



U.S. Department of the Interior  
BUREAU OF LAND MANAGEMENT

# **Record of Decision and Approved Resource Management Plan Amendment for Big Game Habitat Conservation for Oil and Gas Management in Colorado**



#### BLM MISSION

It is the mission of the Bureau of Land Management to sustain the health, diversity, and productivity of the public lands for the use and enjoyment of present and future generations.

BLM/CO/PL24-002

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RMP-EIS

# **Big Game Habitat Conservation for Oil and Gas Management in Colorado**

## **Record of Decision and Approved Resource Management Plan Amendment**

**Prepared by US Department of the Interior  
Bureau of Land Management  
BLM Colorado State Office  
Lakewood, Colorado**

**BLM/CO/PL-25-002**

**October 2024**

### **Cooperating Agencies:**

Arapahoe County  
Arapahoe County Planning, Oil and Gas Specialist  
Archuleta County  
Chaffee County  
Delta County  
Dolores County  
Eagle County  
El Paso County  
Garfield County  
Gilpin County  
Gunnison County  
Hinsdale County  
Huerfano County  
Jackson County  
La Plata County  
Las Animas  
Mesa County  
Moffat County  
Montezuma County  
Montrose County  
Ouray County  
Pitkin County  
Rio Grande County  
Routt County  
Saguache County  
Teller County

Colorado Department of Natural Resources and associated divisions like Colorado Energy and Carbon  
Management Commission and Colorado Parks and Wildlife  
Colorado Department of Transportation (CDOT)  
Colorado Department of Agriculture  
Bureau of Reclamation  
US Department of Agriculture – Natural Resources Conservation Service – Colorado  
US Fish and Wildlife Service  
US Department of Agriculture – US Forest Service





# United States Department of the Interior

## BUREAU OF LAND MANAGEMENT



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In Reply Refer To:  
1610 (LLCO930000)

Dear Reader:

The Bureau of Land Management (BLM) is pleased to announce the completion of the Record of Decision (ROD) and Approved Resource Management Plan Amendment (RMPA) for Big Game Habitat Conservation and Oil and Gas Management in Colorado. The planning area includes all 64 counties in Colorado. The approximately 8.3 million acres of BLM-administered surface land and 4.7 million acres of Federal mineral split estate in the decision area plays an important role in the region's social, ecological, and economic well-being. Oil and gas management is a focal area for the RMPA/EIS. The BLM recognizes the importance of conserving ecological connectivity and big game High Priority Habitats, movement areas, and migration corridors when managing oil and gas resource development.

The Draft RMPA/EIS published on November 9, 2023, and the Proposed RMPA/Final EIS published on July 19, 2024. The Proposed RMPA/Final EIS contained the Proposed Alternative, impacts of the Proposed Alternative, a summary of comments received during the public review period for the Draft RMPA/EIS, and BLM's responses to the comments.

The Proposed RMPA/Final EIS was subject to a 30-day protest period that ended on August 19, 2024. The BLM received four submissions during the protest period. One submission was not intended as a protest letter. The remaining three letters did not contain any valid protest issues because they only included comments, opinions, or observations that were not substantiated with a concise statement of why the State Director's proposed decision is believed to be wrong; issues not previously raised in the planning process; or issues not germane to the planning process. Therefore, all letters were dismissed. The Director concluded that the BLM Colorado State Director followed the applicable laws, regulations, and policies, and considered all relevant resource information and public input.

The 60-day Governor's consistency review period for the Proposed RMPA/Final EIS, which promotes consistency with State government plans or policies, concluded on September 17, 2024. The Governor's office did not identify any inconsistencies with State government plans or policies.

The ROD and Approved RMPA were prepared in accordance with the Federal Land Policy and Management Act of 1976, as amended, and the National Environmental Policy Act of 1969, as amended. The ROD serves as the final decision for all land use planning decisions described in the enclosed Approved RMP.

This approved plan includes management for the decision area that may modify or amend oil and gas management decisions in the existing BLM Colorado Resource Management Plans:

Eastern Colorado RMP (2024)  
San Luis Valley Area RMP (1991)  
Gunnison Resource Area RMP (1993)  
Uncompahgre Field Office RMP (2020)  
Colorado River Valley Field Office RMP (2015) including the Roan Plateau RMP  
Amendment (2016)  
Grand Junction Field Office RMP (2015)  
Kremmling RMP (2015)  
Little Snake RMP (2011)  
White River Field Office RMP (1997)  
Tres Rios Field Office RMP (2015)  
Canyons of the Ancients National Monument RMP (2010)  
Gunnison Gorge National Conservation Area RMP (2004)

The ROD and Approved RMPA are available online at <https://eplanning.blm.gov/eplanning-ui/project/2018400/510>. Printed copies of the ROD/Approved RMPA are available for public inspection at the Colorado State Office and district offices.

The BLM greatly appreciates all those who contributed to this planning effort, particularly members of the public, who provided important feedback; our cooperating agencies, which included federal, state, and local governments; and Native American Tribes. The public interest and involvement in this planning process ensures that the Approved RMPA will sustain the health, diversity, and productivity of BLM-administered lands. Thank you for your interest in the EIS.

Sincerely,  
**DOUGLAS VILSACK**  
Digitally signed by DOUGLAS  
VILSACK  
Date: 2024.10.17 11:00:19 -06'00'

Doug Vilsack  
State Director

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## ACRONYMS AND ABBREVIATIONS

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Full Phrase

APD	application for permit to drill
BLM	United States Department of the Interior, Bureau of Land Management
BMP	Best Management Practice
CDOT	Colorado Department of Transportation
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulations
COA	condition of approval
CPW	Colorado Department of Natural Resources, Parks and Wildlife
CSU	controlled surface use
Decision Area	public lands and federal mineral estate managed by the BLM
DOI	Department of the Interior
ECMC	Colorado Energy and Carbon Management Commission
EIS	environmental impact statement
FLPMA	Federal Land Policy and Management Act of 1976
Forest Service	United States Department of Agriculture, Forest Service
GIS	geographic information systems
HPH	high priority habitat
NEPA	National Environmental Policy Act
NSO	no surface occupancy
OHV	off-highway vehicle
RAC	resource advisory council
RMP	resource management plan
RMPA	resource management plan amendment
ROD	record of decision
ROW	right-of-way
SHPO	State Historic Preservation Officer
TL	timing limitation
USFWS	United States Department of the Interior, Fish and Wildlife Service
WEM	waivers, exceptions, and modifications
WMP	Wildlife Mitigation Plan



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## **I. RECORD OF DECISION**

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## I.1 INTRODUCTION

### I.1.1 OVERVIEW

The Federal Land Policy and Management Act of 1976 (FLPMA) directs the United States Department of the Interior (DOI), Bureau of Land Management (BLM) to develop and periodically revise or amend its resource management plans (RMPs). These are the plans that guide the management of BLM-administered lands. This record of decision (ROD) approves the attached RMP amendment (RMPA) for BLM's RMPs in Colorado to include additional measures to promote big game habitat conservation within big game high priority habitat (HPH) (see **Figure 1, Appendix A**). The background and rationale for approving the proposed decisions, as well as clarifications and modifications made to the Proposed RMPA, are described in this ROD.

## I.2 DECISION

The decision is hereby made to approve the attached RMPA as the land use plan amendment for 12 land use plans to adopt goals and objectives, incorporate oil and gas lease stipulations (including major and moderate restrictions), and adopt other plan components to enhance protection for important habitat areas for elk, mule deer, pronghorn, and bighorn sheep (Rocky Mountain and Desert). The BLM prepared this plan under the authority and regulations implementing FLPMA (43 Code of Federal Regulations [CFR] 1600). It includes broad land use plan decisions that provide the overall direction for managing resources and resource uses in the decision area (BLM-administered public lands and federal mineral estate). The BLM prepared an environmental impact statement (EIS) for this RMPA in compliance with the National Environmental Policy Act of 1969 (NEPA). The Approved RMPA represents the Modified Alternative B from the Final EIS. Land use plan decisions identified in the Approved RMPA are final and become effective when this ROD is signed. Note that the decision area excludes National Forest System land and other federal land where the BLM does not make planning decisions about oil and gas management or other uses.

The decisions in this ROD and Approved RMPA supersede portions of the BLM land use plans that guide management within the decision area boundaries. The decisions from the land use plans not changed by the approved RMP amendment remain in effect. This ROD modifies decisions from the following RMPs (as amended):

- Eastern Colorado RMP (2024)
- San Luis Resource Area RMP (1991)
- Gunnison Resource Area RMP (1993)
- Uncompahgre Field Office RMP (2020)
- Colorado River Valley Field Office RMP (2015) including the Roan Plateau Amendment (2016)
- Grand Junction Field Office RMP (2015)
- Kremmling RMP (2015)
- Little Snake RMP (2011)

- White River Field Office RMP (1997)
- Tres Rios Field Office RMP (2015)
- Canyons of the Ancients National Monument RMP (2010)
- Gunnison Gorge National Conservation Area RMP (2004).

## **I.3 ALTERNATIVES**

### **I.3.1 INTRODUCTION**

An RMP provides broad guidance for managing public lands. The FLPMA directs the BLM to develop RMPs as the primary means to identify and allow for appropriate uses of BLM-administered land. RMP decisions establish goals and objectives (desired outcomes) for resource management that guide future implementation decisions. A RMP also identifies measures necessary for achieving the outcomes, expressed as management actions (proactive management techniques) and allowable uses (lands that are open or closed to certain uses), including any restrictions on uses.

NEPA and BLM land use planning regulations (43 CFR 1610.4-5) require the development and consideration of a reasonable range of alternatives that are technically and economically feasible and meet the purpose and need, including a no action alternative, to analyze impacts and guide decision-makers in developing and selecting the Approved RMPA. The BLM developed four alternatives, in addition to the no action alternative, and analyzed them in detail in the Proposed RMPA/Final EIS.

This RMPA will not affect planning decisions related to renewable energy, recreation, locatable minerals (such as gold, silver, and copper), salable minerals (such as sand and gravel), or other non-oil-and-gas leasable minerals. In addition, this RMPA will not diminish valid and existing rights, although development of existing oil and gas leases will be required to conform with the objectives of the approved RMPA to the extent consistent with the applicable lease terms. Consistent with the goals and objectives outlined in the attached RMPA, the intent of the RMPA process is to identify and consider management that will avoid, minimize, and mitigate oil and gas impacts to HPH for elk, mule deer, pronghorn, and bighorn sheep.

### **I.3.2 ALTERNATIVES ANALYZED IN DETAIL**

#### **I.3.2.1 Alternative A: No Action**

Alternative A is the no action alternative based on existing approved RMPs, as amended, throughout Colorado. This alternative reflects the management decisions in the existing RMPs. The analysis considers how the BLM is currently managing big game habitat protection and oil and gas development across the state, and provides a characterization of the existing environment for comparison with the action alternatives.

#### **I.3.2.2 Alternative B**

Alternative B, conservation and cooperation, is based on management alignment with the Colorado Energy and Carbon Management Commission's (ECMC's) rules for oil and gas development in elk, mule deer, pronghorn, and bighorn sheep HPH (Rule 1202.c, d; Rule 1203). Where lands are open to oil and gas leasing under existing RMPs, Alternative B prescribes measures consistent with the ECMC rules to



conserve seasonal habitats and connectivity within big game HPH in support of Colorado Parks and Wildlife's (CPW) big game population objectives. Alternative B incorporates various oil and gas lease stipulations, including a CSU density limitation of greater than one active oil and gas location per square mile. The plan would require operators to develop and implement mitigation plans to minimize and offset direct, indirect, and cumulative impacts. Under this alternative, BLM may approve waivers, exceptions, and modifications to stipulations under certain circumstances.

Alternative B includes additional management guidance to consider new information and best available science. This alternative would include a density trigger (proposed development of greater than one active oil and gas location per square mile) that would require the operator to address direct, indirect, and cumulative adverse impacts through compensatory mitigation. Where determined appropriate at implementation, avoiding activities in big game HPH, applying a surface density limitation, and mitigating impacts could limit the duration and extent of development activities in big game HPH through all phases of development. Mitigation plans would address direct impacts, indirect impacts, and the cumulative effects of oil and gas activities on big game populations and their CPW-mapped big game HPH.

### **I.3.2.3 Modified Alternative B**

Modified Alternative B is the BLM's Proposed Alternative in the final EIS. Rather than developing a completely new alternative, the Proposed Alternative (Modified Alternative B) was developed starting with the Preferred Alternative (Alternative B) from the Draft RMP/EIS and modified based on public comments on the Draft RMPA. This alternative is also based on management alignment with the ECMC's rules for oil and gas development in elk, mule deer, pronghorn, and bighorn sheep HPH (Rule 1202.c, d; Rule 1203).

Modified Alternative B includes the stipulations from Alternative B. Where lands are open to oil and gas leasing under existing RMPs, Modified Alternative B prescribes measures consistent with the ECMC rules to conserve seasonal habitats and connectivity within big game HPH in support of CPW's big game population objectives. Authorization of new oil and gas facility locations within big game HPH will be avoided when the oil and gas location density exceeds one active oil and gas location per square mile or contributes to an increased density beyond one active oil and gas location per square mile. In addition, a BLM- and CPW-approved Wildlife Mitigation Plan (WMP) will be required and implemented for new oil and gas facility locations within big game HPH. The WMP will address direct and indirect functional habitat loss. Some Modified Alternative B waivers, exceptions, and modifications vary from those in Alternative B.

Additionally, a lease notice informs the lease holder and operator of any overlap with big game HPH from the proposed action and requires a wildlife mitigation plan (WMP). This notice informs the operator of CPW's recommendation for a density limitation of one mile of route per square mile, and that the operator needs to consult with BLM to discuss best management practices and habitat mitigation requirements. Modified B also has an objective to consider, at the permitting stage, the effects of route and facility density on local wildlife habitat to inform project design. Route density, use, and maintenance level information of oil and gas access roads may inform mitigation plans.

### **I.3.2.4 Alternative C**

Under Alternative C, the BLM has greater flexibility to approve waivers, exceptions, and modifications to the stipulations in appropriate circumstances, as compared with Alternative B. The overall

management objective under this alternative would be to cluster, collocate, and consolidate surface facilities associated with federal oil and gas development within a 3 percent disturbance threshold, where determined appropriate during implementation. Some big game HPH lands that would be subject to the 3% threshold are already subject to such a limitation to protect greater sage-grouse habitat. This alternative contemplates the establishment of other density thresholds (specific to big game Data Analysis Units) in coordination with CPW based on best available science in the future.

#### **I.3.2.5 Alternative D**

Alternative D is similar to Alternative C in that it also incorporates lease stipulations that align the BLM's oil and gas management with ECMC's rules for big game HPH in the decision area. Alternative D includes a CSU density limitation of greater than one active oil and gas location per square mile and one linear mile of oil and gas routes per square mile in big game HPH. Alternative D also includes a CSU that would prescribe a 3% surface disturbance threshold on federal oil and gas development within big game HPH; however, the application of this threshold is not limited to BLM surface lands only as it is under Alternative C. Under this alternative, the disturbance threshold that may affect federal oil and gas development applies to big game HPH on all lands regardless of land ownership in the decision area. Alternative D provides less flexibility for BLM to approve waivers, exceptions, and modifications compared to the other alternatives.

Additionally, unlike Alternatives B, Modified B, and C, this alternative proposes to reduce the area open to leasing of oil and gas. Under Alternative D, the acreage within big game HPH closed to new oil and gas leasing would increase compared to Alternatives A, B, Modified B, and C. Specifically, big game HPH areas identified with low, moderate, or no known oil and gas development potential would be closed to new oil and gas leasing. Two helium areas identified within the Approved Eastern Colorado Resource Management Plan and Draft Colorado River Valley/Grand Junction Supplemental EIS would remain open to oil and gas leasing under this alternative. The oil and gas closure does not apply to the geothermal resource, which is considered a fluid mineral. With expanded closure to new oil and gas leasing and more stringent implementation of stipulations, Alternative D prioritizes avoidance of impacts to big game HPH from oil and gas development.

### **I.3.3 ENVIRONMENTALLY PREFERABLE ALTERNATIVE**

When considering the human social and economic environment and natural environment, the BLM has determined that Alternative D is the environmentally preferable alternative. The Department of the Interior defines the environmentally preferable alternative as the one that best promotes the national environmental policy in Section 101 of NEPA.

Section 101 of NEPA, 42 US Code 4331, identifies six broad policy goals for all federal plans, functions, programs, and resources, to allow the nation to:

- Fulfill the responsibilities of each generation as trustee of the environment for succeeding generations.
- Ensure for all Americans safe, healthful, productive, and esthetically and culturally pleasing surroundings.
- Attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences.

- Preserve important historic, cultural, and natural aspects of the national heritage and maintain, wherever possible, an environment that supports diversity and a variety of individual choice.
- Achieve a balance between population and resource use that will permit high standards of living and a wide sharing of life's amenities.
- Enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

### **I.3.4 CLARIFICATIONS AND MODIFICATIONS SINCE THE PROPOSED RMPA**

As a result of ongoing internal review, the BLM made minor grammatical and editorial corrections between the Proposed RMPA/Final EIS and the Approved RMPA. The BLM did not make any changes outside the range of alternatives considered in the EIS.

## **I.4 MANAGEMENT CONSIDERATIONS AND DECISION RATIONALE**

The Approved RMPA reflects statutory, regulatory, and national policy considerations. The decision is also based on review of substantive comments from federal, tribal, state, and local governments and agencies, the public, industry, and the 38 cooperating agencies that participated in the planning process.

The Approved RMPA provides the best combination of management decisions to meet the purpose of and need for the RMPA in consideration of the planning issues and management concerns identified through the planning process. It fulfills the purpose by providing goals, objectives, and actions to maintain, conserve, and protect big game corridors and other big game HPH on BLM-administered lands and Federal mineral estate in Colorado. It fulfills the need by considering current big game population and habitat data and evaluating management consistency with other federal, state, local, and Tribal plans, policies, and programs. The RMPA also complies with the terms of the settlement agreement in *State of Colorado v. Bureau of Land Management*, No. 1:21-cv-00129 (U.S. District Court for the District of Colorado).

The Approved RMPA includes stipulations for fluid mineral leasing, which are designed to provide resource-specific protections. NSO stipulations restrict fluid mineral activities by requiring surface-disturbing activities to be located outside of the boundary of the NSO area. CSU stipulations allow fluid mineral leasing but can require imposing special operational constraints to protect identified values. Areas identified for timing limitation (TL) stipulations are closed to fluid mineral exploration and development, surface-disturbing activities, and intensive human activity during identified time frames. The BLM may modify the operations of surface and other disturbance activities caused by the presence of humans and require additional specific or specialized mitigation. These stipulations, as well as other restrictions and management actions, are designed to promote big game habitat conservation.

## **I.5 MITIGATION**

BLM will apply the mitigation hierarchy to avoid, minimize, and mitigate impacts to sensitive resources from the proposed action, in a manner that achieves maximum benefit to the impacted resource,

consistent with applicable law. Mitigation can help provide a conservation benefit to the species when impacts from oil and gas development activity are not avoidable. When oil and gas development results in habitat loss and degradation within big game HPH, the BLM will require and ensure mitigation that provides a conservation benefit to the species, including accounting for any uncertainty associated with the effectiveness of such mitigation, and consistent with valid existing rights and applicable law.

Across all action alternatives, mitigation will comply with CEQ, DOI, and BLM guidance. To the extent possible, mitigation will be coordinated across agencies and align with the State's mitigation strategy or apply similar mitigation practices—oil and gas operations will consider alternative locations that either avoid big game HPH altogether, or, where avoidance is not feasible, consider locations that minimize adverse impacts to the maximum extent possible. This hierarchy includes the following concepts when authorizing oil and gas development actions.

### **I.5.1 COORDINATION**

Under all action alternatives, the BLM will coordinate mitigation across agencies such as CPW and other state agencies when implementing the “avoid, minimize, and mitigate” hierarchy.

### **I.5.2 AVOID, MINIMIZE, MITIGATE**

To the extent allowed by law or the terms of existing land use authorizations, the BLM will avoid impacts from BLM-administered land uses by not taking a certain action or parts of an action related to oil and gas development and associated ancillary facilities or authorizations (i.e., pipelines, roads, compressor stations, etc.). The BLM will require minimization of unavoidable impacts by limiting the degree, magnitude, or temporal extent of oil and gas development and its implementation (e.g., application of TL stipulations). Inclusion of BMPs will minimize adverse impacts to big game resources, but there will still be mitigation requirements after minimization is applied if avoidance was not possible; BMPs can take the form of lease stipulations, operator-committed measures, or conditions of approval. When adverse impacts on big game and their habitat remain after avoidance and minimization, mitigation would be required, subject to the federal regulations governing the authorization and valid existing rights. The BLM may require compensation from oil and gas operators for certain types of residual impacts on public lands by replacing or providing substitute resources or environments, through establishment, enhancement, restoration, and/or preservation of resources.

### **I.5.3 WILDLIFE MITIGATION PLAN FOR DEVELOPMENT WITHIN BIG GAME HPH**

The BLM will require the proponent or operator to submit a WMP for oil and gas development in big game HPH to address adverse direct, indirect, and cumulative impacts of oil and gas development and associated authorizations, and to describe operating practices and other measures that will be implemented to avoid, minimize, and mitigate impacts to big game HPH and other wildlife resources. Proposed oil and gas operations on new or amended locations within big game HPH require a WMP with a description of the operating requirements. WMPs and big game HPH mitigation activities would be coordinated among the BLM, CPW, and the operator.

