

APPENDIX A. STIPULATIONS APPLICABLE TO OIL AND GAS LEASING AND OTHER SURFACE-DISTURBING ACTIVITIES

A.1 STIPULATIONS APPLICABLE TO OIL AND GAS LEASING AND OTHER SURFACE-DISTURBING ACTIVITIES

This appendix lists the stipulations for oil and gas leasing referred to throughout this proposed RMP and EIS. These 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 lands. The stipulations would not apply to activities and uses where they are contrary to laws, regulations, or specific program guidance. The intent is to maintain consistency to the extent possible, in applying stipulations to all surface-disturbing activities.

Surface-disturbing activities are those that normally result in more than negligible disturbance to public lands and/or resources. These activities normally involve use and/or occupancy of the surface and cause disturbance to soils and vegetation which may accelerate the natural erosion process. This level of surface disturbance usually, but not always, requires reclamation and is typically caused by motorized or mechanical actions. They include, but are not limited to: the use of mechanized earth-moving equipment or truck-mounted drilling equipment; off-road vehicle travel in areas designated as limited or closed to Off-Road vehicle use; construction of facilities such as power lines, pipelines, oil and gas well locations, recreation sites, and improvements for livestock and wildlife; new road construction; and, use of pyrotechnics and explosives. Surface disturbance is not normally caused by casual use activities. Activities that are not considered surface disturbing include, but are not limited to: livestock grazing, cross-country hiking, minimum impact filming, and vehicular travel on designated routes.

Although some activities would not require use or occupation of the surface, stipulations may still be applied if the activity requires BLM authorization and it is determined that the activity may result in more than negligible resource impacts. One example would be activities that require the use of low flying aircraft in crucial wildlife areas.

A.2 DESCRIPTION OF STIPULATIONS

The following Table shows resources of concern and stipulations including exceptions, modifications, and waivers. Three types of stipulations could be applied to land use authorizations: 1) no surface occupancy (NSO), 2) timing limitations (TL), and 3) controlled surface use (CSU). Although not a stipulation, areas that are closed to oil and gas leasing and other surface-disturbing activities are also identified in the table.

All other areas are open to oil and gas leasing subject to standard terms and conditions.

Areas identified as NSO are open to oil and gas leasing but surface-disturbing activities cannot be conducted on the surface of the land. Access to oil and gas deposits would require horizontal drilling from outside the boundaries of the NSO areas. NSO areas would be avoidance areas for rights-of-way; no rights-of-ways would be granted in NSO areas unless there are no feasible alternatives. An NSO stipulation cannot be applied to operations authorized under the mining laws without a withdrawal. A withdrawal is not a land use planning decision because it must be approved by the Secretary of Interior. Therefore, unless withdrawn, all public lands are open to

operations conducted under the mining laws subject only to TL and CSU stipulations that are consistent with rights granted under the mining laws.

Areas identified as TL are open to oil and gas leasing but would be closed to surface-disturbing activities during identified time frames. This stipulation would not apply to operation and maintenance activities, including associated vehicle travel, unless otherwise specified.

Areas identified as CSU are open to oil and gas leasing but would require that proposals for surface-disturbing activities be authorized according to the controls and constraints specified.

A.3 CLOSED AREAS

Areas identified as closed are not open to oil and gas leasing or other surface-disturbing activities. Closed areas are exclusion areas for rights-of-way. Exceptions, modifications, and waivers do not apply to oil and gas leasing.

A.4 EXCEPTIONS, MODIFICATIONS, AND WAIVERS

Stipulations could be excepted, modified, or waived by the authorized officer. An exception exempts the holder of the land use authorization document from the stipulation on a one-time basis. A modification changes the language or provisions of a surface stipulation, either temporarily or permanently. A waiver permanently exempts the surface stipulation. The documented environmental analysis for site specific proposals would need to address proposals to exempt, modify, or waive a surface stipulation.

A.5 STANDARD, TERMS, AND CONDITIONS

All surface-disturbing activities are subject to standard terms and conditions. These include the restrictions that are required for proposed actions in order to protect special status species and to comply with the Endangered Species Act. Standard oil and gas lease terms and conditions provide for relocation of proposed operations up to 200 meters and provide for prohibiting surface disturbing operations for a period not to exceed 60 days. The stipulations that are within the parameters of 200 meters and 60 days are considered open to oil and gas leasing subject to standard terms and conditions.

Section 6 of the standard lease terms allows the BLM authorized officer to require such reasonable measures as may be necessary to minimize adverse impacts to other resource values, land uses or users not addressed in the lease stipulations. These measures include, but are not limited to, the environmental best management practices (BMPs) and standard operating procedures shown in Appendix I.

