this may mean that a survey cannot be completed until the next growing season for some plant species or after seasonal appearance for some animal species.

If the review determines that designated or proposed critical habitat will not be affected, an exception to the stipulation would be granted, and approval of the application will normally be granted within 30 days of the review.

If the review determines that designated or proposed critical habitat may be affected, but in a beneficial, insignificant, or benign manner, and written concurrence is received from the USFWS, the application would normally be approved within 30 days of receiving USFWS concurrence. There is no regulatory timeframe for USFWS to provide their written concurrence.

If it is determined that designated or proposed critical habitat may be adversely affected, BLM would work with the applicant to modify the proposal to minimize impacts. Modifications may include relocating activities, seasonal restrictions, mitigation, and compensation. Modified proposals would be developed with the applicant to ensure that the modified project still meets the applicant's objective. If the modified project were to still adversely affect designated or proposed critical habitat, the BLM would initiate formal consultation or conference with the USFWS.

Coordination with the USFWS on Designated Critical Habitat: The BLM is required to initiate formal consultation with the USFWS for any action that may affect designated critical habitat. As a result of the consultation, the USFWS would issue a biological opinion within 135 days, and it may request a 60-day extension. Extensions beyond 195 days require the consent of an applicant.

As part of the biological opinion, the USFWS would determine if the proposed action would be likely to destroy or adversely modify critical habitat. Destruction or adverse modification of critical habitat means a direct or indirect alteration that appreciably diminishes the value of critical habitat for both the survival and recovery of a listed species. Such alterations include those adversely modifying any of the physical or biological features that were the basis for determining the habitat to be critical (50 CFR 402.02).

If consultation concludes that critical habitat would be destroyed or adversely modified, then surface disturbance would be prohibited on the affected portion of the lease. Surface disturbance also would be prohibited if the consultation were to conclude that the proposed action is inconsistent with the recovery needs of the listed species, as identified in an approved USFWS recovery plan.

Coordination with the USFWS on Proposed Critical Habitat: BLM policy requires conferencing with the USFWS on any action that may adversely affect proposed critical habitat. Depending on the complexity of the situation, a conference may be completed in a single telephone conversation or may require the time frames of a consultation. Generally, on completion of the conference, the application would be approved within 30 days. If the

conference were to show that proposed critical habitat would be destroyed or adversely modified, then surface disturbance would be prohibited on the affected portion of the lease.

CSU – Sensitive Species

All or a portion of this lease is within the range of one or more plant or animal species that are either federal candidates for listing as threatened or endangered (federal candidate), are listed by the State of California as threatened or endangered (state listed), or are designated by the BLM as sensitive (BLM sensitive). A list of species will be provided at the time of leasing and updated as necessary over the term of the lease. To determine whether species on this list or their habitat are present, a preliminary environmental review will be conducted for all surface disturbing activities. Presence of habitat or species may result in the proposed action being moved more than 200 meters (656 feet) but not more than a quarter-mile or off of the lease and prohibition of activities during seasonal use period. Furthermore, processing times for proposed actions may be delayed beyond established standards to accommodate species surveys, and coordination with the USFWS and California Department of Fish and Game. This stipulation shall not be waived; however, it may be granted exception or modified as follows:

Exception: The Authorized Officer may grant an exception if an environmental review determines the action as proposed or conditioned would have no effect on federal candidate, state listed, and BLM sensitive species.

Modification: The Authorized Officer may modify the stipulation to reflect new information with regard to federal candidate, state listed or BLM sensitive species lists. Furthermore, the authorized officer may modify the maximum distance that a potential location could be moved to extend farther than the stated quarter-mile to maintain the sensitive species protection goals.

Objective: To minimize or eliminate adverse effects associated with fluid mineral development on federal candidate, state listed, and BLM sensitive species.

Application: The CSU-Sensitive Species stipulation would be attached to all leases that are within the range of a federal candidate, state listed or BLM sensitive species. A list of sensitive species within the Field Office boundary would be included with the stipulation for each lease when the lease is issued.