### **I.5.4 MITIGATION STRATEGY**

The BLM developed a Mitigation Strategy to inform the mitigation components of NEPA analyses for BLM actions and authorizations that result in habitat loss and degradation. The BLM's MS-1794 and H-

1794-I served as a framework for the Mitigation Strategy. The Mitigation Strategy applies to the field offices within BLM Colorado and includes consideration of management in border states. The mitigation strategy is a landscape-scale and fine-scale approach to mitigating impacts to resources. This involves anticipating future mitigation needs and strategically identifying mitigation sites and measures that can provide a conservation benefit to big game. The BLM will consider conditions, trends, and sites, to the greatest extent possible, when applying the mitigation hierarchy.

The BLM will include the avoidance, minimization, and mitigation recommendations from the Mitigation Strategy in the NEPA analysis for proposed implementation actions that may result in habitat loss and degradation, and BLM will include appropriate mitigation actions in its decisions.

The operator may be required to complete compensatory mitigation to offset direct and, where applicable, unavoidable adverse indirect impacts within big game HPH, unless waivers, exceptions, or modifications are granted. The BLM will ensure that compensatory mitigation is strategically implemented. The compensatory mitigation program will be implemented at a state level in collaboration with BLM's partners (e.g., federal, tribal, local and state agencies). Compensatory mitigation requirements will match the magnitude of the anticipated impacts, both in quantity/spatially (i.e., acres or equivalent measure) and temporally (i.e., mitigation will ensure benefits throughout the life of the proposed impacts) to provide maximum benefit to the impacted resources, including accounting for any uncertainty associated with the effectiveness of such mitigation. Monitoring of mitigation success and performance standards will be required and included in the WMP. Compensatory mitigation may include reclamation of existing disturbances outside of the proposed development (e.g., idled or orphaned oil and gas development, redundant travel routes, unauthorized route and recreation use, fence removal), or establishment, enhancement, and preservation of big game HPH (e.g., seeding, noxious weed control, vegetation treatment).

The operator may be required to complete compensatory mitigation to offset direct and unavoidable adverse indirect impacts. Direct impacts to big game occur from disturbance or habitat fragmentation during construction, drilling, and/or completion activities and habitat conversion to oil and gas facilities. Indirect impacts to big game occur over time from big game avoidance of disturbance and the cumulative functional habitat loss from fragmentation and modified habitat use as development density increases (See PRMP/FEIS Section 3.3.1 for further analysis of impacts on big game). Indirect impacts may be avoided or minimized through the application of alternative siting and operating requirements. The BLM, in coordination with CPW and ECMC, will determine whether compensatory mitigation proposed by the operator is sufficient to protect big game and big game HPH from unavoidable, adverse direct, indirect, and cumulative impacts. The operator will be required to complete compensatory mitigation to offset unavoidable, adverse direct, indirect, and cumulative impacts within big game HPH.

## **I.6 APPLICATION OF THE RESOURCE MANAGEMENT PLAN TO EXISTING PROJECTS**

Numerous rights and privileges have been established on BLM-administered lands under law, regulation, or implementation decisions. All BLM-administered lands and federal mineral estate in the decision area remain subject to valid existing rights and to the stipulations and conditions of approval associated with the given right at the time it was granted. This includes the right of reasonable access to surface and



subsurface parcels leased for the development of the mineral interest. Oil and gas lease stipulations in the Approved RMPA will apply to all new leases and terminated leases that are reinstated. On existing leases, the BLM will seek voluntary compliance or will develop conditions of approval for applications for permits to drill or other authorizations, consistent with valid existing rights, to achieve resource objectives of lease stipulations contained in this RMPA.

Any activity-level or project-specific authorization or management action must conform with the Approved RMPA (i.e., be specifically provided for in the RMPA or consistent with the terms, conditions, and decisions in the Approved RMPA; 43 CFR 1601.0-5(b)). Projects that require a decision to extend an existing authorization or permit may require modification to conform to the RMPA before approval. Projects for which site-specific decisions have not yet been signed, but for which preparation of NEPA documents began before the ROD's effective date, may also require modification to conform to the RMPA.

## **I.7 PUBLIC INVOLVEMENT**

### **I.7.1 PUBLIC SCOPING**

The scoping period began on July 19, 2022, with the publication of the Notice of Intent in the *Federal Register* (87 FR 43050, July 19, 2022). The scoping period ended on September 2, 2022. During the scoping period, the BLM sent over 250 notifications to known potentially interested or affected stakeholders, and held five meetings to provide the public with opportunities to become involved, to learn about the project and the planning process, and to offer comments. The scoping meetings included three in-person events (Colorado Springs, Montrose, Grand Junction) with an open house format to encourage participants to discuss concerns and questions with members of the BLM Interdisciplinary Team, and two virtual meetings. A total of 78 individuals participated in the scoping meetings.

At each of these open house-style meetings, the BLM provided a brief overview of the planning process with large poster boards displaying maps, schedule, and other information for discussion with attendees.

The BLM received 108 unique written submissions containing 519 separate comments during the public scoping period. The BLM also received 489 form submissions. The comments received during the public scoping process were analyzed, and a scoping summary report was completed in December 2022 (BLM 2022). Detailed information about the comments received and about the public outreach process can be found in the Big Game Corridors RMPA and EIS Scoping Report, finalized in December 2022 (BLM 2022). Refer to the eplanning website for more information about the scoping process and to view the Final Scoping Summary Report.

### **I.7.2 PUBLIC COMMENT ON THE DRAFT RMP/EIS**

The BLM published the Notice of Availability in the *Federal Register* on November 9, 2023 (88 FR 77350, November 9, 2023) releasing the Draft RMP Amendment/EIS and initiating a 90-day public comment period ending February 6, 2024. The BLM provided a copy of the Draft RMPA/EIS to tribal and local governments and agencies. A limited number of copies were printed. Individuals and organizations were able to download the documents from the RMPA Web site, review a paper copy at the BLM State Office, or request a thumb drive.

The BLM held five public meetings during the comment period. These public meetings were held in an in-person and virtual format to encourage participants to discuss concerns and questions with the BLM. In-person meetings were held in Durango, Craig, and Rifle, Colorado, and had a PowerPoint presentation at the beginning describing the RMPA and EIS and alternatives which was followed by an open session with various resource stations staffed with BLM resource specialists to answer questions, comments, and concerns from the public.

During the public comment period, the BLM received 746 comment submissions. The Proposed RMPA/Final EIS responded to all substantive comments on the Draft RMPA/EIS received during the 90-day comment period.

### **I.7.3 REVIEW AND PROTEST OF THE PROPOSED RMPA/FINAL EIS**

Pursuant to the BLM's planning regulations (43 CFR 1610.5-2), any person who participated in the Big Game Habitat Conservation for Oil and Gas Management in Colorado RMPA planning process and had an interest that might be adversely affected by the planning decisions could protest approval of the proposed plan. The protest period was available within 30 days from the date the US Environmental Protection Agency published the Notice of Availability in the *Federal Register* (89 FR 58749, July 19, 2024), from July 19 to August 19, 2024.

The BLM received four submissions during the protest period. One submission was not intended as a protest letter. The remaining three letters did not contain any valid protest issues because they only included comments, opinions, or observations that were not substantiated with a concise statement of why the State Director's proposed decision is believed to be wrong; issues not previously raised in the planning process; or issues not germane to the planning process. Therefore, all letters were dismissed.

After careful review of the report by the BLM's Assistant Director for Resources and Planning, the Assistant Director concluded that the BLM Colorado State Director followed the applicable laws, regulations, and policies and considered all relevant resource information and public input. The Assistant Director addressed the protest letters and issued a Protest Resolution Report to the protesting party and posted the report on the BLM's website; no changes to the Proposed RMPA/Final EIS were necessary.

### **I.7.4 GOVERNOR'S CONSISTENCY REVIEW**

In a letter dated July 18, 2024, and as required by its regulations (43 CFR 1610.3-2(e)) to promote consistency with state government plans or policies, the BLM initiated the Colorado Governor's Consistency Review for the Big Game Habitat Conservation for Oil and Gas Management in Colorado Proposed RMPA/Final EIS. The consistency review period concluded on September 17, 2024.

The Colorado Governor did not raise any consistency issues or concerns.

## **I.8 CONSULTATION AND COORDINATION**

BLM land use planning regulations (43 CFR 1610.3), FLPMA (43 US Code 1712), and regulations for implementing NEPA (40 CFR 1501.7 and 1501.8) guide the BLM in coordinating and cooperating with

other federal and state agencies, local governments, and Native American tribes during the land use planning process. This collective guidance instructs the BLM as follows:

- Stay informed of federal, state, local, and tribal plans.
- Ensure that it considers these plans in its own planning.
- Seek ways to resolve inconsistencies between such plans and BLM planning.
- Cooperate with other agencies and tribal governments in developing RMPs and NEPA analyses.

### **I.8.1 COOPERATING AGENCY COLLABORATION**

The BLM invited agency cooperation early in the RMPA process using the process outlined in 40 CFR 1501.8. A cooperating agency is any federal, state, or local government agency or Native American tribe that enters into a formal agreement with the lead federal agency to help develop an environmental analysis. More specifically, cooperating agencies “work with the BLM, sharing knowledge and resources, to achieve desired outcomes for public lands and communities within statutory and regulatory frameworks” (BLM Land Use Planning Handbook H-1601-I; BLM 2005). The primary role of cooperating agencies during the planning process is to provide input on issues for which they have a special expertise or jurisdiction.

The BLM invited a total of 64 Colorado counties as well as state, federal, and tribal representatives to participate as cooperating agencies for the Big Game Habitat Conservation for Oil and Gas Management in Colorado RMPA/EIS. The following 38 government organizations participated in the RMPA as cooperating agencies, all of which had signed memoranda of understanding with the BLM that identified the roles and responsibilities of the BLM and the cooperating agency in the planning process:

- Arapahoe County
- Archuleta County
- Chaffee County
- Delta County
- Dolores County
- Eagle County
- El Paso County
- Garfield County
- Gilpin County
- Gunnison County
- Hinsdale County
- Huerfano County
- Jackson County
- La Plata County
- Las Animas
- Mesa County
- Moffat County

- Montezuma County
- Montrose County
- Ouray County
- Pitkin County
- Rio Grande County
- Routt County
- Saguache County
- Teller County
- Colorado Department of Natural Resources and associated divisions like Colorado Energy and Carbon Management Commission and Colorado Parks and Wildlife
- Colorado Department of Transportation (CDOT)
- Colorado Department of Agriculture
- Bureau of Reclamation
- US Department of Agriculture – Natural Resources Conservation Service – Colorado
- US Fish and Wildlife Service
- US Department of Agriculture – US Forest Service

Since August 23, 2022, the BLM has conducted eleven meetings with cooperating agencies. Cooperating agencies were also encouraged to attend the scoping open houses and provide comments during the scoping period (**Section I.8.1**). These agencies have been engaged throughout the planning process, including during alternatives development. The BLM held office hours for cooperators on the draft/working range of alternatives in March of 2023.

Working through a semi-regular engagement process, the cooperators provided expertise on much of the subject matter the BLM addressed in the RMPA/EIS, as well as advice based on experience with other planning efforts. The cooperators provided feedback on public outreach sessions, data sources and analytical methods, and components of the draft alternatives. They provided oral and written feedback and ideas throughout the process of developing the Draft and Proposed RMPA/EIS.

A subset of cooperating agencies comprised a technical team of experts, including Colorado Parks and Wildlife, CDOT, Colorado Department of Natural Resources, and the U.S Fish and Wildlife Service. This technical team was formed in October of 2022 with subsequent bi-weekly meetings. The technical team provided a venue to discuss approaches to methodology to assist the BLM's preparation of the Draft RMPA/EIS. The team focused on the following topics: methods for density and disturbance, data sources for analyses, habitat conditions, and technical terminology for the EIS.

## **I.8.2 RESOURCE ADVISORY COUNCILS**

A resource advisory council (RAC) is a committee established by the Secretary of the Interior to provide advice or recommendations to BLM management (BLM Land Use Planning Handbook H-1601-1; BLM 2005a). A resource advisory council is generally composed of 15 members of the public representing different areas of expertise. The Colorado Southwest RAC, Northwest RAC, and Rocky Mountain RAC include members appointed to represent constituent BLM-administered land users and provide input on public management issues.

A coordinated effort to involve the RACs early on and throughout a planning effort ensures that the BLM will obtain and incorporate local input and advice at every stage. The BLM presented project information to the three RACs, including the Southwest RAC on September 7, 2022, and December 8, 2022; the Northwest RAC on September 14, 2022; and the Rocky Mountain RAC on August 16, 2022. Letters about the project have also been sent to individual RAC members.

### **I.8.3 FEDERALLY-RECOGNIZED TRIBES**

Federally recognized tribes have a unique relationship with the Federal Government in that they are sovereign nations and retain inherent powers of self-government. They interact with the United States on a government-to-government level. The BLM Colorado State Office initiated consultation with 38 Tribes that are identified as having interests or Traditional Cultural Properties in the RMPA planning area. The BLM formally initiated consultation with all Tribes on June 9, 2022. The Northern Cheyenne, Pueblo of Acoma, Pawnee Nation, Oglala Sioux, Southern Ute, and San Felipe Tribes accepted formal consultation. The planning team was regularly involved in coordination with the Southern Ute. A follow up letter was sent on May 18, 2023, to all Tribes to foster conversations for informed development of alternatives and issues for analysis. The BLM also invited all Tribes to be cooperating agencies for the RMPA/EIS.

Consultation is required by NEPA, the National Historic Preservation Act, and the American Indian Religious Freedom Act, among other laws and policies. The BLM is required to initiate and conduct government-to-government consultation with affected tribes as sovereign nations. When it becomes apparent that the nature and/or the location of an activity could raise tribal issues or concerns, the BLM is responsible for initiating appropriate consultation with potentially affected Native American tribes, as soon as possible, once the general outlines of the land use plan or the proposed project-specific land use decision have been determined. Government-to-government consultation has continued throughout the RMPA process to ensure that the concerns of tribal groups are considered in development of the RMPA.

The BLM has consulted with 38 Tribes throughout the planning process:

- Apache Tribe of Oklahoma
- Cheyenne & Arapaho Tribes of Oklahoma
- Comanche Nation, Oklahoma
- Crow Creek Sioux Tribe
- Eastern Shoshone Tribe
- Jicarilla Apache Nation
- Kiowa Tribe
- Navajo Nation
- Northern Arapaho Tribe
- Northern Cheyenne Tribe
- Oglala Sioux Tribe
- Ohkay Owingeh
- Pawnee Nation



- Pueblo de Cochiti
- Pueblo of Acoma
- Pueblo of Isleta
- Pueblo of Jemez
- Pueblo of Laguna
- Pueblo of Nambe
- Pueblo of Picuris
- Pueblo of Pojoaque
- Pueblo of San Felipe
- Pueblo of San Ildefonso
- Pueblo of Sandia
- Pueblo of Santa Ana
- Pueblo of Santa Clara
- Pueblo of Taos
- Pueblo of Tesuque
- Pueblo of Ysleta del Sur
- Pueblo of Zia
- Pueblo of Zuni
- Rosebud Sioux Tribe
- Santo Domingo Pueblo
- Southern Ute Indian Tribe
- Standing Rock Sioux
- The Hopi Tribe
- Ute Indian Tribe of the Uintah & Ouray Reservation
- Ute Mountain Ute Tribe

#### **I.8.4 US FISH AND WILDLIFE SERVICE SECTION 7 CONSULTATION**

The BLM coordinated with the U.S. Fish and Wildlife Service (USFWS) early in the planning process as a cooperating agency. The USFWS provided input on planning issues, data collection and review, and alternatives development. To comply with Section 7(c) of the Endangered Species Act of 1973, the BLM initiated consultation with the USFWS for the RMPA and prepared a biological assessment after public comments were received on the Draft RMPA/EIS. The BLM submitted the biological assessment to the USFWS in July 2024.

On August 19, 2024, the USFWS issued a letter for the RMPA that concurred with the BLM's conclusions that the proposed plan may affect, but is not likely to adversely affect, any listed, proposed, or candidate species or designated or proposed critical habitat. Further, the USFWS concurred that the RMPA is not likely to jeopardize the gray wolf or black-footed ferret.

### **I.8.5 STATE HISTORIC PRESERVATION OFFICE SECTION 106 CONSULTATION**

The BLM sent a letter on July 7, 2022, requesting State Historic Preservation Officer (SHPO) review of the project information and inviting cooperating agency status. SHPO declined cooperating agency status but accepted consultation with the BLM, responding that the proposed changes to land use plans comprise a federal undertaking subject to compliance with Section 106 of the National Historic Preservation Act and its implementing regulations, 36 CFR 800.

The BLM initiated Section 106 consultation for the planning effort with the Colorado State Historic Preservation Office (SHPO), in accordance with the 2019 *State Protocol Agreement between the Colorado State Director of the Bureau of Land Management and the Colorado State Historic Preservation Officer Regarding the Manner in which the BLM will meet its Responsibilities Under the National Historic Preservation Act and the 2012 National Programmatic Agreement among the BLM, the Advisory Council on Historic Preservation (ACHP), and the National Conference of State Historic Preservation Officers* in a letter dated March 1, 2023. The SHPO responded by email on April 5, 2023, stating it had no comments on the planning effort due to its “nondestructive project planning” per 36 CFR 800.1(C), concluding the Section 106 process for Colorado.

The BLM will consult with the SHPOs on future actions related to the Approved RMP Amendment.

## **I.9 APPEAL**

Implementation decisions may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR 4. The Big Game Habitat Conservation for Oil and Gas Management in Colorado Approved RMPA does not contain any implementation decisions subject to appeal.

## I.10 APPROVAL

The decision is hereby made to approve the attached Resource Management Plan Amendment for Big Game Habitat Conservation for Oil and Gas Management in Colorado. This Record of Decision serves as the final decision for the Resource Management Plan Amendment and becomes effective on the date it is signed by the BLM State Director.

### DISTRICT MANAGER RECOMMENDATION

Having considered a full range of alternatives, associated impacts, and public and agency input, I recommend the adoption and implementation of the Big Game Habitat Conservation for Oil and Gas Management in Colorado Resource Management Plan Amendment.

**GREGORY LARSON**

Digitally signed by GREGORY LARSON  
Date: 2024.10.15 10:56:00 -06'00'

Greg Larson

District Manager, BLM Colorado Upper Colorado River District

**CATHERINE COOK**

Digitally signed by CATHERINE  
COOK  
Date: 2024.10.15 11:48:32 -06'00'

Catherine Cook

District Manager, BLM Colorado Rocky Mountain District

**STEPHANIE  
MCCORMICK**

Digitally signed by STEPHANIE  
MCCORMICK  
Date: 2024.10.15 11:32:41 -06'00'

Steph McCormick

District Manager, BLM Colorado Southwest District

**JAMES MICHELS**

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Date: 2024.10.15 11:08:44 -06'00'

James Michels

District Manager, Acting, BLM Colorado Northwest District

### STATE DIRECTOR APPROVAL

In consideration of the foregoing, I approve the Big Game Habitat Conservation for Oil and Gas Management in Colorado Resource Management Plan Amendment.

**DOUGLAS VILSACK**

Digitally signed by DOUGLAS VILSACK  
Date: 2024.10.17 10:58:29 -06'00'

Doug Vilsack

BLM Colorado State Director

Date

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## **II. APPROVED RESOURCE MANAGEMENT PLAN AMENDMENT**

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## **II.1 INTRODUCTION**

The US Department of the Interior (DOI), Bureau of Land Management (BLM), Colorado State Office, prepared the Big Game Habitat Conservation for Oil and Gas Management in Colorado Resource Management Plan Amendment (RMPA). The plan amendment provides additional measures to promote big game habitat conservation. This is the Approved Resource Management Plan Amendment for the public lands administered by the BLM in Colorado.

The BLM prepared the RMPA in compliance with its planning regulations, Title 43, Code of Federal Regulations (CFR), 1600, under the authority of the Federal Land Policy and Management Act of 1976 (FLPMA). This document also meets the requirements of the National Environmental Policy Act of 1969 (NEPA), the Council on Environmental Quality (CEQ) Regulations for Implementing the NEPA (40 CFR 1500-1508), the BLM's NEPA regulations (43 CFR 46), and the BLM's NEPA Handbook, H-1790-1 (BLM 2008a).

### **II.1.1 PURPOSE OF AND NEED FOR THE RESOURCE MANAGEMENT PLAN AMENDMENT**

The purpose of this RMPA process is to evaluate alternative approaches for oil and gas planning decisions to maintain, conserve, and protect big game corridors and other big game High Priority Habitat (HPH) on BLM-administered lands and Federal mineral estate in Colorado. This RMPA/EIS establishes goals, objectives, and needs to address conflicts or issues related to oil and gas development and big game HPH. Under the authority of Section 202 of the FLPMA, the BLM also seeks to evaluate consistency with plans or policies and programs of other Federal agencies, State and local governments, and Tribes, to the extent consistent with Federal laws, regulations, policies, and programs applicable to BLM-administered lands.

This RMPA process considers current big game population and habitat data and evaluates planning alternatives' consistency with the policies and programs of State agencies that manage big game populations and regulate oil and gas operations in Colorado – Colorado Parks and Wildlife (CPW) and the Colorado Energy and Carbon Management Commission (ECMC), formerly known as the Colorado Oil and Gas Conservation Commission (COGCC). CPW manages wildlife in Colorado, and the ECMC regulates oil and gas development. Senate Bill 19-181, the Protect Public Welfare Oil and Gas Operations Act, gives the ECMC the authority to promulgate regulations that are protective of human health, safety, welfare, the environment, and wildlife resources. The ECMC 1200 series rules identify certain big game habitats where oil and gas operations are subject to specific ECMC requirements. Through consultation, CPW provides ECMC maps of big game HPH, which identify areas where measures are applied to avoid, minimize, and mitigate big game impacts. These maps are regularly updated by CPW and modified through the ECMC's rulemaking process.