Resource of Concern	Applicable Area	Stipulation Code	Stipulation Description
Floodplains, Riparian areas, Springs, and Public Water Reserves	Planning Area	NSO	<p>No surface-disturbing activities are allowed in active floodplains, public water reserves or within 100 meters of riparian areas along perennial streams and springs. (Although oil and gas activity must also meet this standard, an NSO lease stipulation is not necessary since this can be accomplished under the terms of the standard lease form.)</p> <p>Exception: An exception could be authorized if: (a) there are no practical alternatives, (b) impacts could be fully mitigated, or (c) the action is designed to enhance the riparian resource values.</p> <p>Modification: None</p> <p>Waiver: None</p> <p>Purpose: Protect and conserve riparian and floodplains and associated vegetation.</p>
Visual	<p>The following VRM Class II areas (as well as other areas not listed but inventoried as Class II):</p> <ul style="list-style-type: none"> • Tables of the Sun mesa tops; Indian Creek SRMA (from I.C. ACEC to FS boundary and Davis and Lavender Canyons); • Harmony Flat; • Dripping Canyon/Chicken Corners Area; • White Canyon and northern tributaries; and • Lower Castle Creek 	CSU	<p>Surface-disturbing activities must meet VRM Class II objectives.</p> <p>Exception: Allow for short term use/activities.</p> <p>Modification: None</p> <p>Waiver: None</p> <p>Purpose: Protect high quality visual resources.</p>
Scenic Values	Indian Creek ACEC	NSO	<p>Surface-disturbing activities are not allowed.</p> <p>Exception: An exception could be granted if activities are short term or if, after an analysis, the authorized officer determines that the project could meet VRM I objectives. Small signs, kiosks, route designators, etc. used to manage activities or resources could also be allowed.</p>

Resource of Concern	Applicable Area	Stipulation Code	Stipulation Description
			<p>Modification: None Waiver: None Purpose: Protect relevant and important scenic values.</p>
Scenic Values	Valley of the Gods ACEC	Closed	<p>Closed to oil and gas leasing and other surface-disturbing activities. Exception: Allow for addition of utilities in existing utility corridors that may overlap the ACEC. Other projects may be allowed if activities are short term or if, after an analysis, the authorized officer determines that the project could meet VRM I objectives. Small signs, kiosks, route designators, etc. used to manage activities or resources could also be allowed. Modification: None Waiver: None Purpose: Protect relevant and important scenic values.</p>
Scenic, Fish, Recreation, wildlife, cultural, and ecological ORVs	Colorado River #2 WSR	NSO	<p>Surface-disturbing activities are not allowed. Exception: An exception may be granted if, after an analysis, the authorized officer determines that the disturbance would be short term or could benefit the outstandingly remarkable values. Small signs, kiosks, route designators, etc used to manage activities or resources could also be allowed. Waiver: None Modification: None Purpose: Protect Outstandingly Remarkable Values (ORVs).</p>
Scenic, Fish, Recreation, wildlife, cultural, and ecological ORVs	Colorado River #3 WSR	Closed	<p>Closed to oil and gas leasing and other surface-disturbing activities. Exception: None Modification: None Waiver: None Purpose: Protect Outstandingly Remarkable Values (ORVs).</p>
Scenic, Recreation, and wildlife ORVs.	Dark Canyon WSR	Closed	<p>Closed to oil and gas leasing and other surface-disturbing activities. Exception: None Modification: None Waiver: None Purpose: Protect Outstandingly Remarkable Values (ORVs).</p>

Resource of Concern	Applicable Area	Stipulation Code	Stipulation Description
Scenic, fish, recreation, wildlife, and ecological ORVs.	San Juan River #5 WSR	Closed	Closed to oil and gas leasing and other surface-disturbing activities. Exception: None Modification: None Waiver: None Purpose: Protect Outstandingly Remarkable Values (ORVs).
Non-WSA Lands with Wilderness Characteristics	Mancos Mesa; Grand Gulch; Nokai Dome East; and Nokai Dome West	Closed	Closed to oil and gas leasing and other surface-disturbing activities. Exception: An exception may be granted if activities are short term or if, after an analysis, the authorized officer determines that the project would meet VRM Class II objectives and would not impair or could benefit maintenance of wilderness characteristics. Small signs, kiosks, route designators, etc. used to manage activities or resources could be allowed. Modification: None Waiver: None Purpose: Protect wilderness characteristics.
Non-WSA Lands with Wilderness Characteristics	Dark Canyon	NSO	Closed to surface-disturbing activities. Exception: An exception may be granted if activities are short term or if, after an analysis, the authorized officer determines that the project would meet VRM Class II objectives and would not impair or could benefit maintenance of wilderness characteristics. Small signs, kiosks, route designators, etc. used to manage activities or resources could be allowed. Modification: None Waiver: None Purpose: Protect wilderness characteristics.
Wilderness Values	Wilderness Study Areas (WSAs)	Closed	Closed to oil and gas leasing and other surface-disturbing activities. Exception: None Modification: None Waiver: None Purpose: Protect wilderness values.