Review Process: Generally the following process would be used to approve surface-disturbing activities on leases with the CSU-Sensitive Species stipulation. The proposed activity would be reviewed to determine if special status species would be affected. This review may involve site specific surveys for plant and animal species, conducted according to established methods that may specify certain seasons or other conditions. In some cases this may mean that a survey cannot be completed until the next growing season for some plants or after seasonal appearance for some animal species.

If the review determines that a special status species may be adversely affected, then surface disturbing activities may be relocated up to a quarter-mile, but not off the lease, and certain surface disturbing activities may be prohibited during seasonal periods. BLM policy may also require coordination with the USFWS or California Department of Fish and Game.

CSU – Priority Species, Plant Communities and Habitats

All or a portion of the lease has been identified by the current RMP (i.e., ACECs and areas of ecological importance with this stipulation prescribed) as containing priority species, plant communities, or habitat that may be adversely affected by fluid mineral development. A list of affected parcels or portions of the lease will be provided at the time of leasing. To identify the possibility of adverse impact resulting from fluid mineral development, a preliminary environmental review will be conducted for all surface disturbing activities. Identification of adverse impacts may result in the proposed action being moved, modified, seasonally delayed, or prohibited from all or a portion of this lease. Furthermore, processing times for proposed actions may be delayed beyond established standards to accommodate species surveys. This stipulation shall not be waived, but may be granted exception or modified as follows:

Exception: The Authorized Officer may grant an exception if an environmental review determines the action as proposed or conditioned would have no effect on priority species, plant communities, or habitats.

Modification: The Authorized Officer may modify the stipulation to reflect new information with regard to the presence of priority species, plant communities, or habitat through the expansion or reduction of lands subject to this stipulation.

Objective: To minimize or eliminate adverse effects associated with fluid mineral development on priority species, plant communities, or habitat.

Application: The CSU-Priority Species, Plant Communities and Habitats stipulation would be applied to specific areas that contain unique or significant biological and botanical values as described in the RMP (i.e., ACECs and areas of ecological importance).

Review Process: Generally the following process would be used to approve surface-disturbing activities on leases with the CSU- Priority Species, Plant Communities and Habitats stipulation: The proposed activity would be reviewed to determine if the values for which the area was recognized would be affected. This review may involve site-specific surveys for plant species, conducted according to established methods, which may specify certain seasons or other conditions. In some cases this may mean that a survey cannot be completed until the next growing season for some plants species. If the review were to determine that the values for which the area was recognized may be adversely affected, then surface-disturbing activities may be moved, modified, or prohibited on portions of or the entire lease and certain activities may be prohibited during seasonal periods.

CSU – Raptor

All or a portion of this lease has been identified as an important raptor foraging, wintering, or nesting area. Any proposed surface disturbing activity will be reviewed to determine if the activity would affect raptor foraging, wintering, or nesting habitat. Determination of effects to raptor foraging, wintering, or nesting habitat may result in the proposed action being moved more than 200 meters (656 feet) but not more than a half-mile and prohibition of activities during seasonal use period. This stipulation may be granted exception, modified, or waived as follows:

Exception: The Authorized Officer may grant an exception if the operator submits a plan that demonstrates that impacts from the proposed action are minimal or can be adequately mitigated.

Modification: The Authorized Officer may modify the distance and other provisions of this stipulation based on new information and increasing or decreasing levels of the impacts anticipated from fluid mineral development.

Waiver: The Authorized Officer may waive the stipulation should new information show the area no longer contains sensitive raptor habitat for foraging, winter roosting, or nesting.

Objective: To minimize or eliminate adverse effects associated with fluid mineral development on sensitive raptor foraging areas, winter roosting areas, or nest sites.

Application: The CSU-Raptor stipulation would be applied to lands that have been identified as important raptor foraging, wintering, or nesting areas. Such lands include, but are not limited to, the Hopper Mountain, Kaweah, Kettleman Hills, Chico Martinez, Temblor, Caliente Mountain, and the San Joaquin River Gorge areas.