This action is needed to ensure the BLM fulfills its responsibilities under FLPMA by considering current big game population and habitat data and evaluating management consistency with plans, policies, and programs of other Federal agencies, State and local governments, and Tribes, to the extent consistent with Federal laws, regulations, policies, and programs applicable to BLM-administered lands. This RMPA

process also complies with the terms of the settlement agreement in *State of Colorado v. Bureau of Land Management*, No. 1:21-cv-00129 (U.S. District Court for the District of Colorado).

Colorado's iconic big game species, including bighorn sheep, elk, mule deer, and pronghorn, are important to natural systems, hunting and wildlife viewing enthusiasts, and local economies. Some big game species and local populations, including elk and mule deer, have suffered declines in recent decades. Anthropogenic activities and development infrastructure can alter wildlife habitat use and behavior where animals may be forced to relocate from high quality habitat areas to lower quality areas, experience greater energy expenditures from frequent flight responses and increased vigilance, or shift their behaviors (e.g., foraging, reproduction, etc.) to avoid time periods of high human activity. Activities related to oil and gas development and operations may reduce the amount of habitat available to wildlife, which can lead to changes in animal physiology, reproduction, survival, and population trends. The BLM will consider alternative management approaches to minimize oil and gas disturbance to priority big game habitat and improve conservation of elk, mule deer, pronghorn, and bighorn sheep priority habitat.

## **II.1.2 LANDS IN THE PLANNING AREA AND DECISION AREA**

### **II.1.2.1 Planning Area**

The planning area includes all 64 counties in Colorado and encompasses approximately 8.3 million acres of BLM-administered surface land and approximately 27 million acres of Federal mineral estate. Federal mineral estate includes areas with federal minerals underlying federal surface land and Federal mineral split estate (federal minerals underlying surface land with nonfederal ownership [private, local, State]) (**Figure 1, Appendix A**, The Planning and Decision Areas). Approximately 6.17 million acres of big game HPH are on BLM-administered surface land in Colorado, and 15.94 million acres of big game HPH overlap Federal mineral estate and other surface ownership (**Figures 2 through 10, Appendix A**).

### **II.1.2.2 Decision Area**

The decision area includes all 8.3 million acres of BLM-administered surface land (except where Federal minerals have been withdrawn from mineral leasing) plus approximately 4.7 million acres of nonfederal surface estate with subsurface federal mineral split estate. Note that the decision area excludes National Forest System land and other federal land where the BLM does not make planning decisions about oil and gas management or other uses. For example, to lease minerals beneath surface lands administered by the Forest Service, the BLM must receive consent to lease from the Forest Service. The BLM typically applies the requirements established by other federal land managers when leasing the associated mineral estate; while such lands are within the planning area, they are outside the decision area for this RMPA.

## **II.1.3 SCOPING AND ISSUES**

As stated in the Record of Decision (ROD), the formal scoping period began with publication of the Notice of Intent in the *Federal Register* on July 19, 2022 (87 Federal Register 43050). The scoping period ended September 2, 2022.

### **II.1.3.1 Issues Addressed**

Issue identification is the first step of the BLM planning process. A planning issue is a major controversy or dispute regarding management of resources or uses on BLM-administered lands that can be addressed in a variety of ways. Based on internal and external scoping for the RMPA, the BLM



preliminarily identified 15 planning issue categories. A planning issue statement was developed for each of the planning issue categories. Each planning issue statement summarizes the related issues and concerns identified during scoping. The planning issue statements are presented in **Table II-1** (Planning Issue Statements).

**Table II-1**  
**Planning Issue Statements**

<b>Resource Category</b>	<b>Planning Issues</b>
<b>Physical Environment</b>	
Geology and Fluid Minerals	<ul style="list-style-type: none"> <li>• How would new moderate constraints (TL and controlled surface use [CSU] stipulations), and new major constraints (no surface occupancy [NSO] and areas closed to leasing [no leasing, NL]), a three percent disturbance threshold, aligning with ECMC rules (active oil and gas facility per square mile), and requirements for master development plans and wildlife mitigation plans affect oil and gas development?</li> <li>• How would geophysical exploration activities be affected under the proposed alternatives?</li> <li>• How would new stipulations, conservation measures, and development limitations affect geology?</li> <li>• How would demand for mineral materials be impacted under the proposed alternative?</li> </ul>
Air Quality	<ul style="list-style-type: none"> <li>• What are the potential impacts to air pollutant concentrations and air quality related values that could be associated with direct and indirect foreseeable resource activities including upstream, midstream and downstream oil and gas emissions sources for the baseline future scenario (No Action Alternative) compared to the action alternatives?</li> <li>• For the foreseeable future (up to 10 years), at what levels could BLM managed activities and emissions sources potentially affect vegetation and ecosystems in big game habitat areas?</li> <li>• What are the potential differences in cumulative greenhouse gas emissions levels and corresponding climate impacts (including social costs) that could be associated with direct and indirect foreseeable oil and gas emissions sources for the baseline future scenario (No Action Alternative) compared to the most restrictive alternative?</li> </ul>

Resource Category	Planning Issues
Climate	<ul style="list-style-type: none"> <li>• How do the alternatives potentially impact greenhouse gas emissions/ climate change (see Air Quality)? What are the predicted impacts to natural resources in the planning area from climate change, especially those resources critical for big game?</li> <li>• How do the alternatives contribute to landscape resiliency, given prolonged and intensifying drought conditions and riparian resources?</li> <li>• How might alternatives affect project level planning, which may interplay with natural events such as wildfire and flooding? Specifically, how can climate change, drought, and novel weather patterns be accounted for within implementation-level oil and gas management?</li> <li>• How will climate variability impact big game populations in the planning area, taking into account foreseeable trends and planned actions in the area?</li> <li>• What are the impacts across alternatives to big game habitat effectiveness when combined with forecasted impacts from climate change in 20 years?</li> <li>• How do the alternatives differ with respect to the cumulative effects of climate change when considered with non-BLM land use activities in the planning area. How does the implementation of conservation actions contribute to cumulative effects on big game and their habitats associated with climate change?</li> </ul>
Noise and Acoustic Environment	<ul style="list-style-type: none"> <li>• How does the closure of lands to fluid mineral leasing in and outside of HPH impact noise associated with drilling, completing, and operating wells or ancillary facilities?</li> </ul>
Lands and Realty	<ul style="list-style-type: none"> <li>• How would the alternatives affect land use authorizations on BLM-administered lands?</li> </ul>
Soil Resources	<ul style="list-style-type: none"> <li>• What are the impacts of big game on soil quality?</li> <li>• What are the effects to soil quality from the no action and action alternatives?</li> </ul>
<b>Biological Resources</b>	
Big Game Species and Habitat	<ul style="list-style-type: none"> <li>• What are the direct and indirect impacts to big game habitat and population trends from the alternatives related to oil and gas? What are the impacts from BLM and neighboring land use activities combined (cumulative disturbance) across alternatives and reasonably foreseeable future actions?</li> <li>• How would new stipulations, conservation measures, and development limitations affect big game species and HPH?</li> </ul>

Resource Category	Planning Issues
Special Status Species and Other Wildlife, including Terrestrial, Mammals, Fish, Aquatic Species, and Migratory Birds	<ul style="list-style-type: none"> <li>• How would fluid mineral leasing and development under the alternatives impact special status species and their habitat, including Gunnison and Greater sage-grouse, Piping Plovers, Least Terns, Bald and Golden Eagles, other raptors, and other special status birds?</li> <li>• How do alternatives contribute to access and conservation goals and objectives for fish and wildlife habitat, and hunting and fishing opportunities?</li> <li>• What are the impacts towards efforts to stabilize and/or recover other species that are declining and may have conflicts with other management objectives on BLM lands? How are these effects different across alternatives?</li> <li>• How do big game populations and HPH contribute to habitat for aquatic species and fish populations?</li> </ul>
Vegetation	<ul style="list-style-type: none"> <li>• What is the impact to affected vegetation from the alternatives, including potential limitations from oil and gas development?</li> <li>• How do the alternatives contribute to achieving vegetation objectives as it pertains to habitat effectiveness for big game on these vegetation communities?</li> <li>• How would vegetation management intended for wildlife habitat improvement adversely alter lands with potential wilderness character?</li> <li>• How might vegetation be affected in terms of alteration or increase of forage or water supplies for livestock?</li> </ul>
<b>Social and Economic Systems</b>	
Native American Religious Concerns	<ul style="list-style-type: none"> <li>• How would each alternative's management of oil and gas affect Native American Tribes' access to sacred sites and traditional gathering areas?</li> </ul>
Cultural and Paleontological Resources	<ul style="list-style-type: none"> <li>• How would each alternative affect cultural and paleontological resources across the planning area? Where and how will potential oil and gas development limitations affect cultural resources?</li> <li>• What impact do big game populations have on cultural resources on BLM land in Colorado?</li> </ul>
Socioeconomics and Environmental Justice	<ul style="list-style-type: none"> <li>• What is the economic impact associated with potentially decreased levels of oil and gas development?</li> <li>• How will protection of big game HPH influence management of energy resources and social and economic values?</li> <li>• How will BLM's management decisions affect the values people and communities enjoy from public lands in the planning area?</li> <li>• Do any of the alternatives disproportionately and adversely impact minority, low income, or Tribal populations?</li> </ul>
Recreation	<ul style="list-style-type: none"> <li>• How would changing the eligibility of lands for oil and gas leasing change recreation opportunities and experiences?</li> </ul>
Travel and Transportation	<ul style="list-style-type: none"> <li>• How would open and closed fluid mineral leasing areas impact OHV routes and OHV areas with use restrictions?</li> </ul>
Visual Resources	<ul style="list-style-type: none"> <li>• How would changing the eligibility of lands for oil and gas leasing affect visual resources?</li> </ul>

Resource Category	Planning Issues
Lands and Realty	<ul style="list-style-type: none"> <li>• How would the alternatives affect land use authorizations on BLM-administered land?</li> </ul>

### II.1.3.2 Issues Considered but Not Further Analyzed

Consistent with the purpose of this action, issues in this RMPA/EIS are those that address impacts from oil and gas exploration, development, and production activities in Colorado on big game HPH, and the cumulative effect together with other resource uses within the Planning Area. Scoping comments included several concerns regarding issues that would not be addressed in the RMPA, including administrative/policy issues, implementation issues, issues outside the scope of the RMPA because they are not consistent with the purpose and need for the action, and issues already addressed through other BLM activities. The Scoping Summary Report (BLM 2022a) provides more detail on these issues. Examples of issues or topics considered but not further analyzed in this RMPA/EIS include, but are not limited to:

- Activities and uses beyond the jurisdiction of the BLM.
- Changing existing laws, policies, and regulations.
- Designation of new special management areas, such as Areas of Critical Environmental Concern.
- Change of grazing allotments or forage allocations.
- Change of wild horse and burro management levels.
- Revision to allowable uses or management actions for resources not related to oil and gas activities (e.g., travel management decisions).
- Considering alternative energy sources (wind and solar energy) as substitutes for activities related to oil and gas development.
- Decisions for species other than bighorn sheep, elk, mule deer, and pronghorn.

### II.1.4 PLANNING CRITERIA

Planning criteria are the standards, rules, and guidelines that help data collection and alternatives formulation and selection in the RMPA development process. In conjunction with the planning issues, planning criteria ensure that the planning process is focused. The criteria also help guide the final plan selection and provide a basis for considering potential impacts of the planning options. The BLM developed preliminary planning criteria before public scoping meetings to set the sideboards for focused planning of the RMPA and guide decision making by topic. These criteria were introduced to the public for review in July 2022 and at all scoping meetings. The public was encouraged to comment on, and suggest additions to, these criteria at the meetings, through written correspondence, and at the project eplanning website. The planning criteria are:

- The RMPA and associated environmental analysis will be completed in compliance with FLPMA, NEPA, and other Federal laws, Executive Orders, regulations, and management policies of the BLM;
- All existing land use plan decisions that are not affected by the amendment will remain in effect after issuance of the Record of Decision;

- The RMPA is limited to land use planning decisions specific to oil and gas management as they relate to the conservation of big game species including mule deer, elk, pronghorn, and bighorn sheep, and their HPHs. These important habitats include migration and movement corridors, production areas, severe winter range, winter concentration areas, and winter range, depending on the species;
- The BLM will consider the adequacy of big game conservation measures in existing land use plans;
- The analysis in the EIS for the RMPA will consider the effects of the alternatives together with the effects of past and reasonably foreseeable disturbance to big game habitat;
- The BLM will strive for consistency with plans or policies and programs of other Federal agencies, State and Local governments, and Tribes, to the extent those plans, policies, and programs are consistent with the Federal laws, regulations, policies, and programs applicable to public lands;
- The BLM will endeavor to use current scientific information (including inventory and monitoring data) and technologies to determine appropriate management strategies to protect and conserve big game HPH;
- Lands within the decision area for the RMPA will be BLM-managed public lands and split-estate lands (federal minerals underlying surface land with non-federal ownership [private, local, State]); and
- The RMPA will not diminish valid existing rights.

Additional planning criteria suggested in public scoping comments included use of best available science, implementation of mitigation hierarchy, site-specific planning to better address issues on a smaller scale, and alignment with local and state regulations.

### **II.1.5 PLANNING PROCESS**

The BLM's planning process is guided by its planning regulations in 43 CFR 1600, the CEQ regulations implementing the NEPA, 40 CFR 1500-1508, and the Department's NEPA regulations, 43 CFR 46.

In accordance with FLPMA, the BLM develops RMPs, which prescribe the allocation of BLM-administered lands and resources for various uses, along with general future management. The RMP also guides implementation activities, such as site-specific projects and daily operations. Implementation decisions, such as fluid mineral leasing and authorization of subsequent development activities, may require site-specific NEPA analysis of the likely effects of the proposal and potential mitigation.

Title II, Section 202, of FLPMA directs the BLM to coordinate planning efforts with Native American tribes, other federal departments, and agencies of the state and local governments as part of its land use planning process. The BLM is also directed to integrate NEPA requirements with other environmental review and consultation requirements, and to reduce paperwork and delays (40 CFR 1500.4-5). The BLM coordinated with Native American tribes and other agencies through ongoing communications, meetings, and collaboration with an interdisciplinary team of BLM specialists and federal, state, and local agencies.

### II.1.6 RELATED PLANS

The BLM considered federal, state, local, and tribal plans that are germane to the development of the RMPA/EIS. The BLM worked closely with federal, state, local, and tribal governments during preparation of the RMPA/EIS. A list of all plans BLM considered can be found in Section 1.8 of the Proposed RMPA/Final EIS. Chapter 5 of the Proposed RMPA/Final EIS describes coordination that has occurred throughout the development of the RMPA.

### II.1.7 POLICY

This RMPA is consistent with and incorporates requirements identified in various laws, regulations, and policies. These include executive orders, legislative designations, and court settlements and rulings. The policies and decisions that existed before this RMPA are outside its scope; however, they have influenced the decisions and constrained the alternatives and are needed to understand management of the decision area.

## II.2 MANAGEMENT DECISIONS

This section of the Approved RMPA presents the goals, objectives, management actions, allowable uses, and stipulations established for BLM-administered lands and federal mineral estate in the Decision Area.

Decisions are presented in **Table II-3**, and each is numbered, for ease of identification. The numbering sequences for the decisions are by program, which for this RMPA is limited to oil and gas and lands and realty, abbreviated as “O&G” and “L&R,” respectively. Each decision in that program is numbered in coordination with the program abbreviation, type of decision (**Table II-2**), and decision number.

**Table II-2**  
**RMP Types of Decisions and Abbreviations**

<b>Type of Decision</b>	<b>Abbreviation</b>
Goal	GOAL
Sub-Goal	SUBGOAL
Objective	OBJ
Management action	MA
Allowable use (stipulation)	AU
Lease notice	LN

An example is as follows:

- O&G-GOAL-01: First oil and gas program goal
  - O&G-OBJ-01: First oil and gas program objective
    - O&G-MA-01: First oil and gas program management action decision
    - O&G-MA-02: Second oil and gas program management action decision

All acreages and maps presented in the Approved RMPA are estimations, based on current data. Calculations depend on the quality and availability of data, and most calculations in this RMPA are rounded to the nearest 1,000 acres. Given the scale of the analysis, the compatibility constraints

between datasets, and lack of data for some resources, all calculations are approximate; they are for comparison and analytic purposes only. Likewise, the figures in **Appendix A** are provided for illustrative purposes and subject to the limitations discussed above. Updating these data is considered plan maintenance, which will occur over time as the Approved RMPA is implemented.

Maps depicting resource information and stipulations applicable to surface-disturbing activities in the Approved RMPA are provided in **Appendix A**. **Appendices B and C** contain supporting information for decisions outlined in the Approved RMPA. Supporting appendices are as follows:

Appendix A	Figures
Appendix B	Stipulations Applicable to Oil and Gas Leasing, Exploration, and Development with Exception, Modification, and Waiver Criteria
Appendix C	Implementation Guidance for Oil and Gas Permitting in Big Game High Priority Habitat

**Table II-3**  
**Approved RMP Amendment Decisions**

IDENTIFIER	DECISION
-	<b>Fluid Minerals – Oil and Gas Goals and Objectives</b>
O&G-GOAL-01	<b>GOAL</b> – Conserve, protect, and maintain high priority habitat (HPH), permeability, and connectivity on a landscape scale for the following species: elk, mule deer, pronghorn, and bighorn sheep (herein referred as “big game”), through avoidance and minimization of conflicts between these species and the BLM’s management of oil and gas activities to provide for multiple use of BLM-administered lands and minerals, subject to appropriate BLM policies, laws, and regulations.
O&G-SUBGOAL-01	<b>SUB-GOAL</b> – HPH Effectiveness and Connectivity: Establish, enhance, and maintain big game HPH, forage conditions, and ecosystem integrity on BLM-administered lands and minerals in Colorado to support quality habitat, connectivity, and resilient landscape for big game through management of activities to avoid, minimize, and mitigate oil and gas disturbance where effective for big game habitat conservation efforts.
O&G-SUBGOAL-02	<b>SUB-GOAL</b> – Big Game Movement and Migration: Manage oil and gas resources to allow for big game migratory movements and habitat permeability in consideration of changing environmental and climatic conditions, while minimizing the impacts to big game using adjacent lands with lesser habitat quality.
O&G-SUBGOAL-03	<b>SUB-GOAL</b> – Sustainable Big Game Populations: Provide and protect conditions necessary to sustain big game populations at levels commensurate with multiple use objectives and state-established herd management plans and population objectives by managing for effective conservation of big game HPH and species across BLM-administered lands and minerals in Colorado through response to site-specific conditions to conserve the land to sustain populations, where practical.
O&G-GOAL-02	<b>GOAL</b> – Oil and Gas Development: Make federal oil and gas fluid mineral resources available for economically and environmentally responsible exploration and leasing, except where prohibited by law or where administrative action is justified in the national interest, while conserving big game habitat through management of oil and gas activities that can have direct, indirect, and cumulative effects on or otherwise impair the function of big game HPH.
O&G-OBJ-01	<b>OBJECTIVE:</b> Minimize impacts of new oil and gas leasing and development within big game HPH on BLM land and mineral estate (decision area). Additionally, consider and avoid indirect impacts from BLM management actions that may push new oil and gas leasing and development onto big game HPH on non-BLM lands and minerals, to the extent practicable.