Resource of Concern	Applicable Area	Stipulation Code	Stipulation Description
Fragile Soils/Slopes	Planning Area	CSU	New surface disturbance/construction on slopes between 21-40% would require: an erosion control strategy, reclamation and site plan with a design approved by the BLM prior to construction and maintenance. Exception: None Modification: None Waiver: None Purpose: Protect soils and avoid erosion on sloped embankments.
Fragile Soils/Slopes	Planning Area	NSO	New surface-disturbing activities are not allowed on slopes greater than 40%. Exception: If after an analysis the authorized officer determines that it would cause undue or unnecessary degradation to pursue other placement alternatives; surface occupancy in the NSO may be authorized. Additionally, a plan would be submitted by the operator and approved by BLM prior to construction and maintenance. Modification: None Waiver: None Purpose: Protect soils, avoid erosion, and maintain public health and safety in sloped embankments.
Cultural	Planning Area	CSU	Cultural properties eligible for or listed on the National Register of Historic Places would be surrounded by an avoidance area sufficient to avoid impacts. (Although oil and gas activity must also meet this standard, a CSU lease stipulation is not necessary since this can be accomplished under the terms of the standard lease form.) Exceptions: An exception could be granted if the BLM authorized officer determines that avoidance of direct and indirect impacts to historic properties is not feasible (e.g. avoidance may cause unacceptable damage to other public land resources or affect valid existing rights). Modification: None Waiver: None Purpose: Protect and preserve cultural resources and/or sites of religious significance to Native Americans.
Cultural	Alkali Ridge , National Historic Landmark (2146 acres)	NSO	No surface-disturbing activities are allowed. Exceptions: An exception could be granted if after an analysis the authorized officer determines that the project would be in the public

Resource of Concern	Applicable Area	Stipulation Code	Stipulation Description
			interest. Modification: None Waiver: None Purpose: Protect and preserve cultural resources and/or sites of religious significance to Native Americans.
Cultural	Alkali Ridge ACEC	CSU	Cultural properties eligible for or listed on the National Register of Historic Places would be surrounded by an avoidance area sufficient to avoid direct and indirect impacts. When siting oil and gas facilities, avoidance may require that a facility be moved farther than allowed under the standard lease terms and conditions. Exceptions: An exception could be granted if the BLM authorized officer determines that avoidance of direct and indirect impacts to historic properties is not feasible (e.g. avoidance may cause unacceptable damage to other public land resources or affect valid existing rights). Modification: None Waiver: None Purpose: Maintain the relevant and important cultural and historic values.
Cultural	Cedar Mesa SRMA (Comb Ridge Mngt. Zone) 30,752 acres	NSO	No surface-disturbing activities are allowed. Exceptions: An exception could be granted if after an analysis the authorized officer determines that the project would be in the public interest. Modification: None Waiver: None Purpose: Protect and preserve cultural resources and/or sites of religious significance to Native Americans.
Cultural	Hovenweep ACEC (visual emphasis zone 880 acres)	NSO	No surface-disturbing activities are allowed. Exceptions: An exception could be granted if after an analysis the authorized officer determines that the project would be in the public interest. Modification: None Waiver: None Purpose: Protect visual resources as seen from the Monument.

Resource of Concern	Applicable Area	Stipulation Code	Stipulation Description
Cultural	Hovenweep ACEC (area exclusive of visual emphasis zone)	CSU	<p>Cultural properties eligible for or listed on the National Register of Historic Places would be surrounded by an avoidance area sufficient to avoid direct and indirect impacts. When siting oil and gas facilities, avoidance may require that a facility be moved farther than allowed under the standard lease terms and conditions.</p> <p>Exceptions: An exception could be granted if the BLM authorized officer determines that avoidance of direct and indirect impacts to historic properties is not feasible (e.g. avoidance may cause unacceptable damage to other public land resources or affect valid existing rights).</p> <p>Modification: None</p> <p>Waiver: None</p> <p>Purpose: Maintain the relevant and important cultural and historic values.</p>
Cultural	Shay Canyon ACEC	NSO	<p>No surface-disturbing activities are allowed.</p> <p>Exceptions: An exception could be granted if after an analysis the authorized officer determines that the project would not impair or could benefit the relevant and important values.</p> <p>Modification: None</p> <p>Waiver: None</p> <p>Purpose: Maintain the relevant and important cultural and historic resource values.</p>
Relict Vegetation and Visual	Lavender Mesa ACEC	NSO	<p>Surface-disturbing activities are not allowed on the mesa top.</p> <p>Exceptions: An exception could be granted for test plots and facilities necessary to study the plant communities, restoration/reclamation activities if, after an analysis, the authorized officer determines that the project would not impair or could benefit the relevant and important values.</p> <p>Modification: None</p> <p>Waiver: None</p> <p>Purpose: Protect relevant and important vegetation and visual values.</p>
Scenic, Cultural, and Wildlife Values	San Juan River ACEC	NSO	<p>No surface-disturbing activities are allowed.</p> <p>Exception: An exception could be granted if activities are short term or after an analysis the authorized officer determines that the project would benefit the relevant and important values. Small signs, kiosks, route designators, etc used to manage activities or resources could also be allowed.</p>