Review Process: Generally, the following process would be used to approve surface-disturbing activities on leases with the CSU-Raptor stipulation. The proposed activity would be reviewed to determine if sensitive raptor foraging areas, winter roosting areas, or nest sites would be affected. If the review were to show that sensitive raptor use areas may be adversely affected, then surface-disturbing activities may be relocated up to one-half mile or certain activities may be prohibited during seasonal periods. Modified proposals would be developed with the applicant to ensure that the modified project still meets the applicant's objective.

Different raptor species and different individuals vary in their sensitivity and ability to habituate to disturbances. Type and extent, duration and timing, and visibility of disturbance and influence of other environmental factors, such as topography, also affect the significance of the disturbance in any particular case. Often, moving an activity out of visibility, such as behind a topographic feature, would be sufficient. Delaying certain new activities until young birds have fledged is also a common tactic. Movement of surface-disturbing activities to retain roost trees or hunting perches may also be used.

The following species or groups of species would be eligible for protection under the CSU-Raptor stipulation: golden eagle, bald eagle, black-shouldered kite, northern harrier, sharp-shinned hawk, Cooper's hawk, northern goshawk, red-shouldered hawk, red-tailed hawk, Swainson's hawk, rough-legged hawk, ferruginous hawk, osprey, American kestrel, merlin, prairie falcon, peregrine falcon, and all owl species.

CSU – Known Cultural Resources

All or a portion of the lease contains National Register-listed or potentially eligible cultural properties that may be adversely affected by fluid mineral development. A list of affected parcels or portions of the lease will be provided at the time of leasing. To identify the possibility of adverse impacts resulting from fluid mineral development, a preliminary cultural resource review/survey will be conducted for all surface disturbing activities. Identification of adverse impacts may result in the proposed action being moved or modified. Surface-disturbing activities

would be prohibited on the portion of the lease where National Register-listed properties or properties potentially eligible for listing on the National Register occur. This stipulation may be modified, waived, or granted exception as follows:

Exception: The Authorized Officer may grant an exception, with concurrence from the California State Historic Preservation Office and Native American tribes, if a subsequent formal eligibility evaluation indicates the cultural property is ineligible.

Modification: The Authorized Officer may modify the stipulation to reflect new information from formal eligibility evaluations for cultural properties through the expansion or reduction of land where surface disturbing activities would be prohibited.

Waiver: The Authorized Officer may grant a waiver to the stipulation should the results of formal eligibility evaluation determine all cultural properties ineligible for listing on the National Register.

Objective: To minimize or eliminate adverse effects associated with fluid mineral development on known National Register-listed or potentially eligible cultural properties.

Application: The CSU–Known Cultural Resources stipulation would be applied to lands that contain known National Register-listed or potentially eligible cultural properties. The locations and number of acres affected would be determined at the leasing stage.

Review Process: Generally, the following process would be used to approve surface-disturbing activities on leases with the CSU-Known Cultural Resources stipulation. The proposed surface disturbing activity would be reviewed to determine if a known National Register- listed or potentially eligible cultural property would be affected. If the review were to show that the cultural property may be adversely affected, then surface-disturbing activities would be relocated or modified. Surface-disturbing activities would be prohibited on the lease only where the proposed action would be likely to destroy or adversely affect a known National Register listed property or properties found eligible for listing on the National Register.

CSU – Existing Surface Use/Management

All or a portion of the lease contains federal mineral estate underlying surface with an established use or management that may be incompatible with fluid mineral development. A preliminary environmental review will be conducted for all surface disturbing activities to identify possible conflict between surface use and fluid mineral development. Surface disturbing activities may be moved, modified, or prohibited to accommodate the existing surface use should the Authorized Officer determine the incompatibility of these uses. Specifically, fluid mineral development shall not occur:

- (1) Closer to any development (e.g., public highway, institution, place of public assembly, or occupied dwelling) than allowed by the county/city regulation or statute applicable to the area in which the proposed action occurs (including those exceptions where closer spacing is allowed);

- (2) In a manner that significantly and adversely impacts natural and/or cultural resources of which the surface owner/administrator is charged with the management and protection;
or
- (3) In a manner that significantly and adversely impacts existing recreation opportunity of which the surface owner/administrator is charged with the management and protection.