IDENTIFIER	DECISION
O&G-OBJ-02	<p><b>OBJECTIVE:</b> Where fluid mineral development projects on existing leases could adversely affect big game HPH, migration, movement, or populations, the BLM will work with the lessees, operators, or other project proponents to avoid, minimize, or mitigate impacts to the extent compatible with valid existing rights. When authorizing development of oil and gas mineral resources, consider current scientific knowledge of impacts and implement the following hierarchy:</p> <ul style="list-style-type: none"> <li>(1) If feasible and as subject to applicable stipulations, avoid disturbance from oil and gas development within big game HPH. Eliminate conflicts by relocating disturbance activities outside of big game HPH to avoid disturbance within big game HPH.</li> <li>(2) If unable to avoid disturbance within big game HPH, minimize adverse direct, indirect, or cumulative impacts to big game HPH, movement, or populations. Since impacts are not avoidable, the adverse effects will need to be both minimized and mitigated. Impacts will be minimized by modifying proposed actions and/ or developing oil and gas authorization conditions to include measures that lessen the adverse effects to big game and their habitat. Minimization does not preclude the need for mitigation of disturbance.</li> <li>(3) If a proposed fluid mineral development project may adversely affect or have unavoidable impacts to big game HPH, mitigate the impacts. If impacts are not avoidable, after required minimization measures are specified, residual adverse effects on HPH will be offset through mitigation actions that result in replacement or enhancement of big game HPH to balance the loss of habitat (spatially and temporally) from the disturbance activity through compensatory mitigation.</li> </ul> <p>The BLM will work with the lessees, operators, or other project proponents to avoid, minimize, and mitigate adverse impacts to the extent compatible with lessees' rights to drill and produce federal fluid mineral resources. The implementation of these priorities will be subject to valid existing rights and any applicable law or regulation, including, but not limited to, 30 U.S.C. 226(p) and 43 CFR 3162.3-1(h). The BLM will work with the lessee, operator, or project proponent in developing an Application for Permit to Drill (APD) for the lease to avoid, minimize, and mitigate impacts to big game HPH.</p>
O&G-OBJ-03	<p><b>OBJECTIVE:</b> Implement an effective compensatory mitigation program consistent with state regulation and policy that compensates for adverse direct, indirect, and cumulative impacts to big game HPH at multiple scales, including the landscape scale, caused by the authorization of oil and gas development activities where cumulative disturbances from land uses on BLM-managed lands and minerals may impede migration or otherwise impair the function of big game HPH. The compensatory mitigation program should provide ample financial resources to offset functional habitat loss and result in conservation benefit to the species, consistent with BLM's Manual Section (MS-1794) and Handbook (H-1794-1).</p>
O&G-OBJ-04	<p><b>OBJECTIVE:</b> Protect big game HPH from BLM-managed oil and gas related disturbance to minimize impacts that degrade big game HPH or impede big game migration and movement, and support sustainable populations through limits on route/infrastructure densities and seasonal use restrictions in big game HPH. Minimization may also be accomplished through site-specific design features, such as reducing the disturbance footprint and co-location of facilities.</p>

IDENTIFIER	DECISION
O&G-OBJ-05	<b>OBJECTIVE:</b> Where feasible and appropriate, co-locate, consolidate, and cluster oil and gas development to minimize impacts to big game HPH. When co-location and clustering are not feasible or appropriate, strive for low density oil and gas development within big game HPH.
O&G-OBJ-06	<b>OBJECTIVE:</b> Co-locate, consolidate, and cluster localized disturbances as much as feasible and appropriate to maintain and conserve intact, connected big game HPH.
O&G-OBJ-07	<b>OBJECTIVE:</b> Facilitate exploration and development of oil and gas resources using the best available technology to minimize impacts of oil and gas activities on big game HPH. Enforce operational procedures that minimize exposure of big game to disturbance and risk.
O&G-OBJ-08	<b>OBJECTIVE:</b> Manage oil and gas activities in a manner consistent with applicable local, state, tribal, and federal laws, regulations, standards, and implementation plans.
O&G-GOAL-03	<b>GOAL – Cooperation, Coordination, and Collaboration:</b> Promote big game conservation stewardship among oil and gas operators and collaborate with agencies to foster maintenance and/or enhancement of big game HPH. Manage oil and gas resources in coordination with adjacent land management agencies, governments, CPW, Colorado Department of Transportation (CDOT), and landowners to benefit big game and their habitat (which can cross land jurisdictions). Establish partnerships with cooperating entities to develop and adapt best management practices (BMPs) in response to site-specific conditions and other resource objectives.
O&G-GOAL-04	<b>GOAL – Consistency:</b> Evaluate Federal, state, local, and Tribal plans and objectives for big game, oil and gas fluid minerals, and related issues and resources of those plans and objectives. Consider conservation and development actions consistent with local, state, federal, and Tribal management plans and policies, where possible.
O&G-OBJ-09	<b>OBJECTIVE:</b> In big game HPH or areas that may adversely impact HPH, coordinate with CPW and apply best available science on the level and type of disturbance that big game can tolerate in their various seasonal ranges. Keep apprised of the growing body of best available science, literature, and data as it relates to big game movement and habitat in Colorado. Include annual coordination meeting between BLM and CPW staff to help achieve this goal and objective.

IDENTIFIER	DECISION
O&G-OBJ-10	<p><b>OBJECTIVE:</b> Consider the following opportunities in cooperation and collaboration with the State of Colorado and its agencies, other agencies, local governments, private landowners, project proponents, Tribes, partners, and/or other stakeholders:</p> <ul style="list-style-type: none"> <li>• Ensure the best information about big game and their habitat informs and helps guide development of federal leases.</li> <li>• Coordinate early on site-specific projects during the design phase to avoid and minimize impact to big game habitats and populations of local importance.</li> <li>• Facilitate timely and successful completion of implementation actions.</li> <li>• Develop any necessary resource protections or site-specific conservation strategies for oil and gas to meet goals and comply with this plan.</li> <li>• Evaluate existing resource conditions, impacts, and desired uses of the land.</li> <li>• Establish partnerships with cooperating entities to develop and adapt BMPs in response to site-specific conditions and other resource objectives.</li> <li>• Explore and prioritize methods and projects for mitigation within the approved strategy and hierarchy, including options for compensatory mitigation.</li> <li>• Enhance cooperative monitoring efforts.</li> </ul>
O&G-OBJ-11	<p><b>OBJECTIVE:</b> With the BLM, CPW, and project proponents/leaseholders, collaboratively assess as early as possible long-term impacts to the functionality of big game HPH from potential full lease development. This proactive approach will provide opportunities to adapt management across the landscape in response to changing needs and conditions. This may include identification of key development avoidance areas or areas where centralized or intensive development may be least detrimental on the landscape.</p>
O&G-GOAL-05	<p><b>GOAL –</b> Consider best available science and adaptively manage BLM’s oil and gas leasing and development decisions to incorporate new information and account for future conditions.</p>
O&G-OBJ-12	<p><b>OBJECTIVE:</b> Consider avoidance, minimization, and mitigation measures of this plan in relation to future best available information, including future prioritization efforts for big game habitat and movement.</p>
O&G-OBJ-13	<p><b>OBJECTIVE:</b> Identify BLM-managed lands and minerals adjacent to federal and state highways that have been identified as priority highway wildlife crossing locations by CPW and CDOT (West &amp; East Slope Prioritization Studies). Work with CPW, CDOT, and local governments to develop crossing location conservation plans for BLM-managed lands and minerals adjacent to priority wildlife crossing locations that identify conservation threats, necessary management actions, and habitat improvement needs to maximize the efficacy of proposed wildlife crossing locations to maintain migratory movements for big game species at these locations.</p>

IDENTIFIER	DECISION
O&G-OBJ-14	<p><b>OBJECTIVE:</b> During each 5-year period following RMPA approval, identify, reclaim, or enhance acres of big game HPH statewide. Priority treatment areas should include (but are not limited to) aspen stands, riparian areas, winter range, and migration/connectivity areas. Actions to help accomplish this objective in relation to and as mitigation for oil and gas development may include:</p> <ul style="list-style-type: none"> <li>• Improving wildlife movement or habitat connectivity by modifying or removing unneeded structures (roads, trails, fences, well pads, etc.),</li> <li>• Eliminating redundant routes, converting mode of travel for specific routes, or realigning routes into less impactful settings,</li> <li>• Utilizing seasonal area or route closures within big game HPH,</li> <li>• Implementing vegetation management practices that maintain or enhance connectivity and forage production (e.g., fire treatment, timber harvest).</li> </ul>
O&G-OBJ-15	<p><b>OBJECTIVE:</b> Facilitate environmentally sound exploration and development of fluid minerals. Consistent with CPW recommendations adopted in ECMC rules to avoid, minimize, and mitigate impacts to wildlife from land use development in Colorado, apply stipulations in HPH for elk, mule deer, pronghorn, and bighorn sheep to limit disturbance from oil and gas activities on BLM-administered lands and minerals.</p> <p>Methods of implementation of the allowable uses and allocations implementing this objective shall be similar to the ECMC 1200 series process. BLM will conduct an onsite, assess resource conditions at the site and project-level density determination, consider alternative locations, review pad, road, pipeline and other ancillary facility alignments for means to avoid, minimize, and if necessary, mitigate unavoidable residual adverse impacts from proposed oil and gas developments.</p>
O&G-OBJ-16	<p><b>OBJECTIVE:</b> Apply a stipulation in areas containing big game pinch points. See below “Allowable Uses and Allocations.”</p>
O&G-OBJ-17	<p><b>OBJECTIVE:</b> Reclamation plans are a requirement of BLM and ECMC permit applications. Plans will be designed to minimize disturbance and will require interim and final reclamation standards to promote successful reclamation of sensitive big game habitats and migration corridors.</p>
O&G-OBJ-18	<p><b>OBJECTIVE:</b> In all oil and gas development plans, big game mitigation and protection plans, consider the following:</p> <ul style="list-style-type: none"> <li>• Protection of undisturbed habitat essential to maintaining healthy big game populations.</li> <li>• Arrangement and configuration of disturbances and timing or phasing of development.</li> <li>• Direct, indirect, and cumulative big game HPH loss and disturbance.</li> </ul>
O&G-OBJ-19	<p><b>OBJECTIVE:</b></p> <p>During the site-specific analysis at the programmatic or permitting stage, use the best available science and cumulative disturbance assessment tools regarding the effects of route and facility density on local wildlife habitat to inform project design. Route density, use, and maintenance level information of oil and gas access roads may inform mitigation plans.</p>

IDENTIFIER	DECISION
-	<b>Unleased Oil and Gas Fluid Minerals – Allocations, Allowable Uses, and Management Actions</b>
O&G-AU-01	<b>ALLOWABLE USE:</b> In big game HPH, new oil and gas leases may be offered consistent with and subject to the leasing stipulations. If the lease is partially or entirely within big game HPH areas, subject to topographic and other environmental constraints, any development within big game HPH will be required to be placed in an area that avoids or minimizes impacts to big game habitat to the extent possible, in coordination with CPW, while allowing full development of the lease.
O&G-AU-02	<b>ALLOWABLE USE: STIPULATION NSO:</b> Prohibit surface occupancy and use and apply restrictions within bighorn sheep production areas. Exceptions may be authorized and may include special design, construction, and implementation measures, including relocation of proposed facilities and operations by more than 200 meters (656 feet).  See <b>Appendix B</b> for full stipulation language, including waivers, exceptions, and modifications (WEMs).
O&G-AU-03	<b>ALLOWABLE USE: STIPULATION NSO:</b> Prohibit surface occupancy and use within 0.5 mile of identified highway crossing pinch point areas. Prohibit surface occupancy on CPW-identified big game non-highway crossing pinch point areas as mapped. Apply NSO restrictions to CPW-identified pinch points, both 0.5-mile of highway crossings and as mapped to non-highway crossings ( <b>Figure 3 I, Appendix A, Pinch Points</b> ). Exceptions may be authorized and may include special design, construction, and implementation measures, including relocation of proposed facilities and operations by more than 200 meters (656 feet).  See <b>Appendix B</b> for full stipulation language, including waivers, exceptions, and modifications.
O&G-AU-04	<b>ALLOWABLE USE: STIPULATION CSU:</b> Surface occupancy and use may be restricted within big game HPH. Authorization of new oil and gas facility locations within big game HPH will be avoided when the oil and gas location density exceeds one active oil and gas location per square mile or contributes to an increased density beyond one active oil and gas location per square mile. In addition, a BLM- and CPW-approved Wildlife Mitigation Plan (WMP) will be required and implemented for new oil and gas facility locations within big game HPH. The WMP will address direct and indirect functional habitat loss, including consideration of the impacts of both oil and gas facilities and new oil and gas routes, and offset the unavoidable adverse impacts to the affected big game habitat.  See <b>Appendix B</b> for full stipulation language, lease notice language, and waivers, exceptions, and modifications to this stipulation.  See <b>Appendix C</b> for methods to guide density determinations and implementation of this CSU at the permitting level.

IDENTIFIER	DECISION
O&G-AU-05	<p><b>ALLOWABLE USE: STIPULATION TL:</b> Prohibit surface use and surface-disturbing and disruptive activities during the following time period(s) in the identified big game HPH:</p> <ul style="list-style-type: none"> <li>• Elk and mule deer severe winter range and winter concentration areas - December 1 to April 30;</li> <li>• Pronghorn winter concentration areas - January 1 to April 30;</li> <li>• Bighorn sheep winter range - November 1 to April 30;</li> <li>• Bighorn sheep production areas - Rocky Mtn April 15 - June 30, Desert February 1 to May 1;</li> <li>• Elk production (calving) areas - May 15 to June 30.</li> </ul> <p>See <b>Appendix B</b> for full stipulation language, including waivers, exceptions, and modifications. Management activities and access should be limited or avoided in big game HPH. Timing limitation periods may be reduced based on coordination with CPW (e.g., mild winters, late hunting seasons, etc.).</p>
O&G-LN-01	<p><b>ALLOWABLE USE – LEASE NOTICE (LN):</b> This lease overlaps with CPW-mapped big game HPH and requires a WMP. CPW recommends a surface density limitation of less than one linear mile of routes per square mile (640 acres). The lessee or their designated operator shall consult with the BLM prior to seeking approval for an APD or surface disturbance, whichever occurs first, to discuss BMPs and potential habitat mitigation requirements. The lessee or their designated operator shall work with the BLM and coordinate with CPW to take reasonable measures to avoid, minimize, and/or mitigate impacts to big game habitat functionality. The BLM will encourage the use of Master Development Plans or agreements for operations proposed on this lease.</p>
O&G-LN-02	<p><b>ALLOWABLE USE – LEASE NOTICE (LN):</b> The lease area is located within big game HPH or currently under big game HPH review by the State of Colorado and requires a WMP. The lessee or their designated operator shall work with the BLM and coordinate with CPW to take reasonable measures to avoid, minimize, and/or mitigate impacts to big game habitat functionality. Big game habitats are mapped in land use plans, BLM's GIS database, or other maps provided by local, state, federal or tribal agencies that are analyzed and may be incorporated by the BLM in future RMP amendments or maintenance actions. The BLM will encourage the use of Master Development Plans or agreements for operations proposed on this lease.</p>
O&G-MA-01	<p><b>MANAGEMENT ACTION – RECLAMATION - Guideline:</b> Reclamation plans are a requirement of BLM and ECMC permit applications. Plans will be designed to minimize disturbance and will require interim and final reclamation standards to promote successful reclamation of sensitive big game habitats and migration corridors. Reclamation standards will be maintained per existing RMPs.</p>

IDENTIFIER	DECISION
O&G-MA-02	<b>MANAGEMENT ACTION:</b> New oil and gas locations in big game HPH require a BLM and CPW-approved WMP or other BLM-approved conservation plan and compensatory mitigation plan consistent with state oil and gas regulations. This may include special design, construction, and implementation measures, including relocation of operations by more than 200 meters (656 feet). Measures included in the Surface Use Plan of Operations may include, but are not limited to, limitations to surface disturbance density through efficient planning of facilities, roads, and well locations; minimization of routine truck traffic associated with well/facility visits through use of remote sensing/control and pipelines to transport liquids; avoidance of visits during certain hours during the winter season; and limitations on noise.
O&G-AU-06	<b>ALLOWABLE USE:</b> Allow for the use of conservation measures not identified in this document following analysis in a site-specific NEPA document (see <i>Yates Petroleum Corp.</i> , 176 IBLA 144, 160 (2008) and <i>William P. Maycock</i> , 177 IBLA 1, 26 (2009); 43 C.F.R. 3101.1-2).
	<b>Leased Federal Oil and Gas – BLM Surface – Allocations, Allowable Uses, and Management Actions</b>
O&G-MA-03	<b>MANAGEMENT ACTION:</b> Apply Conditions of Approval (COAs) to operational approvals (e.g., APDs) as determined necessary by the authorized officer to protect other resources and values within the terms, conditions and stipulations of the lease contract. Within big game HPH on leased federal fluid mineral estate, apply these COAs when approving APDs, consistent with applicable law and lease terms.  See <b>Appendix B</b> for examples of COAs.
O&G-MA-04	<b>MANAGEMENT ACTION:</b> When authorizing development of oil and gas fluid mineral resources in big game HPH, work with the operator to avoid or minimize impacts to HPH, such as locating facilities outside HPH areas first.

IDENTIFIER	DECISION
O&G-MA-05	<p><b>MANAGEMENT ACTION:</b> In big game HPH areas, when evaluating an APD on an existing lease, ensure that operators avoid, minimize, and mitigate surface disturbances and disruptive activities consistent with the rights granted in the lease. Selection and application of these measures shall be based on current science and research on the effects to big game seasonal habitats and movement.</p> <p>For proposed operations in big game HPH, the Surface Use Plan of Operations (see 43 CFR 3162.3-1(f)) shall address, at a minimum, the road and drill pad location, details of pad construction, methods for containment and disposal of waste material, plans for surface reclamation, and other pertinent data. Data pertinent for evaluating potential impacts to big game, may include, but are not necessarily limited to, the anticipated noise, amount of disturbance, mechanical movement (e.g., pump jacks), permanent and temporary facilities, ancillary pads, pipelines, powerlines, traffic, phases of development over time, offsite mitigation, and expected periods of use associated with the proposed project. Seasonal habitats or project features related to potential big game impacts that are not addressed in the Surface Use Plan of Operations based on site-specific or project-specific considerations will be analyzed through an environmental assessment for the proposed action. The BLM will work with project proponents in these situations to promote measurable big game objectives such as, but not limited to, consolidation of project related infrastructure to reduce habitat fragmentation and loss and to promote effective conservation of big game HPH and connectivity areas that support population management objectives set by the State. In cases where federal oil and gas leases have been issued with stipulations varying from this approved RMPA for the conservation of big game, their inclusion as permit COAs will be considered when approving oil and gas exploration and development activities through completion of the environmental record of review (43 CFR 3162.5 and 36 CFR 228.108), including appropriate documentation of compliance with NEPA.</p>
O&G-MA-06	<p><b>MANAGEMENT ACTION - Guideline:</b> On existing leases, operators should be encouraged to reduce disturbance within big game HPH. At the time of approval of the Surface Use Plan of Operation portion of the APD, voluntary operator-committed measures or COAs should be included to reduce disturbance to big game and their habitat, where appropriate and feasible and consistent with the rights granted to the lessee.</p>
O&G-MA-07	<p><b>MANAGEMENT ACTION:</b> In big game HPH, when wells are successfully plugged and abandoned and/or facilities are decommissioned and removed from a site, require reclamation measures to ensure short-term ecological stability and functionality and to meet long-term big game HPH objectives as COAs to either the Notice of Intent to Abandon or Subsequent Report to Plug and Abandon.</p>
O&G-MA-08	<p><b>MANAGEMENT ACTION:</b> Locate compressor stations on portions of a lease that are non-HPH and where there will be no direct, indirect, or cumulative effects on big game or big game HPH. If this is not possible, work with the operator to use mufflers, sound insulation, or other design features to reduce noise and light.</p> <p>In big game HPH, place infrastructure in already disturbed locations to the extent feasible.</p>



IDENTIFIER	DECISION
O&G-MA-09	<b>MANAGEMENT ACTION – Guideline:</b> On existing leases in big game HPH, when surface occupancy cannot be restricted due to valid existing rights or development requirements, when feasible limit disturbance and surface occupancy to areas that avoid or minimize impacts to big game HPH to the extent possible, in coordination with CPW, while allowing full development of the lease.
O&G-MA-10	<b>MANAGEMENT ACTION:</b> Encourage use of multi-well pad locations and directional and horizontal drilling to reduce surface disturbance.
O&G-MA-11	<b>MANAGEMENT ACTION:</b> Implement existing Master Development Plans within the Decision Area.
-	<b>Leased Federal Oil and Gas – Split Estate – Management Actions</b>
O&G-MA-12	<b>MANAGEMENT ACTION:</b> Where the federal government owns the mineral estate and the surface is under nonfederal ownership (e.g., state, local, or private land surface ownership) (“split estate”), the same COAs, conservation measures and design features that are applicable to the development of federal mineral estate under BLM-administered surface lands within big game HPH will apply to the maximum extent permissible under existing authorities and consistent with lease terms, in coordination with the mineral lessee and surface owner.
-	<b>Exceptions to Lease Stipulations - Leased and Unleased Oil and Gas Fluid Mineral Estate</b>
O&G-AU-07	<p><b>ALLOWABLE USE: Unleased - WEMs:</b> Allow oil and gas leasing consistent and subject to the leasing stipulations and density restrictions. Allow for Exceptions, Waivers, and Modifications in big game HPH by the Authorized Officer.</p> <p>The Authorized Officer may grant an exception to an oil and gas lease stipulation where the oil and gas facility density already exceeds the stipulation threshold.</p> <p>The Authorized Officer, in consultation with CPW, may grant an exception to an oil and gas lease stipulation where the proposed action:</p> <ul style="list-style-type: none"> <li>• Will have negligible or nominal direct, indirect, or cumulative effects on big game HPH;</li> <li>• Is an alternative to a similar action on a nearby parcel with greater overall adverse impacts to big game HPH or species of higher conservation concern (e.g., ESA listed species, BLM sensitive species);</li> <li>• Where the oil and gas location density exceeds one active oil and gas location per square mile, the BLM in consultation with CPW, may require additional compensatory mitigation to offset the adverse impacts associated with high intensity activities (e.g., construction, drilling, and completions) that provides conservation benefits sufficient to offset the residual direct and indirect impacts to big game HPH caused by the proposed oil and gas activities.</li> </ul> <p>Such an exception, modification, or waiver will not be granted unless the BLM, in consultation with CPW, finds that the proposed action satisfies the above. Such finding shall initially be made by a team of one field biologist or other expert from each respective agency. In the event the initial finding is not unanimous, the finding may be elevated to the appropriate senior official for final resolution. In the event their finding is not unanimous, the exception will not be granted.</p>

IDENTIFIER	DECISION
O&G-AU-08	<b>ALLOWABLE USE:</b> The WEMs associated with each stipulation in this document apply to new oil and gas fluid mineral leases and lease reinstatements on public lands.
-	<b>Lands and Realty Management Actions Associated with Oil and Gas Fluid Minerals Infrastructure/Associated Facilities</b>
L&R-AU-01	<p><b>ALLOWABLE USE:</b> Apply stipulations (NSO/CSU/TL) as Terms and Conditions to new oil and gas-associated authorizations and rights of way (ROWs) (e.g., roads, pipelines, and ancillary facilities). When in big game HPH, apply terms and conditions to oil and gas land use authorizations to ensure development and operation of oil and gas occurs in an environmentally responsible manner.</p> <p>See <b>Appendix B</b> (Stipulations) for full language, including waivers, exceptions, and modifications to be applied as ROW Terms and Conditions. All applicable individual NSOs, CSUs, and TLs will be applied as Terms and Conditions to ensure adequate big game HPH protections are in place and fully considered if a WEM is requested.</p>
L&R-AU-02	<p><b>ALLOWABLE USE:</b> Areas subject to NSO will be classified as avoidance areas for new oil and gas-associated land use authorizations. The remainder of the decision area will be classified as open to land use authorizations, subject to existing RMP decisions and goals and objectives of this plan.</p> <p>See <b>Appendix B</b> for full stipulation language, including waivers, exceptions, and modifications. All applicable individual NSOs will be applied as Terms and Conditions or COAs to ensure adequate big game HPH protections are in place and fully considered if a WEM is requested.</p>

## **II.3 PUBLIC INVOLVEMENT**

The BLM will continue to work with existing partners, to cultivate new partnerships, and to seek the views of the public. BLM offices will use such techniques as news releases and website postings to ask for participation and to inform the public of new and ongoing site-specific planning and implementation. The BLM will also continue to coordinate, both formally and informally, with the numerous federal and state agencies, Native American tribes, local agencies, and officials interested and involved in the management of public lands in the State of Colorado.