Resource of Concern	Applicable Area	Stipulation Code	Stipulation Description
			<p>Modification: None Waiver: None Purpose: Protect relevant and important scenic, cultural and wildlife values.</p>
Recreation (Developed recreation sites)	Planning Area	NSO	<p>No surface-disturbing activities allowed within one quarter mile of campgrounds and within 200 meters of other developed recreation sites. Exception: An exception could be granted if the disturbance is related to recreational infrastructure support or if, after an assessment, it is determined that the visual intrusions and noise can be mitigated so as to not adversely affect the visitor experience. Modification: None Waiver: None Purpose: Preserve and protect the federal investment in recreation sites and enhance visitor experiences.</p>
Recreation	San Juan River SRMA (except segment #5 WSR)	NSO	<p>No surface-disturbing activities are allowed. Exceptions: An exception may be granted if, after an analysis, the authorized officer determines that the disturbance is related to or can be shown to benefit recreational experiences. Modification: None. Waiver: None. Purpose: Preserve and protect the federal investment in developed and potential recreation sites, and the recreational opportunities and visitors' San Juan River experience.</p>
Wildlife – Desert Bighorn Sheep	Desert Bighorn Lambing and Rutting Areas (Map 82)	TL	<p>No surface-disturbing activities or occupancy are allowed from April 1 to June 15 for lambing and from October 15 to December 15 for rutting. Exception: The Field Manager may grant an exception after an analysis by the authorized officer determines that the animals are not present in the project area or the activity can be completed so as to not adversely affect the animals. Routine operation and maintenance is allowed. Modification: The Field Manager may modify the boundaries of the stipulation area if a portion of the area is not being used as desert bighorn lambing or rutting grounds. Waiver: A waiver may be granted if the habitat is determined as unsuitable for lambing and/or rutting grounds.</p>

Resource of Concern	Applicable Area	Stipulation Code	Stipulation Description
			<p>Purpose: To minimize disturbance within desert bighorn lambing and rutting grounds.</p>
Wildlife - Gunnison Sage-grouse	Lek Habitat – Within 0.6 miles of active strutting ground (Map 77)	CSU	<p>No surface-disturbing activities are allowed within 0.6 miles of an active strutting ground.</p> <p>Exception: The Field Manager may grant an exception if, after an analysis, the authorized officer determines that the animals are not present in the project area or the activity can be completed so as to not adversely affect the animals.</p> <p>Modification: The Field Manager may modify the boundaries of the stipulation area if a portion of the area is not being used as sage-grouse habitat.</p> <p>Waiver: A waiver may be granted if the habitat is determined as unsuitable for sage-grouse.</p> <p>Purpose: To protect and conserve Gunnison Sage-grouse and their habitat.</p>
Wildlife – Gunnison Sage-grouse	Year-round Habitat (between 0.6 and 4.0 miles of active strutting ground) (Map 77)	CSU	<p>Avoid surface-disturbing activities within year round habitat. If activities cannot be avoided, then an operating plan which incorporates the applicable conservation measures outlined in the Gunnison Sage-grouse Rangewide Conservation Plan (2005, as amended) must be approved by the BLM prior to surface-disturbing activities. Conservation measures from this plan include, but are not limited to: Fences would be fitted with visual devices to minimize grouse collisions; Road length and width would be minimized and vehicles not exceed 35 mph; Bury power lines or place raptor perching deterrents on power poles; Any necessary equipment would produce minimal noise, including compressors, vehicles, and other sources of noise by using mufflers or noise suppression devices.</p> <p>Exception: The Field Manager may grant an exception after an analysis the authorized officer determines that the animals are not present in the project area.</p> <p>Modification: The Field Manager may modify the boundaries of the stipulation area if a portion of the area is not being used as sage-grouse habitat.</p> <p>Waiver: A waiver may be granted if the habitat is determined as unsuitable for sage-grouse.</p>

Resource of Concern	Applicable Area	Stipulation Code	Stipulation Description
			<p>Purpose: To protect and conserve Gunnison Sage-grouse and their habitat.</p>
Wildlife – Antelope	Pronghorn Fawning Grounds (Map 82)	TL	<p>No surface-disturbing activities from May 1 to June 15 within pronghorn fawning grounds. (Although oil and gas activity must also meet this requirement, a lease stipulation is not necessary since this can be accomplished under the terms of the standard lease form.)</p> <p>Exception: The Field Manager may grant an exception after an analysis the authorized officer determines that the animals are not present in the project area or the activity can be completed so as to not adversely affect the animals. Routine operation and maintenance is allowed.</p> <p>Modification: The Field Manager may modify the boundaries of the stipulation area if a portion of the area is not being used as pronghorn fawning grounds.</p> <p>Waiver: May be granted if the fawning grounds are determined to be unsuitable or unoccupied and there is no reasonable likelihood of future use of the fawning grounds.</p> <p>Purpose: To minimize stress and disturbance during crucial antelope birthing time.</p>
Wildlife – Deer	Deer Winter Range (Map 77)	TL	<p>No surface-disturbing activities from November 15 to April 15.</p> <p>Exception: The Field Manager may grant an exception if, after an analysis, the authorized officer determines that the animals are not present in the project area or the activity can be completed so as to not adversely affect the animals. Routine operation and maintenance is allowed.</p> <p>Modification: The Field Manager may modify the boundaries of the stipulation area if a portion of the area is not being used as deer winter range.</p> <p>Waiver: May be granted if the deer winter range is determined to be unsuitable or unoccupied and there is no reasonable likelihood of future use of the deer winter range.</p> <p>Purpose: To minimize stress and disturbance to deer during crucial winter months.</p>
Wildlife – Elk	Elk Winter Range (Map 82)	TL	<p>No surface-disturbing activities from November 15 to April 15.</p> <p>Exception: The Field Manager may grant an exception if, after an analysis, the authorized officer determines that the animals are not present in the project area or the activity can be completed so as to not adversely</p>