Furthermore, processing times for proposed actions may be delayed beyond established standards to accommodate review and coordination with the surface owner/administrator. This stipulation shall not be waived, but may be granted exception or modified as follows:

Exception: The Authorized Officer may grant an exception where a surface use agreement exists between the lessee and surface owner/administrator that allows for the proposed fluid mineral development. Furthermore, exception may be granted where the proposed action is deemed, following an environmental review, to have discountable or insignificant impacts on the existing surface use.

Modification: The Authorized Officer may modify this stipulation to further restrict surface use for mineral development on a portion of or all the lease if a more stringent requirement with regard to the location of facilities is deemed necessary following an environmental review (e.g., greater than county/city restrictions on fluid mineral development).

Objective: To minimize or eliminate conflict between fluid mineral development and existing surface uses on both public lands and split estate over federal minerals, and to reduce impacts associated with fluid mineral resource development on the owners/occupants within a dwelling or structure on split estate lands.

Application: The CSU-Existing Surface Use/Management stipulation would be applied to areas where the authorized officer determines that pre-existing surface management uses/conditions would be incompatible with or preclude oil and gas operations from using the surface of a portion or even all of the leased land. The locations and number of acres affected would be determined at the leasing stage.

Review Process: Generally the following process would be used to approve surface-disturbing activities with the CSU-Existing Surface Use/Management stipulation. The proposed activity would be reviewed cooperatively with the surface manager to determine if it is compatible with the existing uses/conditions, and if not, the activity would be moved or possibly even denied/rejected.

CSU – Well Stimulation Technologies

In reservoirs that have previously undergone hydraulic fracturing, matrix fracturing, or matrix acidization (collectively Well Stimulation Technologies, or WST) or the geologic setting indicates a probability that WST will be required for extraction; oil and gas permit applications that propose the completion or recompletion of a production well will not be approved until BLM receives sufficient information on proposed or anticipated site-specific WST activities and an associated plan to monitor and mitigate for impacts to ground water and surface water resources. The operator may meet these data requirements by providing BLM with information

required by California State Senate Bill 4 (SB4) for either the well under consideration or a nearby well targeting the same reservoir. Applicable SB4 information includes, but is not limited to, the permit application, Water Management Plan, Water Monitoring Plan, and, if available, the State-approved SB4 permit. BLM may require the operator to move the proposed well more than 200 meters, modify, or delay the well completion activity in order to minimize the potential for adverse impacts to water resources.

Exception: The authorized officer may grant an exception to this stipulation if the operator demonstrates that there are no water resources with the potential to be impacted by WST activities on the well under consideration.

Modification: The authorized officer may modify this stipulation if the operator demonstrates that the well under consideration will not be subject to WST activities despite the filing of an application in the target reservoir. If the total surface disturbance is increased beyond that analyzed for the project proposed, the operator will submit a Sundry Notice to define its proposal for activities that require additional surface disturbance.

Waiver: The authorized officer may grant a waiver to this stipulation if the operator demonstrates that there are no water resources with the potential to be impacted by WST activities on any portion of the lease.

Objective: To analyze the potential for WST activities to impact water resources on public lands and to minimize the likelihood of such impacts.

Application: The CSU-Well Stimulation Technologies stipulation would be applied to reservoirs that have previously undergone WST or the geologic setting indicates a probability that WST will be required for extraction. The parcels and number of acres affected would be determined at the leasing stage.

Review Process: Generally the following process would be used to approve surface-disturbing activities with the CSU-Well Stimulation Technologies stipulation. The proposed activity would be reviewed to determine if it within a reservoir that has previously undergone WST or if the geologic setting indicates a probability that WST will be required for extraction. If the review indicates that WST will likely be required for extraction, then surface disturbing activities would be prohibited until the BLM receives sufficient information on proposed or anticipated site-specific WST activities and an associated plan to monitor and mitigate for impacts to ground water and surface water resources.