

EXHIBIT A

Right-of-Way Stipulations

CACA 055470

September 7, 2016

1. BLM retains a continuing right of access to enter the public land covered by the grant.
2. BLM retains a continuing right to enter physically any part of a facility constructed on a right-of-way for inspection, monitoring, or any other purpose consistent with the needs or obligations of the United States. This right is subject to giving the holder reasonable notice.
3. BLM may require the holder to share the right-of-way with other compatible right-of-way use or other compatible multiple uses. Compatibility is determined by the authorized officer after consultation with the holder.
4. BLM retains the right to authorize third parties to use the public lands within the right-of-way. Such use shall be compatible with the holder's use.
5. All rights granted are subject to valid existing rights.
6. A right-of-way grant or permit does not give or authorize the holder to take from the public lands any mineral or vegetative material, including timber, without securing authorization under 30 U.S.C. 601 *et seq.* Common varieties of stone and soil necessarily removed during construction, however, may be used elsewhere along the same right-of-way or permit area.
7. Any cultural and/or paleontological resource (historic or prehistoric site or object) discovered by the holder, or any person working on his behalf, on public or Federal land shall be immediately reported to the authorized officer. Holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the authorized officer. An evaluation of the discovery will be made by the authorized officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The holder will be responsible for the cost of evaluation. Any decision, as to proper mitigation measures, will be made by the authorized officer after consulting with the holder.
8. Use of pesticides shall comply with the applicable Federal and state laws. Pesticides shall be used only in accordance with their registered uses and within limitations imposed by the Secretary of the Interior. Prior to the use of pesticides, the holder shall obtain from the authorized officer written approval of a plan showing the type and quantity of material to be used, pest(s) to be controlled, method of application, location of storage and disposal of containers, and any other information deemed

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necessary by the authorized officer. Emergency use of pesticides shall be approved in writing by the authorized officer prior to such use.

9. The holder(s) shall comply with all applicable Federal, State, and local laws and regulations, existing or hereafter enacted or promulgated, with regard to any Hazardous Material, as defined in this paragraph, that will be used, produced, transported or stored on or within the ROW or any of the ROW facilities, or used in the construction, operation, maintenance or termination of the ROW or any of its facilities. "Hazardous material" means any substance, pollutant or contaminant that is listed as hazardous under the CERCLA of 1980, as amended, 42 U.S.C. 9601 *et seq.*, and its regulations. The definition of hazardous substances under CERCLA includes any "hazardous waste" as defined in the RCRA of 1976, as amended, 42 U.S.C. 6901 *et seq.* and its regulations. The term hazardous materials also includes any nuclear or byproduct material as defined by the Atomic Energy Act of 1954, as amended, 42 U.S.C. 2011 *et seq.* The term does not include petroleum, including crude oil or any fraction thereof that is not otherwise specifically listed or designated as a hazardous substance under CERCLA section 101(14), 42 U.S.C. 9601(14), nor does the term include natural gas.