Resource of Concern	Applicable Area	Stipulation Code	Stipulation Description
			<p>affect the animals. Routine operation and maintenance is allowed.</p> <p>Modification: The Field Manager may modify the boundaries of the stipulation area if a portion of the area is not being used as elk winter range.</p> <p>Waiver: May be granted if the elk winter range is determined to be unsuitable or unoccupied and there is no reasonable likelihood of future use of the elk winter range.</p> <p>Purpose: To minimize stress and disturbance to elk during crucial winter months.</p>
Special Status Species – Mexican Spotted Owl (MSO)	MSO Designated Critical Habitat and Suitable Habitat (Map 93)	CSU/TL	<p>In areas that contain suitable habitat for MSO or designated Critical Habitat, actions would be avoided or restricted that may cause stress and disturbance during nesting and rearing of their young. Appropriate measures would depend on whether the action is temporary or permanent and whether it occurs within or outside the owl nesting season. A temporary action is completed prior to the following breeding season leaving no permanent structures and resulting in no permanent habitat loss. A permanent action continues for more than one breeding season and/or causes a loss of owl habitat or displaces owls through disturbances, i.e., creation of a permanent structure. Current avoidance and minimization measures include the following:</p> <p>Surveys will be required prior to implementation of the proposed action. All surveys must be conducted by qualified individual(s) acceptable to the BLM.</p> <p>Assess habitat suitability for both nesting and foraging using accepted habitat models in conjunction with field reviews. Apply the conservation measures below if project activities occur within 0.5 mile of suitable owl habitat. Determine potential effects of actions to owls and their habitat.</p> <p>Document type of activity, acreage and location of direct habitat impacts, type and extent of indirect impacts relative to location of suitable owl habitat.</p> <p>Document if action is temporary or permanent.</p> <p>Activities may require monitoring throughout the duration of the project. To ensure desired results are being achieved, minimization measures will be evaluated, and, if necessary, Section 7 consultation reinitiated.</p> <p>Any activity that includes water production should be managed to ensure maintenance of enhancement of riparian habitat.</p>

Resource of Concern	Applicable Area	Stipulation Code	Stipulation Description
			<p>Where technically and economically feasible, use directional drilling or multiple wells from the same pad to reduce surface disturbance and eliminate drilling in canyon habitat suitable for MSO nesting.</p> <p>For all temporary actions that may impact owls or suitable habitat:</p> <ol style="list-style-type: none"> 1. If the action occurs entirely outside of the owl breeding season from March 1 through August 31, and leaves no permanent structure or permanent habitat disturbance, the action can proceed without an occupancy survey. 2. If the action will occur during a breeding season, a survey for owls is required prior to commencing the activity. If owls are found, the activity should be delayed until outside of the breeding season. 3. Rehabilitate access routes created by the project through such means as raking out scars, re-vegetation, gating access points, etc. <p>For all permanent actions that may impact owls or suitable habitat:</p> <ol style="list-style-type: none"> 1. Survey two consecutive years for owls according to accepted protocol prior to commencing activities. 2. If owls are found, no disturbing actions will occur within 0.5 mile of an identified site. If nest site is unknown, no activity will occur within the designated current and historic Protected Activity Center (PAC). 3. Avoid permanent structures within 0.5 mile of suitable habitat unless surveyed and not occupied. 4. Reduce noise emissions (e.g., use hospital-grade mufflers) to 45 dBA at 0.5 mile from suitable habitat, including canyon rims. Placement of permanent noise-generating facilities should be contingent upon a noise analysis to ensure noise does not encroach upon a 0.5 mile buffer for suitable habitat, including canyon rims. 5. Limit disturbances to and within suitable habitat by staying on designated and/or approved routes. 6. Limit new access routes created by the project. <p>Modifications to the Surface Use Plan of Operations may be required in order to protect the MSO and/or habitat in accordance with Section 6 of the lease terms, the Endangered Species Act, and the regulations at 43 CFR 3101.1-2.</p>

Resource of Concern	Applicable Area	Stipulation Code	Stipulation Description
			<p>Purpose: To protect MSO habitat.</p> <p>Exception: An exception may be granted by the Field Manager if authorization is obtained from USFWS (through applicable provisions of the ESA). The Field Manager may also grant an exception if an analysis indicates that the nature or the conduct of the actions would not impair the primary constituent element determined necessary for the survival and recovery of the MSO and USFWS concurs with this determination.</p> <p>Modification: The Field Manager may modify the boundaries of the stipulation area if an analysis indicates and USFWS (through applicable provisions of the ESA) determines a portion of the area is not being used as Critical Habitat.</p> <p>Waiver: A waiver may be granted if the MSO is de-listed and the Critical Habitat is determined by USFWS as not necessary for the survival and recovery of the MSO.</p>
Special Status Species – Bald Eagles	Nest sites and winter roost areas within suitable habitat (Map 92)	CSU/TL	<p>In areas that contain habitat for the Bald Eagle, actions would be avoided or restricted that may cause stress and disturbance during roosting and/or nesting and rearing of their young. Appropriate measures will depend on whether the action is temporary or permanent, and whether it occurs within or outside the Bald Eagle breeding or roosting season. A temporary action is completed prior to the following breeding or roosting season leaving no permanent structures and resulting in no permanent habitat loss. A permanent action continues for more than one breeding or roosting season and/or causes a loss of eagle habitat or displaces eagles through disturbances, i.e., creation of a permanent structure. Current avoidance and minimization measures include the following:</p> <ol style="list-style-type: none"> 7. Surveys would be required prior to operations unless species occupancy and distribution information is complete and available. All surveys must be conducted by qualified individual(s), and be conducted according to protocol. 8. Lease activities would require monitoring throughout the duration of the project. To ensure desired results are being achieved, minimization measures would be evaluated. 9. Water production would be managed to ensure maintenance or enhancement of riparian habitat. 10. Temporary activities within 1.0 mile of nest sites would not occur during the breeding season of January 1 to August 31, unless the area has been surveyed according to protocol and determined