## **II.4 MANAGEMENT PLAN EVALUATION**

This RMPA and monitoring data will be evaluated periodically to determine if BLM is making progress toward or meeting management objectives. Evaluation is the process of reviewing the RMPA and determining whether decisions are still appropriate and whether the RMPA is being adequately implemented. Specifically, plans are evaluated to determine if: (1) decisions remain relevant to current issues, (2) decisions are effective in achieving (or making progress toward achieving) desired outcomes, including whether mitigation is satisfactory, (3) decisions need to be maintained, amended, or dropped from further consideration, (4) any areas require new decisions, and (5) the most current and best available data are being considered during implementation and inform plan maintenance or amendment actions to this plan when new updates to big game HPH are designated by CPW and adopted by ECOM. New decisions and analysis may be appropriate to respond to new circumstances or information, such as significant changes in related plans of other entities or new data, among other factors.

During the plan evaluation process, the BLM will assess each planning area in Colorado relative to the decisions in the approved RMPA. Evaluations will follow the protocols established by the BLM Land Use Planning Handbook (currently H-1601-I, BLM 2005a), DOI Adaptive Management Guidance (including Williams et. al 2009, Adaptive Management: The U.S. Department of the Interior Guide and Adamcik et al. 2004, Writing Refuge Management Goals and Objectives: A Handbook. US Fish and Wildlife Service), and other appropriate guidance in effect at the time the evaluation is initiated. Data collected as part of the RMPA implementation process may help to inform the plan evaluation. The BLM Land Use Planning Handbook (H-1601-I; BLM 2005a) directs the evaluation of an RMP at least every five years.

Implementation of this RMPA will, as appropriate, consider indigenous knowledge, density and disturbance calculations, reasonably foreseeable oil and gas development projections, and other new information. Plan evaluations will consider indigenous knowledge that may arise during implementation of this RMPA, per any consent obtained from the Tribe(s). In such cases, indigenous knowledge should guide the metrics of this component of the evaluation.

Through the evaluation process, the BLM will determine whether plan maintenance or amendment is warranted. Maintenance cannot change where or how the BLM applies approved management decisions or change terms of RMPA decisions, and maintenance shall not result in expansion of the scope of resource use or restrictions.

## **II.5 RMPA IMPLEMENTATION, MONITORING, AND CHANGES TO HPH**

### **II.5.1 IMPLEMENTATION**

Plan implementation is a continuous and active process. Planning decisions go into effect upon approval of the Record of Decision and Approved RMPA. These include decisions such as the allocation of lands as open or closed to oil and gas leasing. Planning decisions require no additional analysis and provide the framework for any subsequent activities proposed in the planning area. All future authorizations must conform to the Approved RMPA (43 CFR 1610.5-3(a)). Further, the Authorized Officer is required to make operations and activities under existing permits conform to the Approved RMPA within a reasonable period of time, subject to valid existing rights (43 CFR 1610.5-3(b)).

As part of implementation, the BLM will collaborate with CPW and other agency experts (see **Section II.4** for information about evaluations) to assist in strategic implementation and review plan progress. This effort will further address monitoring, mitigation, projects, and activities to achieve the goals and objectives of the plan during implementation. Priorities for implementation will be based on current and projected resource needs and demands, the most current BLM program policy, and national, state, Tribal, and community priorities. Additionally, technical experts may compile, maintain, and analyze new data about landscape disturbance/density information in big game HPH to assist project-level reviews and assessments during implementation of the plan. During implementation, the BLM will compare existing or updated reasonably foreseeable oil and gas development projections for the state with the predicted future development analyzed in the most recent BLM or interagency air impacts analysis. The BLM will use the projected development and emissions data to determine whether the air resource modeling analysis remains appropriate as a reference for subsequent project-specific analyses.

The BLM will continue to work cooperatively with CPW in accordance with current and any future Memorandums of Understanding, Instruction Memorandums, latest BLM policy, and Goals and Objectives retained from approved RMPs. The BLM will collaborate with CPW to address big game goals and objectives during land management planning and implementation, specifically to improve habitat quality and condition. Cooperation during planning and in leasing federal minerals is essential to applying appropriate stipulations that avoid, minimize, and mitigate impacts to big game resources while allowing for efficient oil and gas development. Combined review of proposed lease parcels ensures CPW has the opportunity to provide input on wildlife stipulations, conservation measures, and other issues related to leasing and development. The BLM will continue to coordinate with CPW on site-specific oil and gas development proposals, such as through BLM's APD approval process, for the purpose of identifying, avoiding, minimizing, and where necessary, mitigating wildlife impacts.

In addition to meaningful Tribal consultation, as part of this implementation plan, the BLM will engage in efforts to include Indigenous Knowledge and collaborate with Tribal Nations and Indigenous Peoples. This means the BLM will pursue inclusion of Indigenous Knowledge and include Indigenous Knowledge in implementation-level decisions for this RMPA, including early and sustained engagement to ensure that Indigenous Knowledge shared with the agency is considered throughout, consistent with the expectations of the applicable Tribal Nations and Indigenous Peoples to facilitate interagency information sharing which may enhance practices for including Indigenous Knowledge. The BLM will

respect that Tribes and Indigenous Peoples may have different preferences for their involvement or how information is shared for BLM's consideration.

During implementation of this plan, the BLM will coordinate technical discussions with other federal, state, and local experts, as appropriate, to further cooperation during the implementation phase. The team(s) will evaluate current disturbance and density information, big game population trends and threats, mitigation application and effectiveness, and where technically and legally feasible, monitoring updates to big game populations or HPH from CPW. The BLM will also consider existing disturbance to inform technical discussions and leasing decisions.

### **II.5.2 MONITORING**

A Monitoring Plan will detail any process that the BLM will use to monitor implementation and effectiveness of RMPA decisions. The BLM's planning regulations require the RMPA establish intervals and standards for monitoring based on the sensitivity of the resource decisions (43 CFR 1610.4-9). Monitoring in this context is the process of tracking the implementation of RMPA decisions (implementation monitoring) and collecting data/information necessary to evaluate the effectiveness of RMPA decisions (effectiveness monitoring). Monitoring of mitigation success and performance standards is an important part of implementation of this plan. The monitoring plan will describe the BLM's process for monitoring implementation and effectiveness. Effectiveness monitoring includes monitoring disturbance in big game HPH. To monitor habitats, in coordination with CPW and other pertinent agencies or local governments, the BLM will evaluate data that measures attributes of HPH, linkage/connectivity, or animal movement. Disturbance monitoring will measure and track changes in the amount of habitat in the landscape and changes in the human footprint, including changes in density of oil and gas development. More specifically, the plan will discuss what monitoring data the BLM may use or track to assess effectiveness of RMPA decisions.

During implementation of this RMPA, population trends will be monitored by CPW and habitat will be monitored and evaluated by the BLM and other pertinent agencies or local governments. Monitoring will evaluate the effects of BLM permitted activities on big game HPH and populations and make specific recommendations for changes in oil and gas management. Monitoring will also evaluate the effectiveness of reclamation activities and mitigation (including compensatory mitigation) associated with permitted activities. Monitoring strategies should be collaborative, as habitat occurs across jurisdictional boundaries. CPW has primary responsibility for population-level wildlife management, including population monitoring. Therefore, population monitoring would be conducted in partnership with the state.

Monitoring data gathered over time will be examined and used to draw conclusions through plan evaluations about whether management actions are meeting stated objectives, and if not, why. The BLM's conclusions will inform recommendations about whether to continue current management or to identify the necessary changes in management practices to meet objectives. The monitoring plan will include methods, data standards, and intervals of monitoring; analysis and reporting methods; and the incorporation of monitoring results into future management actions.

If there is lack of consistency in how questions are interpreted and answered for monitoring, best available science will be used to understand terrestrial ecosystem habitat integrity conditions for big game HPH on BLM lands, status and trend of big game populations in relation to Herd Management

Plans, status and trend of oil and gas development and socioeconomic plan components, and climate change. The BLM may conduct monitoring at the scale of CPW's big game Data Analysis Unit or Game Management Unit, or other scales determined appropriate in the future. Population monitoring methods may be updated based on new science and advances in technology (e.g., integrated population models).

### **II.5.3 CHANGES TO BIG GAME HPH**

As habitat conditions and big game use, law, and policy change over time or new data are collected, this plan will continue to be updated through maintenance actions or amendments, as appropriate, to ensure management decisions reflect those changes. Alternatives in this plan are responsive to landscape condition. The BLM will adjust habitat areas to reflect the best available science and be consistent with big game habitat management recommended by CPW.

Should CPW modify big game HPH areas, the BLM will review and evaluate those changes before extending any BLM management direction in this RMPA to additional big game HPH acres, or reducing the acreage covered currently by any management decision. For example, if an area is designated big game HPH at the time of this ROD, but is no longer designated big game HPH in 2028, the BLM will evaluate this change through the plan evaluation process and determine if updates to the RMPA are appropriate. If appropriate, the BLM will make adjustments through plan maintenance or plan amendment. The evaluation process allows the BLM to determine how big game HPH will be managed in the future in accordance with law and guidance. See **Section II.4** for information about plan evaluations.

Currently, CPW HPH data for big game is collected and assessed regionally each year, with potential updates to big game HPH layers occurring annually within one of CPW's four regions, including refinement of publicly available data, as warranted. Subsequently, the ECMC conducts an annual rulemaking process through which it decides whether to adopt CPW's proposed big game HPH changes into ECMC's oil and gas regulations. This review and refinement process is scientifically based and includes public review and input through the State's public process for incorporating map updates with a public hearing. Stakeholders are encouraged to participate in the process by submitting relevant information to CPW throughout the year for field verification purposes. Engagement from the BLM and interested parties is encouraged during ECMC's annual rulemaking process regarding big game HPH updates.

#### **II.5.3.1 Big Game HPH Evaluation Actions**

- Action HE 1: As species specific data is collected and updated for big game HPH by CPW and adopted by ECMC, BLM will include this information in future plan evaluations to reflect the most up-to-date spatial representation of big game HPH and determine the appropriate action. Changes to big game HPH may be adopted by the BLM through plan maintenance or plan amendment, including appropriate reviews of whether allocation decisions and management actions will be applied to updated HPH. The BLM may adjust management in accordance with applicable law. Evaluating CPW's latest mapped big game HPH and ECMC's adoption of this data will promote consistency in management across jurisdictions.
- Action HE 2: An area of big game HPH declining in habitat effectiveness or exhibiting degradation in landscape connectivity will be a priority for avoiding further oil and gas leasing and development and identified for promoting restoration treatments or mitigation.

- Action HE 3: If herd population objectives are not being achieved, an interagency team will convene to determine the cause, and, if development of federal oil and gas is a factor, project-level responses may be appropriate. The BLM will discuss appropriate actions consistent with this RMPA. Adopting further planning actions may require initiating a plan amendment process.
- Action HE 4: If amending this plan, the BLM will coordinate with CPW to meet the objective of conserving, enhancing, and restoring big game HPH by avoiding, minimizing, and mitigating impacts from oil and gas development to HPH.

## **II.6 APPENDICES**

- A Figures
- B Stipulations Applicable to Oil and Gas Leasing, Exploration, and Development with Exception, Modification, and Waiver Criteria
- C Implementation Guidance for Oil and Gas Permitting in Big Game High Priority Habitat



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# Appendix A

## Figures

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## FIGURES

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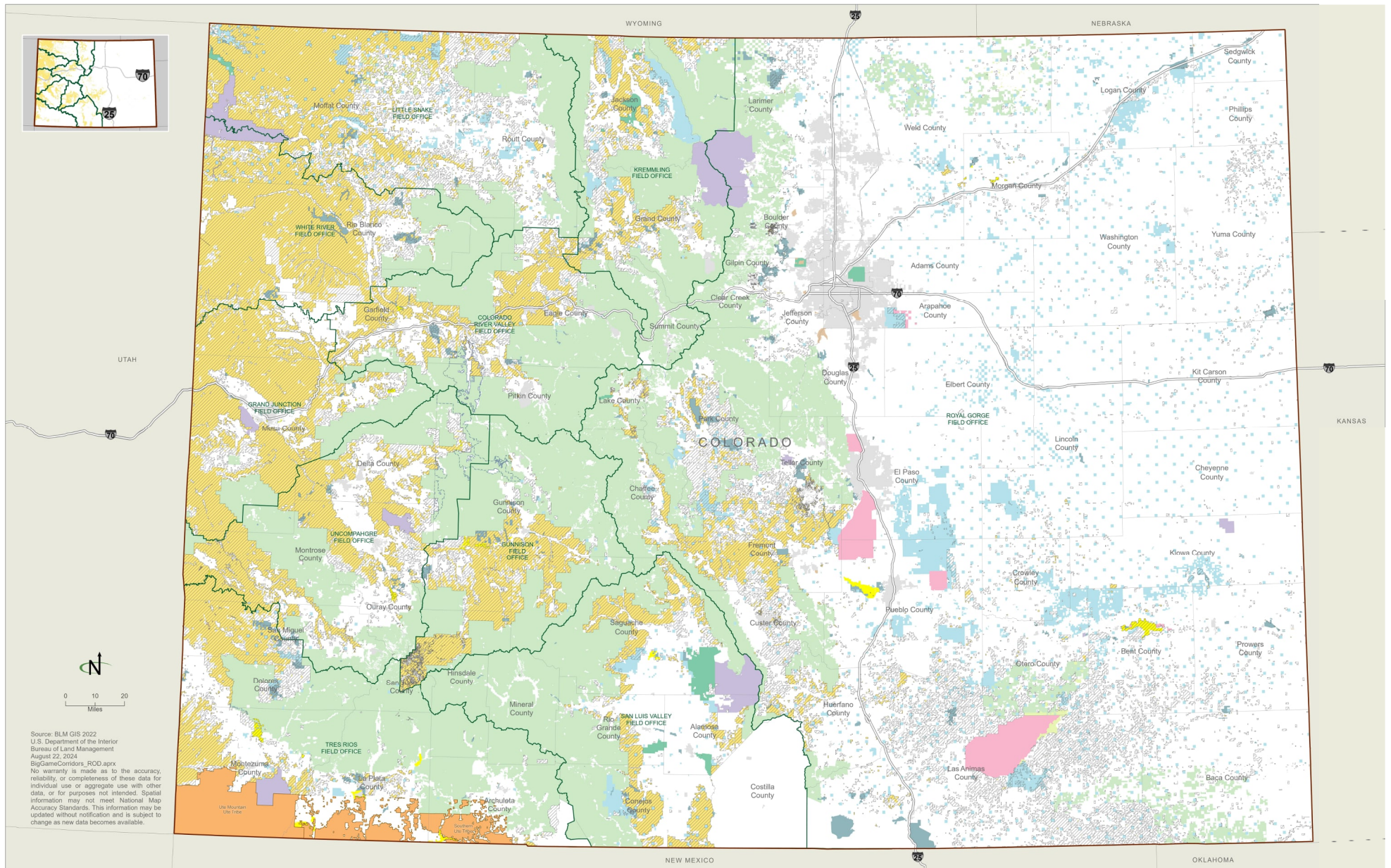
- 1 The Planning and Decision Areas
- 2 High Priority Habitat in the Planning Area
- 3 Bighorn Sheep High Priority Habitat in the Planning Area
- 4 Elk High Priority Habitat in the Planning Area
- 5 Mule Deer High Priority Habitat in the Planning Area
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- 7 High Priority Habitat in the Planning Area—Northwest
- 8 High Priority Habitat in the Planning Area—Northeast
- 9 High Priority Habitat in the Planning Area—Southwest
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- 28 No Surface Occupancy—Southeast
- 29 Controlled Surface Use—Southeast
- 30 Timing Limitations—Southeast
- 31 Pinch Points

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**Figure 1**  
**The Planning and Decision Areas**

- |  |                           |  |                              |                        |                            |
|--|---------------------------|--|------------------------------|------------------------|----------------------------|
| Planning area                            | Private                   | National Grassland                           | National Park Service        | State                  | BLM field office           |
| BLM surface and subsurface decision area | Bureau of Land Management | Tribal Reservation: not in the decision area | US Fish and Wildlife Service | County and local areas | Thompson Divide Withdrawal |
|  | US Forest Service         | Military Reservation                         | Other Federal                | Bureau of Reclamation  |                            |

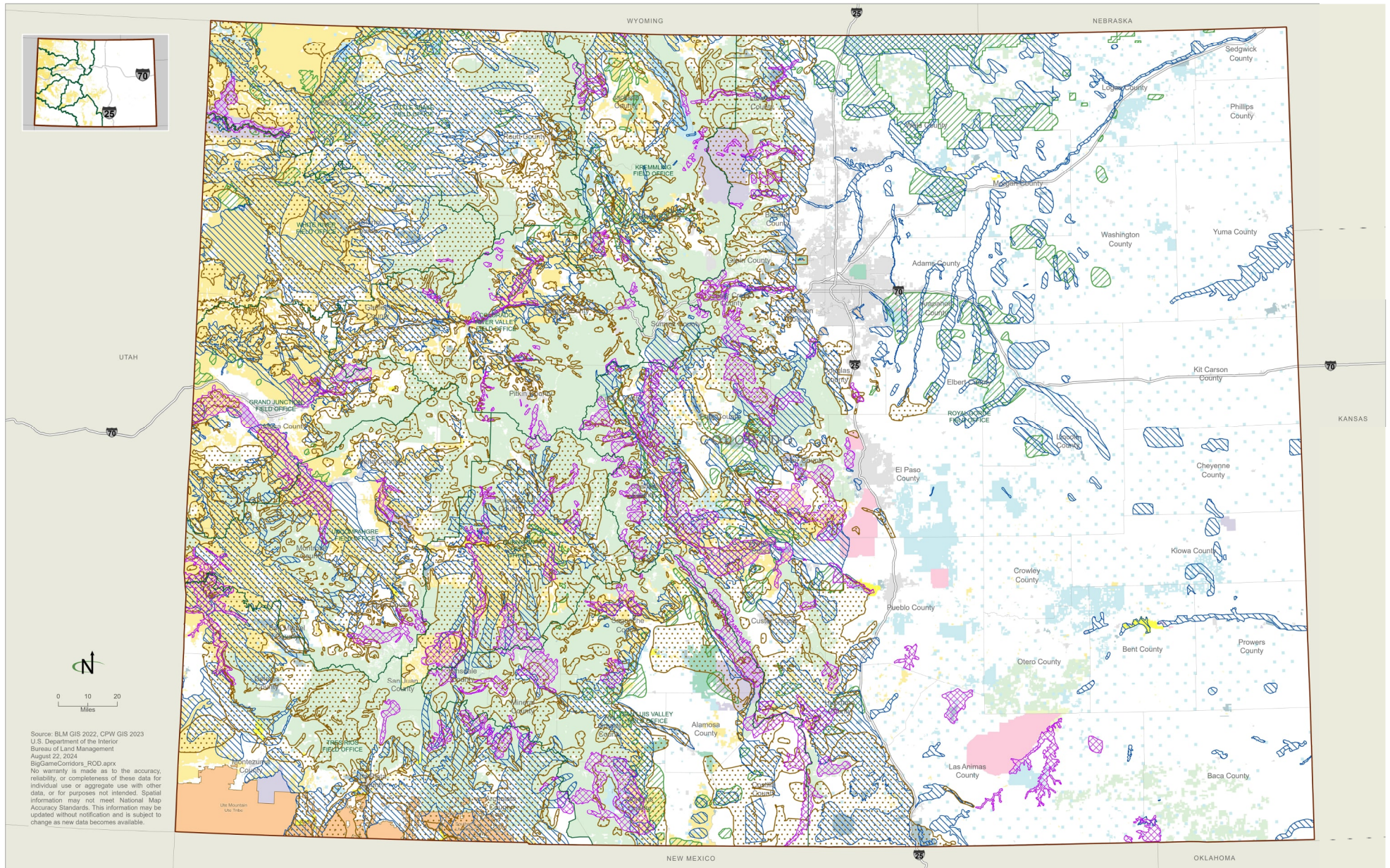






**Figure 2**  
**High Priority Habitat in the Planning Area**

- |                                     |  |  |                              |                        |                       |
|-------------------------------------|--|--|------------------------------|------------------------|-----------------------|
| Bighorn sheep high priority habitat | Pronghorn antelope high priority habitat | US Forest Service                            | Military Reservation         | Other Federal          | Bureau of Reclamation |
| Elk high priority habitat           | Private                                  | National Grassland                           | National Park Service        | State                  | Planning area         |
| Mule deer high priority habitat     | Bureau of Land Management                | Tribal Reservation: not in the decision area | US Fish and Wildlife Service | County and local areas | BLM field office      |