Resource of Concern	Applicable Area	Stipulation Code	Stipulation Description
			<p>to be unoccupied.</p> <ol style="list-style-type: none"> 11. Temporary activities within 0.5 miles of winter roost areas, e.g., cottonwood galleries, would not occur during the winter roost season of November 1 to March 31, unless the area has been surveyed according to protocol and determined to be unoccupied. 12. No permanent infrastructure would be placed within 1.0 mile of nest sites. 13. No permanent infrastructure would be placed within 0.5 miles of winter roost areas. 14. Remove big game carrion to 100 feet from on lease roadways occurring within Bald Eagle foraging range. 15. Avoid loss or disturbance to large cottonwood gallery riparian habitats. 16. Where technically and economically feasible, use directional drilling or multiple wells from the same pad to reduce surface disturbance and eliminate drilling in suitable habitat. Utilize direction drilling to avoid direct impacts to large cottonwood gallery riparian habitats. Ensure that such direction drilling does not intercept or degrade alluvial aquifers. 17. All areas of surface disturbance within riparian areas and/or adjacent uplands should be re-vegetated with native species. <p>Additional measures may also be employed to avoid or minimize effects to the species between the lease stage and lease development stage. These additional measures would be developed and implemented in coordination with the USFWS to ensure continued compliance with the Bald Eagle Protection Act.</p> <p>Purpose: To protect Bald Eagle habitat.</p> <p>Exception: An exception may be granted by the Field Manager if authorization is obtained from USFWS. The Field Manager may also grant an exception if an analysis indicates that the nature of the conduct of the actions, as proposed or conditioned, would not impair the habitat and physical requirements determined necessary for the survival of the Bald Eagles.</p> <p>Modification: The Field Manager may modify the boundaries of the stipulation area if an analysis indicates, and USFWS determines that a portion of the area is not being used as Bald Eagle nesting or roosting territories.</p>

Resource of Concern	Applicable Area	Stipulation Code	Stipulation Description
			<p>Waiver: May be granted if there is no reasonable likelihood of site occupancy over a minimum 10 year period.</p>
<p>Special Status Species – Southwestern Willow Flycatcher and (Western) Yellow-billed Cuckoo</p>	<p>Southwestern Willow Flycatcher and (Western) Yellow-billed Cuckoo Habitat (Map 91)</p>	<p>CSU/TL</p>	<p>In areas that contain riparian habitat within the range for the Southwestern Willow Flycatcher and Western Yellow-billed Cuckoo, actions would be avoided or restricted that may cause stress and disturbance during nesting and rearing of their young. Appropriate measures will depend on whether the action is temporary or permanent, and whether it occurs within or outside the nesting season. A temporary action is completed prior to the following breeding season leaving no permanent structures and resulting in no permanent habitat loss. A permanent action continues for more than one breeding season and/or causes a loss of habitat or displaces flycatchers through disturbances, i.e., creation of a permanent structure. Current avoidance and minimization measures include the following:</p> <ol style="list-style-type: none"> 1. Surveys would be required prior to operations unless species occupancy and distribution information is complete and available. All surveys must be conducted by qualified individual(s) and be conducted according to protocol. 2. Activities would require monitoring throughout the duration of the project. To ensure desired results are being achieved, minimization measures would be evaluated and, if necessary, Section 7 consultation reinitiated. 3. Water production would be managed to ensure maintenance or enhancement of riparian habitat. 4. Where technically and economically feasible, use directional drilling or multiple wells from the same pad to reduce surface disturbance and eliminate drilling in suitable riparian habitat. Ensure that such directional drilling does not intercept or degrade alluvial aquifers. 5. Activities would maintain a 300 feet buffer from suitable riparian habitat year long. 6. Activities within 0.25 mile of occupied breeding habitat would not occur during the breeding season of May 1 to August 15. 7. Ensure that water extraction or disposal practices do not result in change of hydrologic regime that would result in loss or degradation of riparian habitat. 8. Re-vegetate with native species all areas of surface disturbance within riparian areas and/or adjacent land.

Resource of Concern	Applicable Area	Stipulation Code	Stipulation Description
			<p>Additional measures to avoid or minimize effects to the species may be developed and implemented in consultation with the USFWS between the lease sale stage and lease development stage to ensure continued compliance with the ESA.</p> <p>Purpose: To protect Southwestern Willow Flycatcher habitat.</p> <p>Exception: An exception may be granted by the Field Manager if authorization is obtained from USFWS (through applicable provisions of the ESA). The Field Manager may also grant an exception if an environmental analysis indicates that the nature of the conduct of the actions, as proposed or conditioned, would not impair the primary constituent element determined necessary for the survival and recovery of the Southwestern Willow Flycatcher and USFWS concurs with this determination.</p> <p>Modification: The Field Manager may modify the boundaries of the stipulation area if an environmental analysis indicates, and USFWS (through applicable provisions of the ESA) determines that a portion of the area is not being used as Southwestern Willow Flycatcher habitat.</p> <p>Waiver: May be granted if the Southwestern Willow Flycatcher is de-listed and if USFWS determines it is not necessary for the survival and recovery of the Southwestern Willow Flycatcher.</p>
Special Status Species – Critical Habitat of the Endangered Colorado River Fishes	Colorado River, San Juan River, and all associated back waters 48,513 acres (Map 93)	NSO	<p>Surface-disturbing activities within the 100 year floodplain of the Colorado River and San Juan River would not be allowed. Other avoidance and minimization measures include:</p> <ul style="list-style-type: none"> • Surveys will be required prior to operations unless species occupancy and distribution information is complete and available. All surveys must be conducted by qualified individuals. • Lease activities will require monitoring throughout the duration of the project. To ensure desired results are being achieved, minimization measures will be evaluated and, if necessary, Section 7 consultation reinitiated. • Water production will be managed to ensure maintenance or enhancement of riparian habitat. • Avoid loss or disturbance of riparian habitats. • Conduct watershed analysis for leases in designated critical habitat and overlapping major tributaries in order to determine toxicity risk

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			<p>from permanent facilities</p> <ul style="list-style-type: none"> • Implement the Utah Oil and Gas Pipeline Crossing Guidance. • In areas adjacent to 100 year floodplains, particularly in systems prone to flash floods, analyze the risk for flash floods to impact facilities, and use closed loop drilling, and pipeline burial or suspension according to the Utah Oil and Gas Pipeline Crossing Guidance, to minimize the potential for equipment damage and resulting leaks or spills. <p>Purpose: To protect critical habitat of the endangered Colorado River fishes.</p> <p>Exception: An exception may be granted by the Field Manager if: 1) There is no practical alternative, and 2) the development would enhance riparian/aquatic values. This exception would require consultation with the USFWS. The Field Manager may also grant an exception if an environmental analysis indicates that the nature or the conduct of the actions, as proposed or conditioned, would not impair the primary constituent element determined necessary for the survival and recovery of the Endangered Colorado River fishes.</p> <p>Modification: The Field Manager may modify the boundaries of the stipulation area if an environmental analysis indicates, and USFWS (through applicable provisions of the ESA) determines a portion of the area is not being used as Critical Habitat.</p> <p>Waiver: A waiver may be granted if the Endangered Colorado River Fishes are de-listed and the Critical Habitat is determined by USFWS as not necessary for the survival and recovery of the Endangered Colorado River fishes.</p>

Resource of Concern	Applicable Area	Stipulation Code	Stipulation Description
Special Status Species – California Condor	Nest sites and roost areas within suitable habitat.	CSU/TL	<p>In areas that contain habitat for California Condors, actions would be avoided or restricted if the area is known or suspected to be used by condors that may cause stress and disturbance to condors. Application of appropriate measures will depend on whether the action is temporary or permanent, and whether it occurs within or outside potential habitat. A <u>temporary</u> action is completed prior to the following important season of use, leaving no permanent structures and resulting in no permanent habitat loss. This would include consideration for habitat functionality. A <u>permanent</u> action continues for more than one season of habitat use, and/or causes a loss of condor habitat function or displaces condors through continued disturbance (i.e. creation of a permanent structure requiring repetitious maintenance, or emits disruptive levels of noise).</p> <p>Current avoidance and minimization measures include the following:</p> <ol style="list-style-type: none"> 1. Surveys will be required prior to operations unless species occupancy and distribution information is complete and available. All Surveys must be conducted by qualified individual(s) approved by the BLM, and must be conducted according to approved protocol. 2. If surveys result in positive identification of condor use, all lease activities will require monitoring throughout the duration of the project to ensure desired results of applied mitigation and protection. Minimization measures will be evaluated during development and, if necessary, Section 7 consultation may be reinitiated. 3. Temporary activities within 1.0 mile of nest sites will not occur during the breeding season. 4. Temporary activities within 0.5 miles of established roosting sites or areas will not occur during the season of use, August 1 to November 31, unless the area has been surveyed according to protocol and determined to be unoccupied. 5. No permanent infrastructure will be placed within 1.0 mile of nest sites. 6. No permanent infrastructure will be placed within 0.5 miles of established roosting sites or areas. 7. Remove big game carrion to 100 feet from on lease roadways occurring within foraging range.