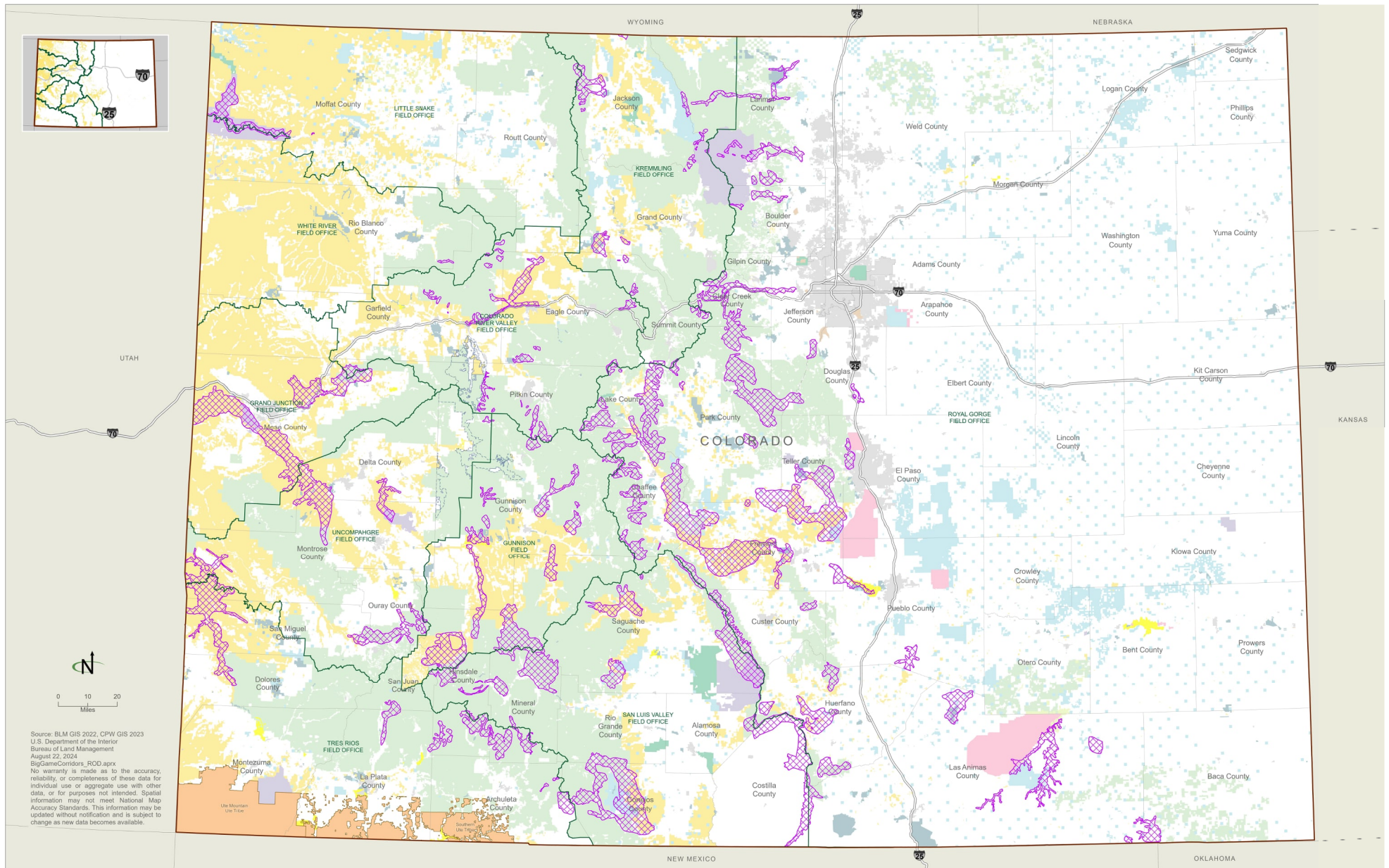






**Figure 3**  
**Bighorn Sheep High Priority Habitat in the Planning Area**

- Legend:
- Bighorn sheep high priority habitat (Purple cross-hatch pattern)
  - Private (Light gray)
  - National Grassland (Light green)
  - National Park Service (Purple)
  - State (Light blue)
  - Planning area (Red outline)
  - Bureau of Land Management (Yellow)
  - Tribal Reservation: not in the decision area (Orange)
  - US Fish and Wildlife Service (Dark green)
  - County and local areas (Dark blue)
  - BLM field office (Light green outline)
  - US Forest Service (Light green)
  - Military Reservation (Pink)
  - Other Federal (Brown)
  - Bureau of Reclamation (Yellow)
  - Thompson Divide Withdrawal (Dashed line)



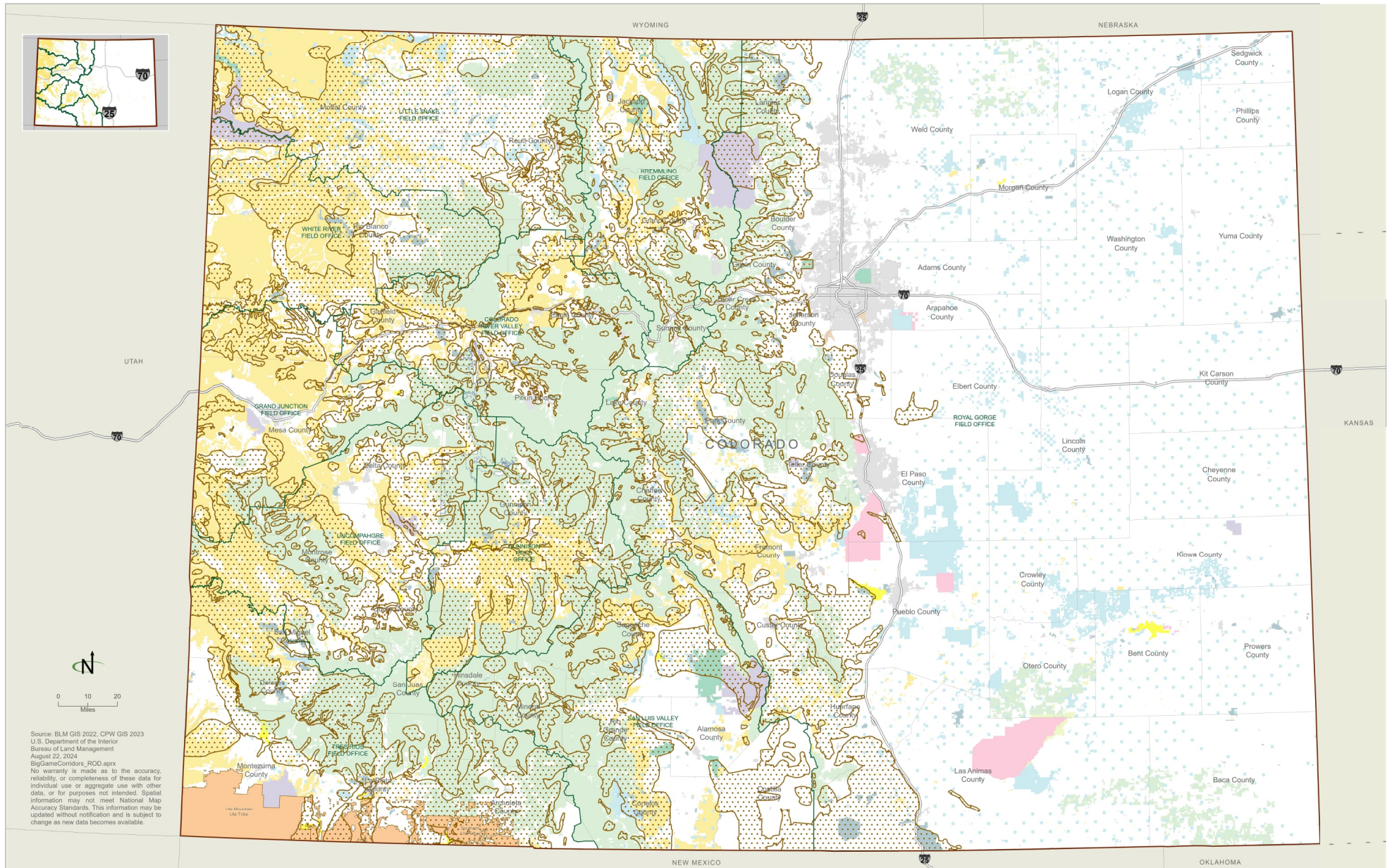
Source: BLM GIS 2022, CPW GIS 2023  
U.S. Department of the Interior  
Bureau of Land Management  
August 22, 2024  
BigGameCorridors ROD.aprx  
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reliability, or completeness of these data for  
individual use or aggregate use with other  
data, or for purposes not intended. Spatial  
information may not meet National Map  
Accuracy Standards. This information may be  
updated without notification and is subject to  
change as new data becomes available.





**Figure 4**  
**Elk High Priority Habitat in the Planning Area**

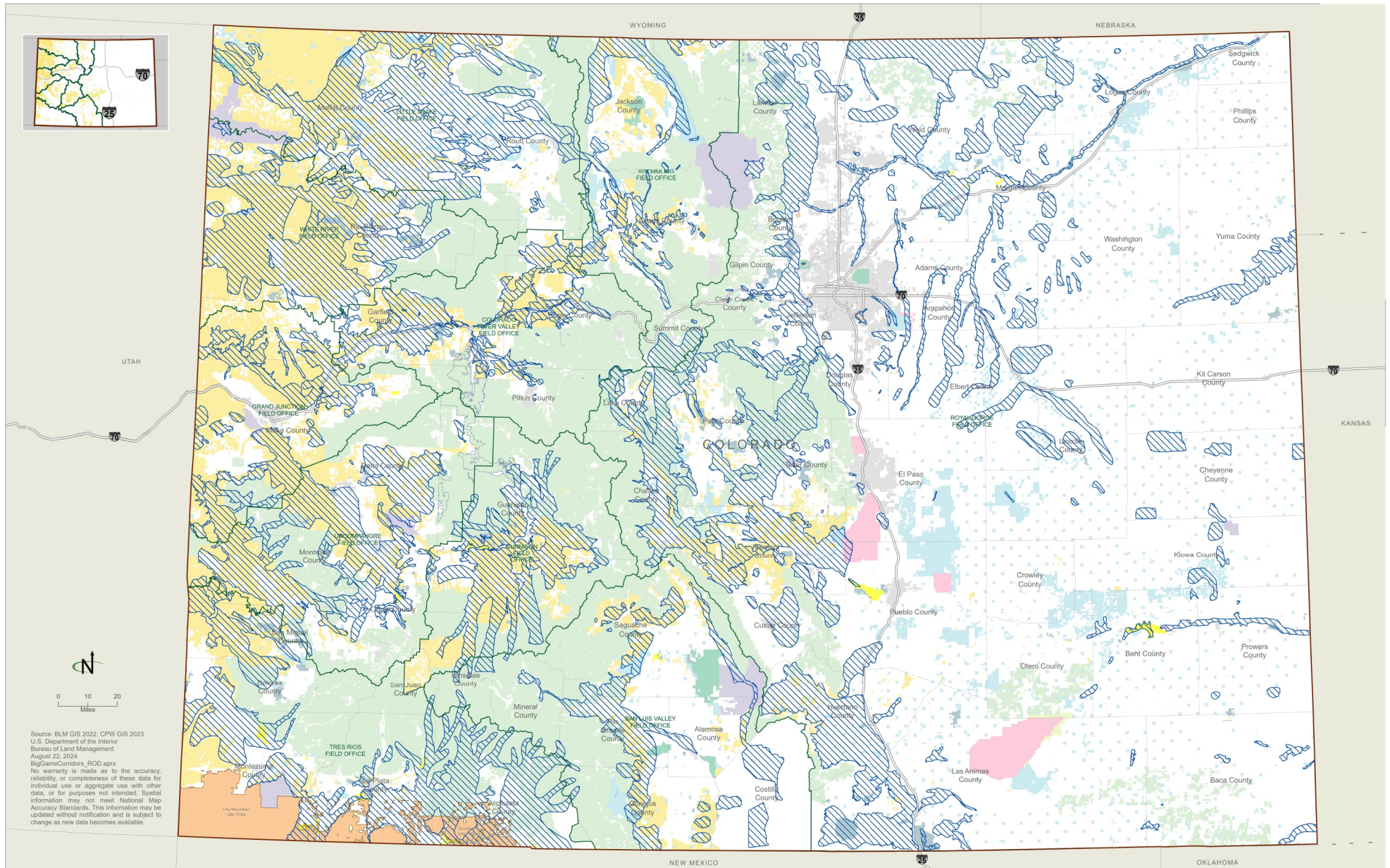
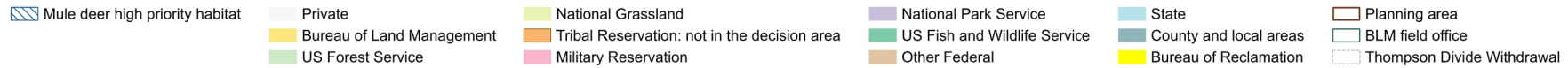
- Elk high priority habitat
- |                           |  |                              |                        |                            |
|---------------------------|--|------------------------------|------------------------|----------------------------|
| Private                   | National Grassland                           | National Park Service        | State                  | Planning area              |
| Bureau of Land Management | Tribal Reservation: not in the decision area | US Fish and Wildlife Service | County and local areas | BLM field office           |
| US Forest Service         | Military Reservation                         | Other Federal                | Bureau of Reclamation  | Thompson Divide Withdrawal |







**Figure 5**  
**Mule Deer High Priority Habitat in the Planning Area**

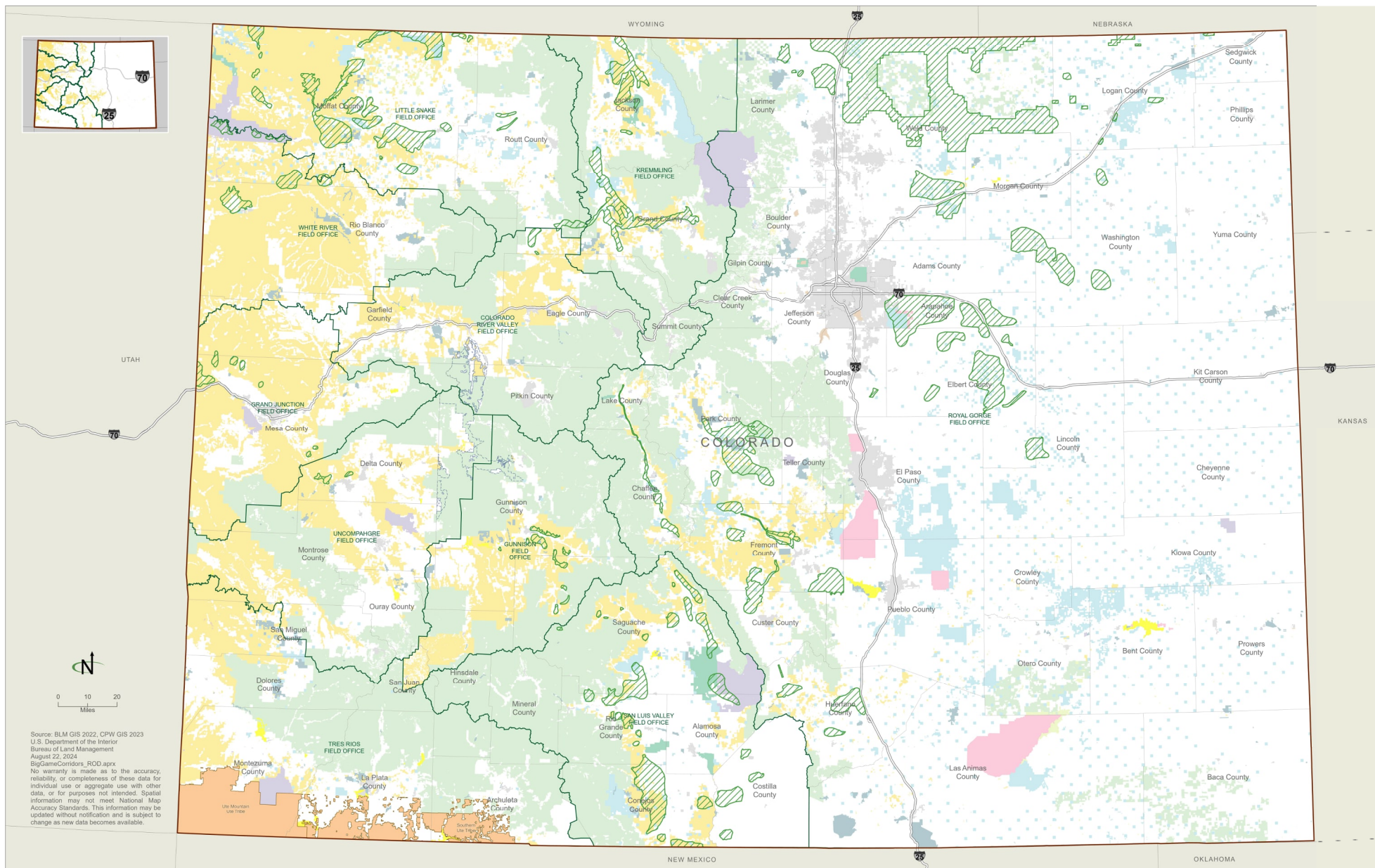






**Figure 6**  
**Pronghorn High Priority Habitat in the Planning Area**

- |  |  |                              |                        |                            |                  |
|--|--|------------------------------|------------------------|----------------------------|------------------|
| Pronghorn antelope high priority habitat | Private                                      | National Grassland           | National Park Service  | State                      | Planning area    |
| Bureau of Land Management                | Tribal Reservation: not in the decision area | US Fish and Wildlife Service | County and local areas | County and local areas     | BLM field office |
| US Forest Service                        | Military Reservation                         | Other Federal                | Bureau of Reclamation  | Thompson Divide Withdrawal |                  |







## Figure 7 High Priority Habitat in the Planning Area—Northwest

### High Priority Habitat

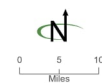
- Pronghorn antelope
- Mule deer
- Elk high
- Bighorn sheep

- Private
- Bureau of Land Management
- US Forest Service
- National Grassland

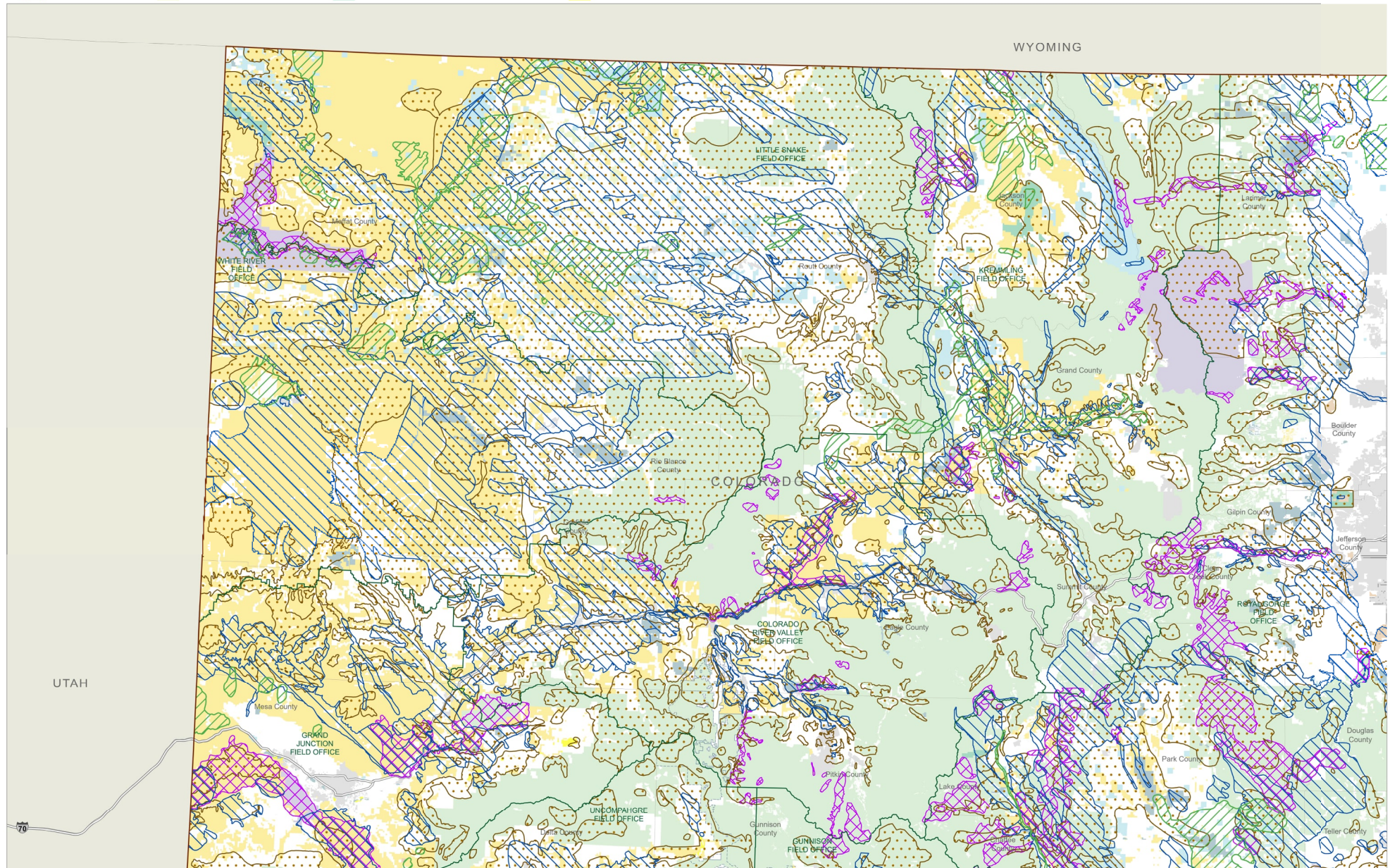
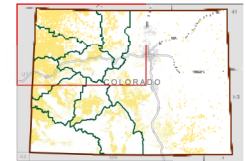
- Tribal Reservation: not in the decision area
- Military Reservation
- National Park Service
- US Fish and Wildlife Service