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			<p>8. Where technically and economically feasible, use directional drilling or multiple wells from the same pad to reduce surface disturbance and eliminate drilling in suitable habitat. Utilize directional drilling to avoid direct impacts to large cottonwood gallery riparian habitats. Ensure that such directional drilling does not intercept or degrade alluvial aquifers.</p> <p>9. Reinitiating of section 7 consultation with the Service will be sought immediately if mortality or disturbance to California Condors is anticipated as a result of project activities. Additional site-specific measures may also be employed to avoid or minimize effects to the species. These additional measures will be developed and implemented in consultation with the U.S. Fish and Wildlife Service to ensure continued compliance with the ESA.</p> <p>Additional measures may also be employed to avoid or minimize effects to the species between the lease sale and lease development stages. These additional measures will be developed and implemented in consultation with the U.S. Fish and Wildlife Service to ensure continued compliance with the Endangered Species Act.</p> <p>Purpose: To protect California Condor habitat.</p> <p>Exception: An exception may be granted by the Field Manager if authorization is obtained from USFWS. The Field Manager may also grant an exception if an analysis indicates that the nature of the conduct of the actions, as proposed or conditioned, would not impair the primary constituent element determined necessary for the survival and recovery of the California Condor and USFWS concurs with this determination.</p> <p>Modification: The Field Manager may modify the boundaries of the stipulation area if an analysis indicates, and USFWS determines that a portion of the area is not being used as California Condor nesting or roosting territories.</p> <p>Waiver: May be granted if there is no reasonable likelihood of site occupancy over a minimum 10-year period.</p>
Special Status Species – Navajo Sedge	Navajo sedge habitat	CSU	<p>In areas that contain habitat for Navajo sedge, actions would be avoided or restricted if that area is known or suspected to be habitat for Navajo sedge and the action may cause stress or disturbance to the plant.</p> <ol style="list-style-type: none"> 1. Site inventories: <ol style="list-style-type: none"> a. Must be conducted to determine habitat suitability,

Resource of Concern	Applicable Area	Stipulation Code	Stipulation Description
			<ul style="list-style-type: none"> b. Are required in known or potential habitat for all areas proposed for surface disturbance prior to initiation of project activities, at a time when the plant can be detected, and during appropriate flowering periods, c. Documentation should include, but not be limited to individual plant locations and suitable habitat distributions, and d. All surveys must be conducted by qualified individuals. <ol style="list-style-type: none"> 2. Lease activities will require monitoring throughout the duration of the project. To ensure desired results are being achieved, minimization measures will be evaluated and, if necessary, Section 7 consultation reinitiated. 3. Project activities must be designed to avoid direct disturbance to populations and to individual plants: <ul style="list-style-type: none"> a. Designs will avoid concentrating water flows or sediments into plant occupied habitat. b. Construction will occur down slope of plants and populations where feasible; if well pads and roads must be sited upslope, buffers of 100 feet minimum between surface disturbances and plants and populations will be incorporated. c. Where populations occur within 200 ft. of well pads, establish a buffer or fence the individuals or groups of individuals during and post-construction. d. Areas for avoidance will be visually identifiable in the field, e.g., flagging, temporary fencing, rebar, etc. e. For surface pipelines, use a 10 foot buffer from any plant locations: <ul style="list-style-type: none"> i. If on a slope, use stabilizing construction techniques to ensure the pipelines don't move towards the population. 4. For riparian/wetland-associated species, e.g. Navajo Sedge, avoid loss or disturbance of riparian habitats: <ul style="list-style-type: none"> a. Ensure that water extraction or disposal practices do not result in change of hydrologic regime. 5. Limit disturbances to and within suitable habitat by staying on designated routes. 6. Limit new access routes created by the project.

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			<p>7. Place signing to limit ATV travel in sensitive areas. 8. Implement dust abatement practices near occupied plant habitat. 9. All disturbed areas will be re-vegetated with native species comprised of species indigenous to the area. 10. Post construction monitoring for invasive species will be required. 11. Where technically and economically feasible, use directional drilling or multiple wells from the same pad to reduce surface disturbance and eliminate drilling in plant habitat. Ensure that such directional drilling does not intercept or degrade alluvial aquifers.</p> <p>Additional measures to avoid or minimize effects to the species may be developed and implemented in consultation with the U.S. Fish and Wildlife Service between the lease sale stage and lease development stage to ensure continued compliance with the ESA. Purpose: To protect Navajo Sedge habitat Exception: An exception may be granted by the Field Manager if authorization is obtained from USFWS (through applicable provisions of the ESA). The Field Manager may also grant an exception if an environmental analysis indicated that the nature of the conduct of the actions, as proposed or conditioned, would not impair the survival and recovery of the Navajo Sedge and USFWS concurs with this determination. Modification: The Field Manager may modify the boundaries of the stipulation area if an environmental analysis indicates, and USFWS (through applicable provisions of the ESA) determines that a portion of the area is no longer suitable habitat for Navajo Sedge. Waiver: May be granted if the Navajo Sedge is delisted and if USFWS determines it is not necessary for the survival and recovery of the Navajo Sedge.</p>
Wildlife – Shorebirds and Waterfowl	Hovenweep ACEC (Cajon Pond)	TL	<p>No surface-disturbing activities allowed from March 1 to June 30. Exceptions: None Modification: None Waiver: None Purpose: To minimize stress and disturbance to waterfowl during courtship and nesting season.</p>