- Other Federal
- State
- County and local areas
- Bureau of Reclamation

- Planning area
- BLM field office
- Thompson Divide Withdrawal



Source: BLM GIS 2022, CHIV GIS 2023  
U.S. Department of the Interior  
Bureau of Land Management  
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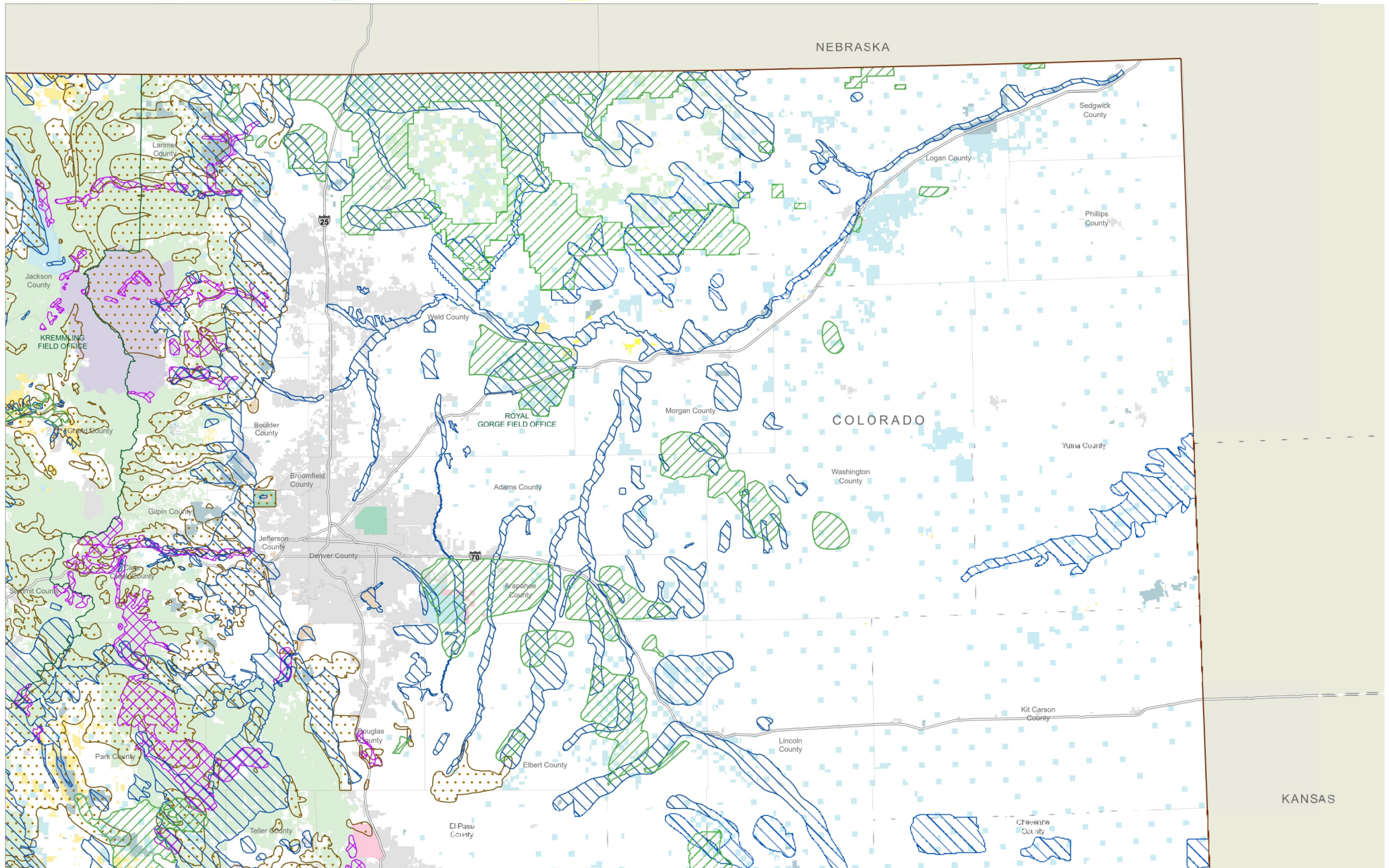
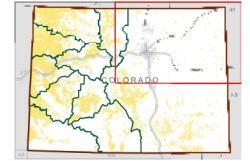
## Figure 8 High Priority Habitat in the Planning Area—Northeast

### High Priority Habitat

- |                    |                           |  |                        |                  |
|--------------------|---------------------------|--|------------------------|------------------|
| Pronghorn antelope | Private                   | Tribal Reservation: not in the decision area | Other Federal          | Planning area    |
| Mule deer          | Bureau of Land Management | Military Reservation                         | State                  | BLM field office |
| Elk high           | US Forest Service         | National Park Service                        | County and local areas |                  |
| Bighorn sheep      | National Grassland        | US Fish and Wildlife Service                 | Bureau of Reclamation  |                  |



Source: BLM GIS 2022, CH-IV GIS 2023  
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## Figure 9 High Priority Habitat in the Planning Area—Southwest

### High Priority Habitat

- Pronghorn antelope
- Mule deer
- Elk high
- Bighorn sheep

- Private
- Bureau of Land Management
- US Forest Service
- National Grassland

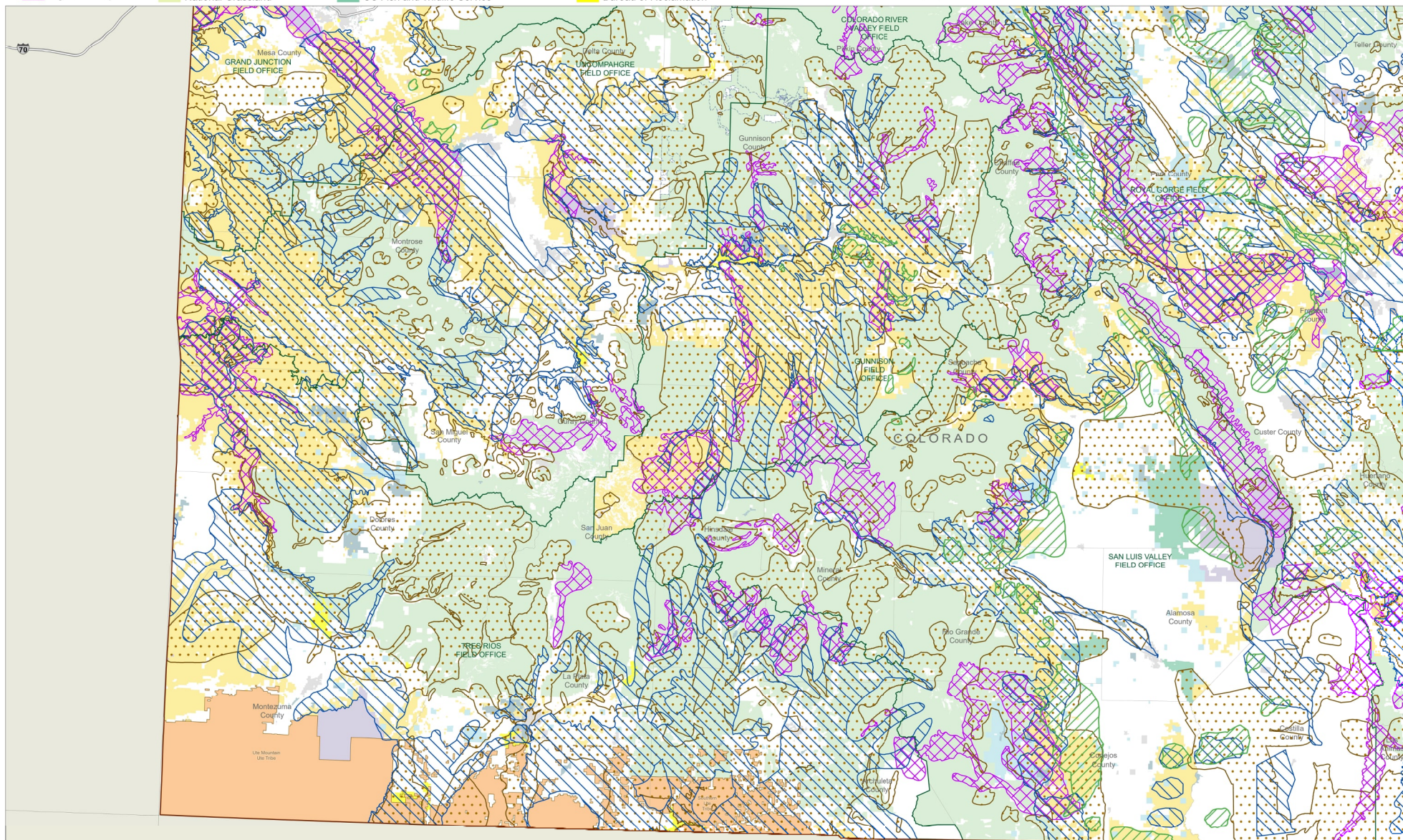
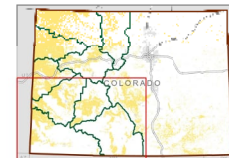
- Tribal Reservation: not in the decision area
- Military Reservation
- National Park Service
- US Fish and Wildlife Service

- Other Federal
- State
- County and local areas
- Bureau of Reclamation

- Planning area
- BLM field office
- Thompson Divide Withdrawal



Source: BLM GIS 2022, CHIV GIS 2023  
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August 22, 2024  
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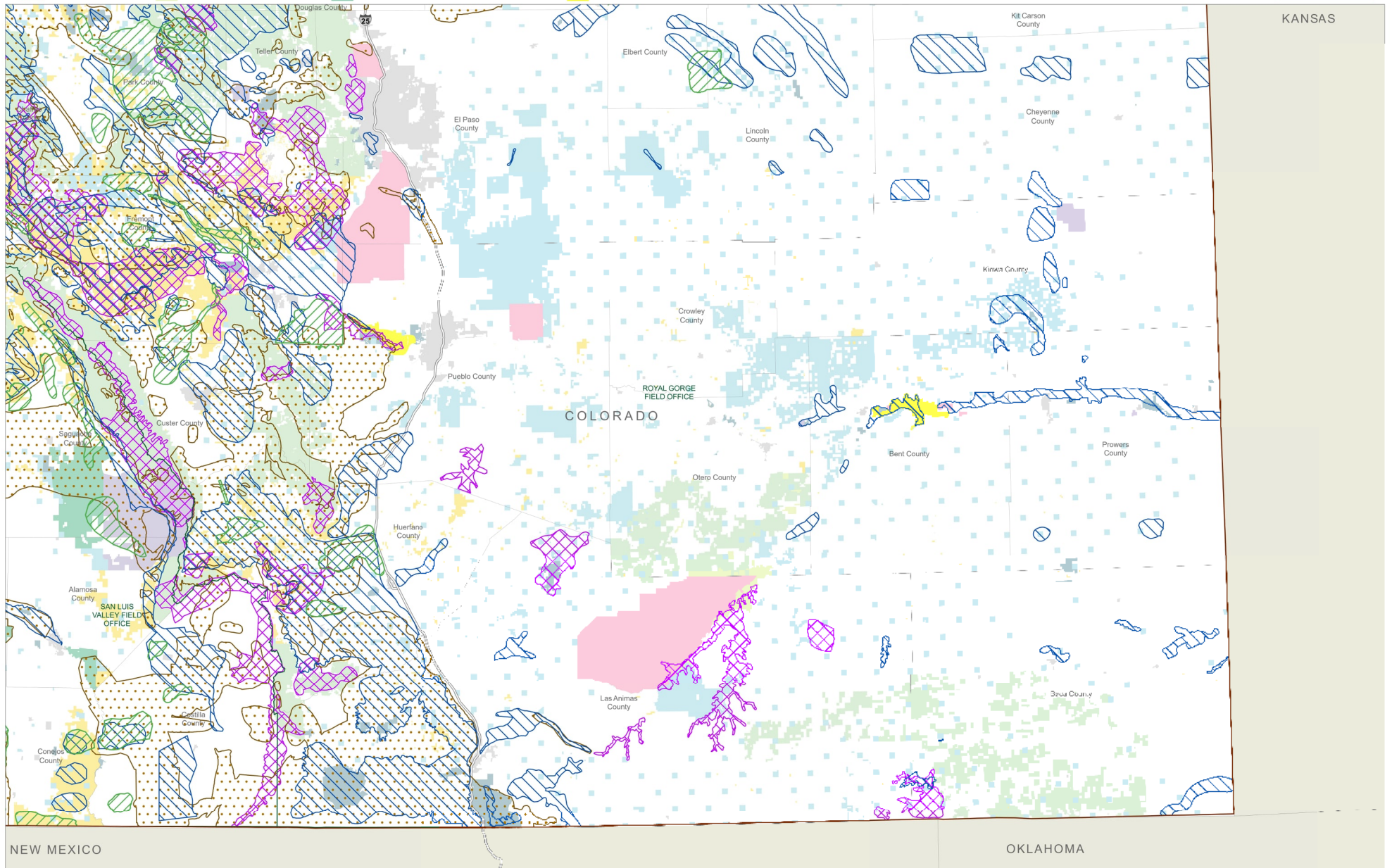




**Figure 10**  
**High Priority Habitat in the Planning Area—Southeast**

High Priority Habitat

- |                    |                           |  |                        |                  |
|--------------------|---------------------------|--|------------------------|------------------|
| Pronghorn antelope | Private                   | Tribal Reservation: not in the decision area | Other Federal          | Planning area    |
| Mule deer          | Bureau of Land Management | Military Reservation                         | State                  | BLM field office |
| Elk high           | US Forest Service         | National Park Service                        | County and local areas |                  |
| Bighorn sheep      | National Grassland        | US Fish and Wildlife Service                 | Bureau of Reclamation  |                  |

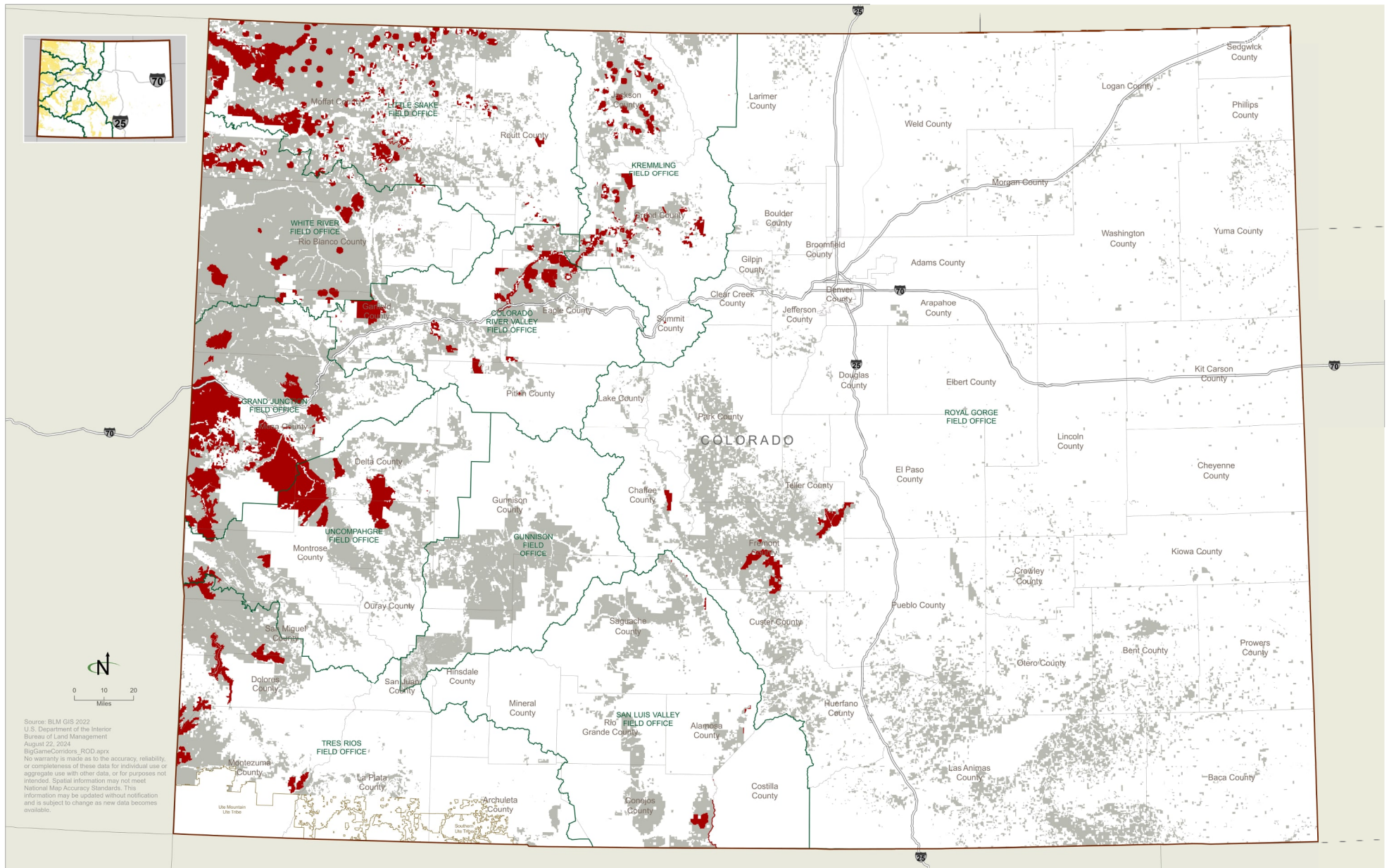






**Figure 11**  
**Closed to Fluid Mineral Leasing**

- Closed to fluid mineral leasing
- BLM surface and subsurface decision area
- Planning area
- BLM field office
- Tribal Reservation: not in the decision area

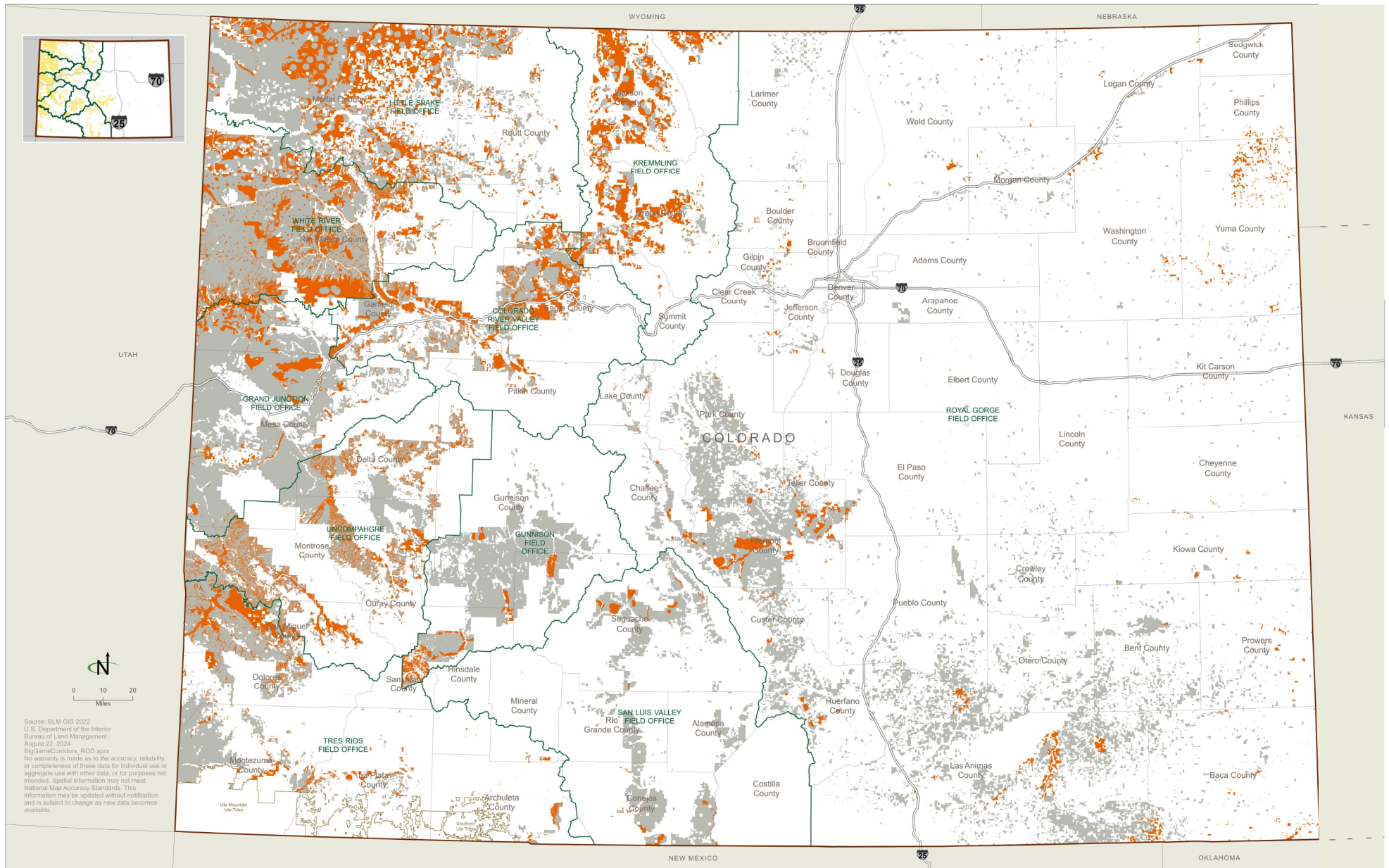






**Figure 12**  
**No Surface Occupancy**

- Open, subject to no surface occupancy (NSO)
- BLM surface and subsurface decision area
- Planning area
- BLM field office
- Tribal Reservation: not in the decision area

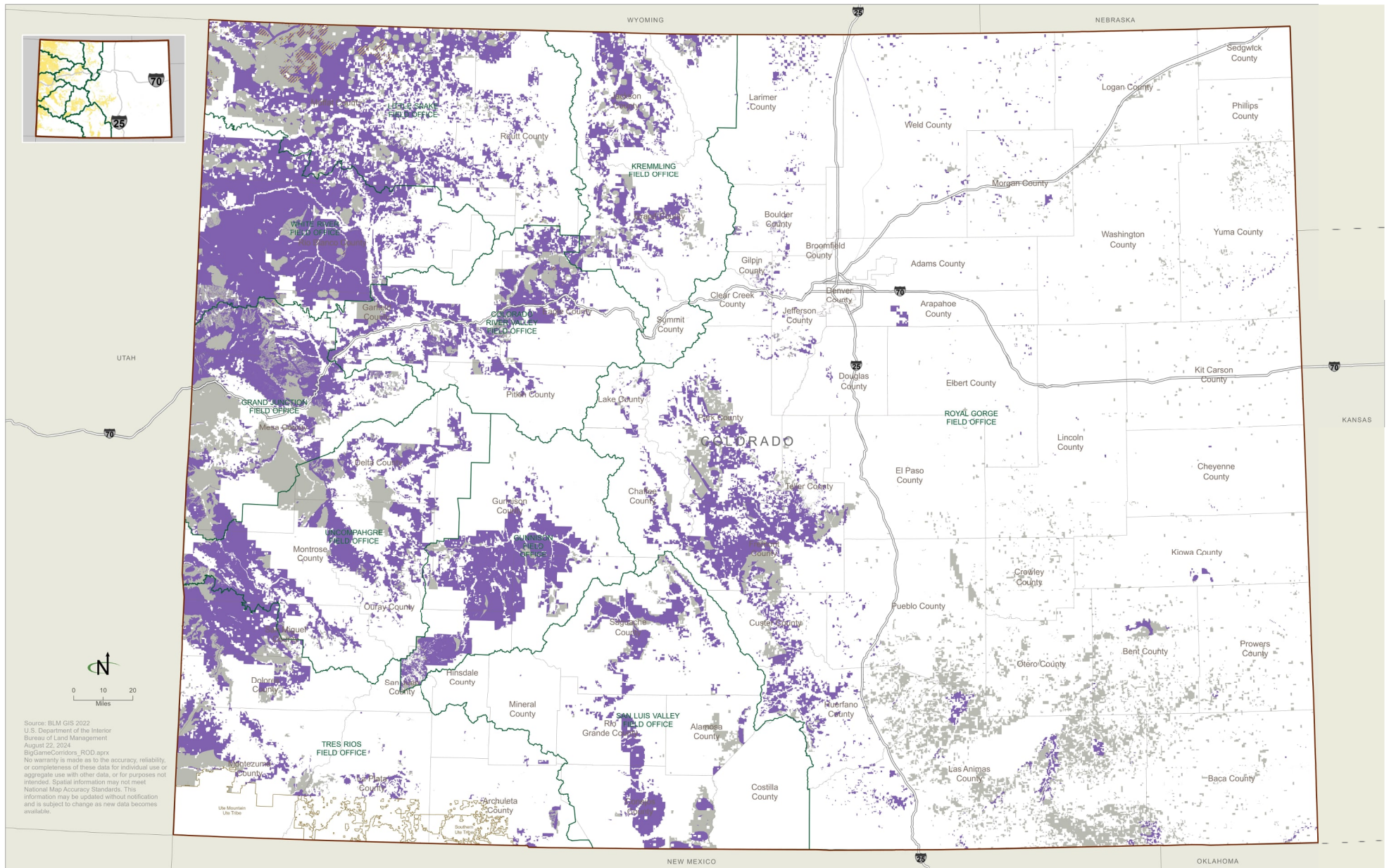






**Figure 13**  
**Controlled Surface Use**

- Open, subject to controlled surface use (CSU)
- Planning area
- Open, subject to controlled surface use or timing limitation (CSU-TL)
- BLM field office
- BLM surface and subsurface decision area
- Tribal Reservation: not in the decision area

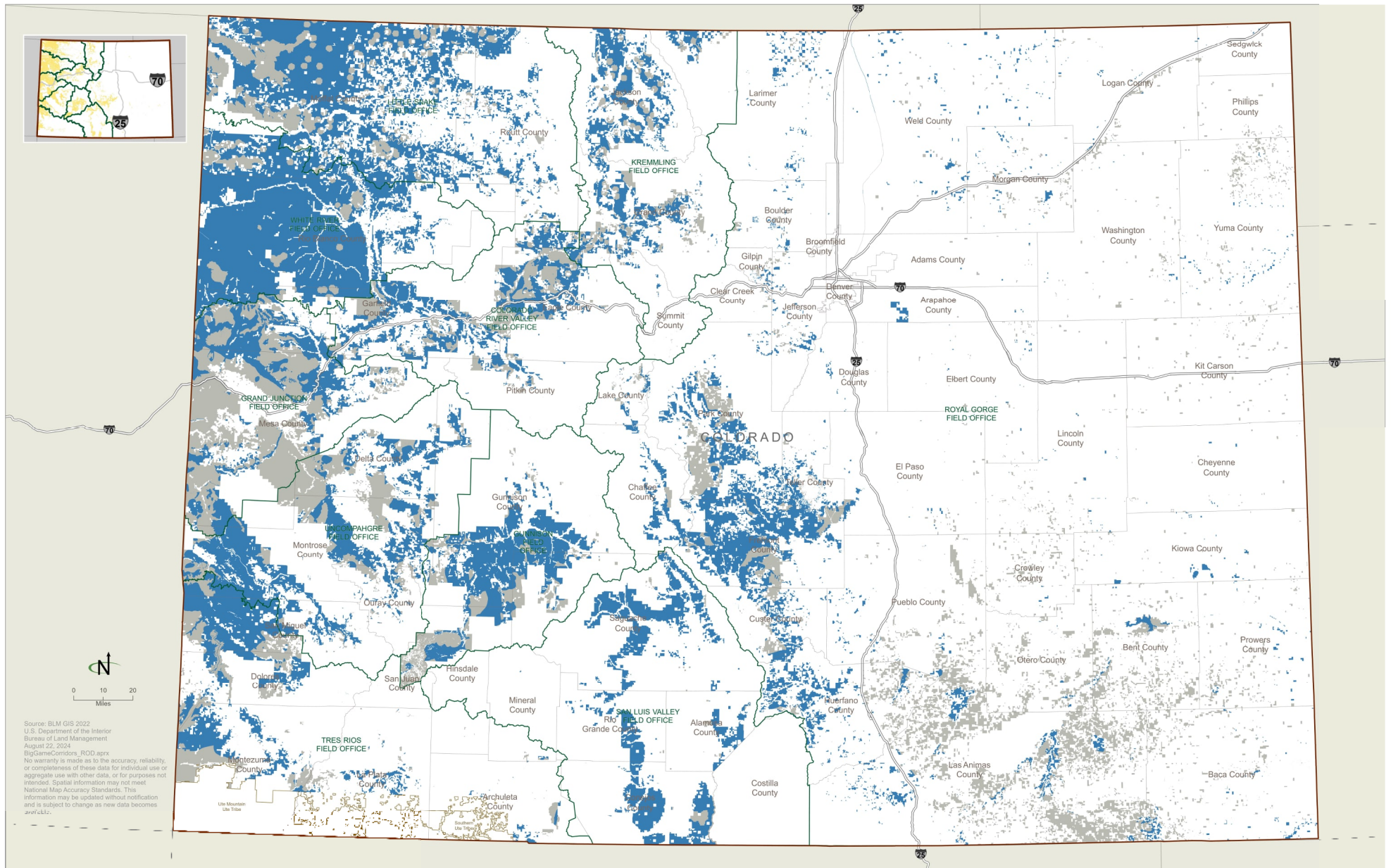






**Figure 14**  
**Timing Limitations**

- Open, subject to timing limitation (TLs)
- BLM surface and subsurface decision area
- Planning area
- BLM field office
- Tribal Reservation: not in the decision area



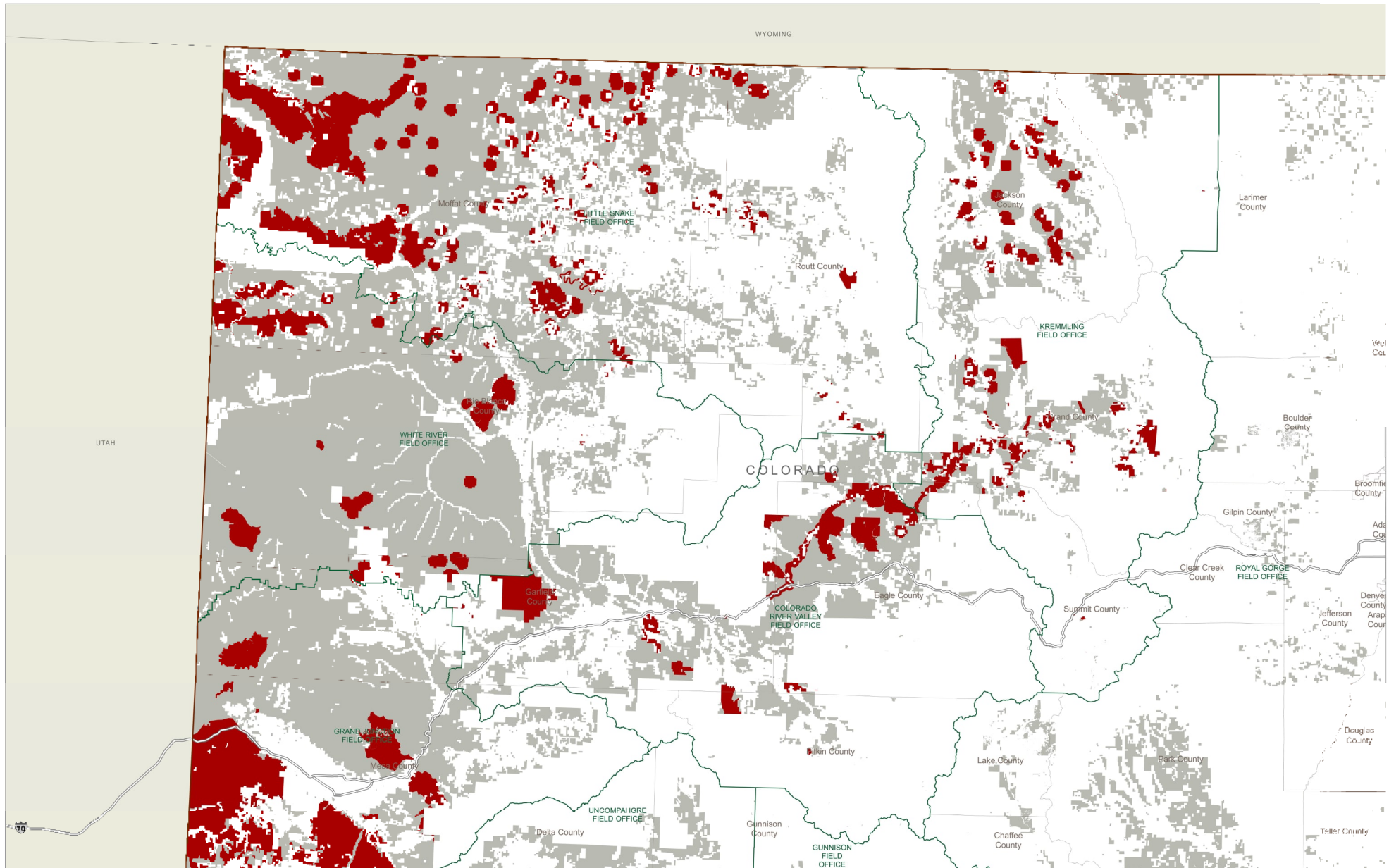
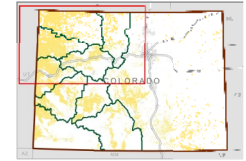


**Figure 15**  
**Closed to Fluid Mineral Leasing—Northwest**

- Closed to fluid mineral leasing
- BLM surface and subsurface decision area
- Planning area
- BLM field office



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U.S. Department of the Interior  
Bureau of Land Management  
August 22, 2024  
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or completeness of these data for individual use or  
aggregate use with other data, or for purposes not  
intended. Spatial information may not meet  
National Map Accuracy Standards. This  
information may be updated without notification  
and is subject to change as new data becomes  
available.





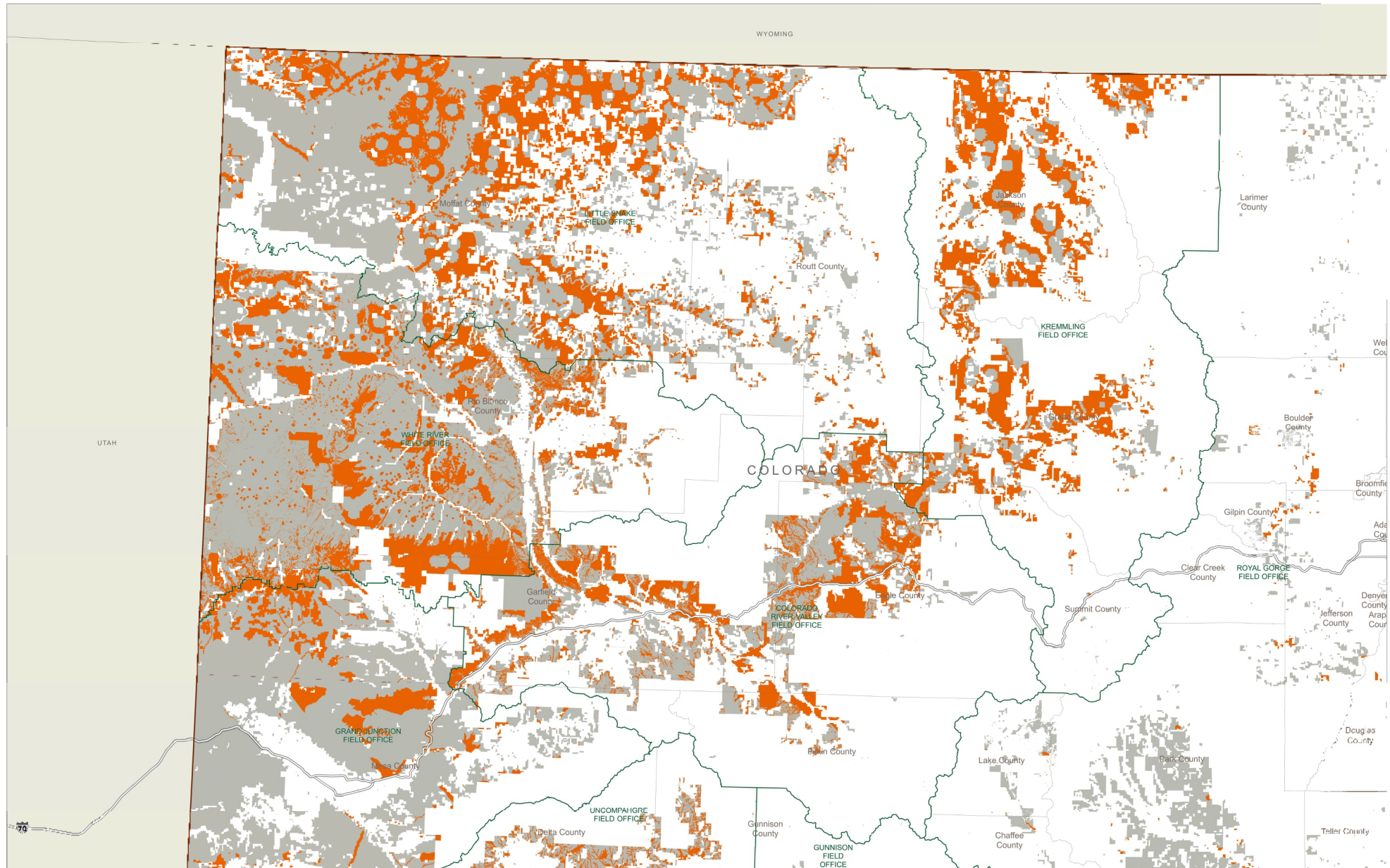
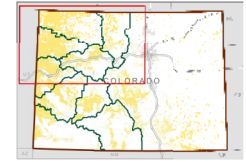


**Figure 16**  
**No Surface Occupancy—Northwest**

- Open, subject to no surface occupancy (NSO)    Planning area  
BLM surface and subsurface decision area    BLM field office



Source: BLM 10-12-2023  
U.S. Department of the Interior  
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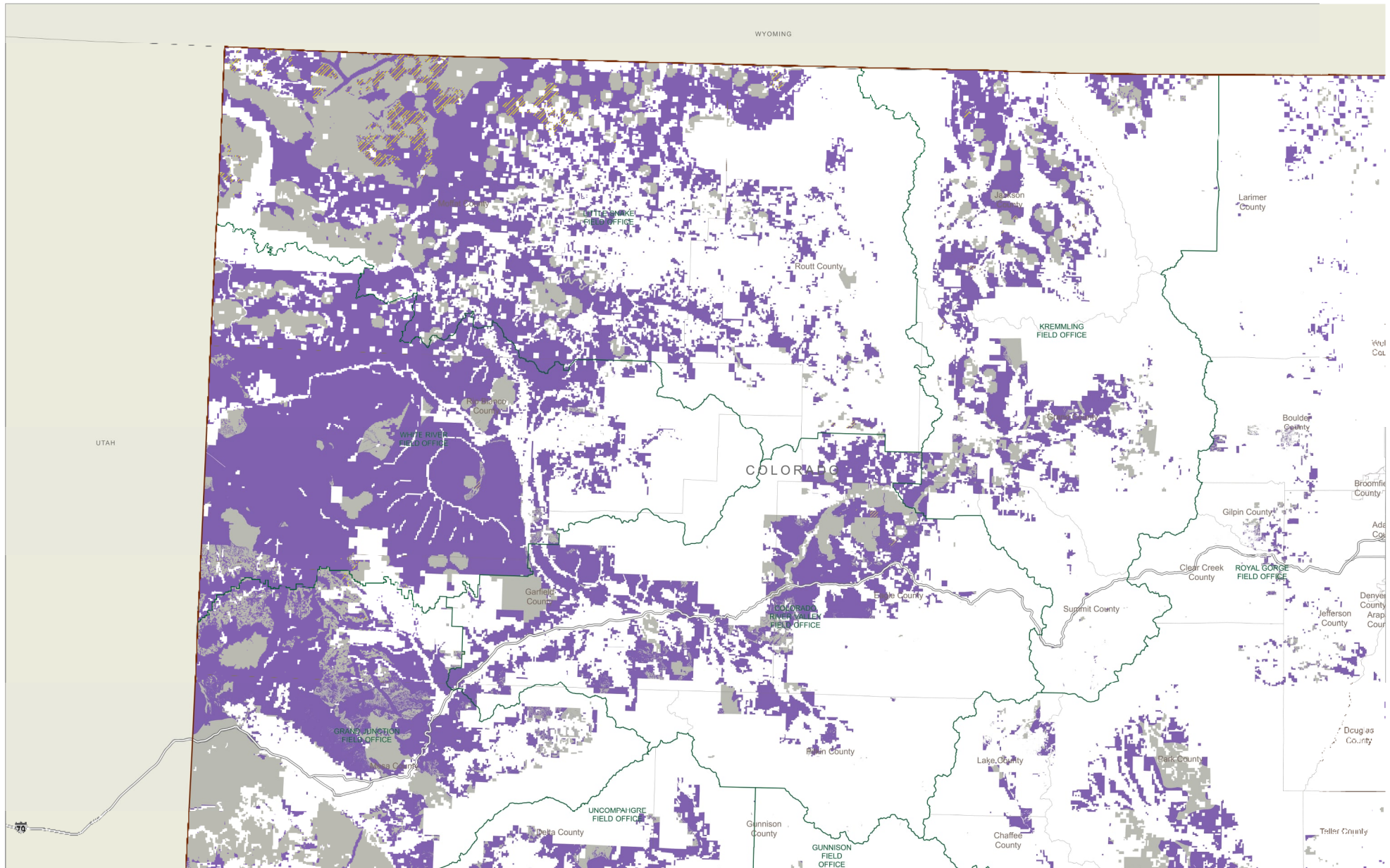
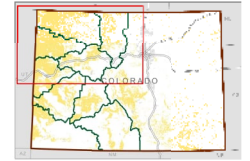


**Figure 17**  
**Controlled Surface Use—Northwest**

- Open, subject to controlled surface use (CSU)
- Open, subject to controlled surface use or timing limitation (CSU-TL)
- BLM surface and subsurface decision area
- Planning area
- BLM field office



Source: BLM (6-2-2023)  
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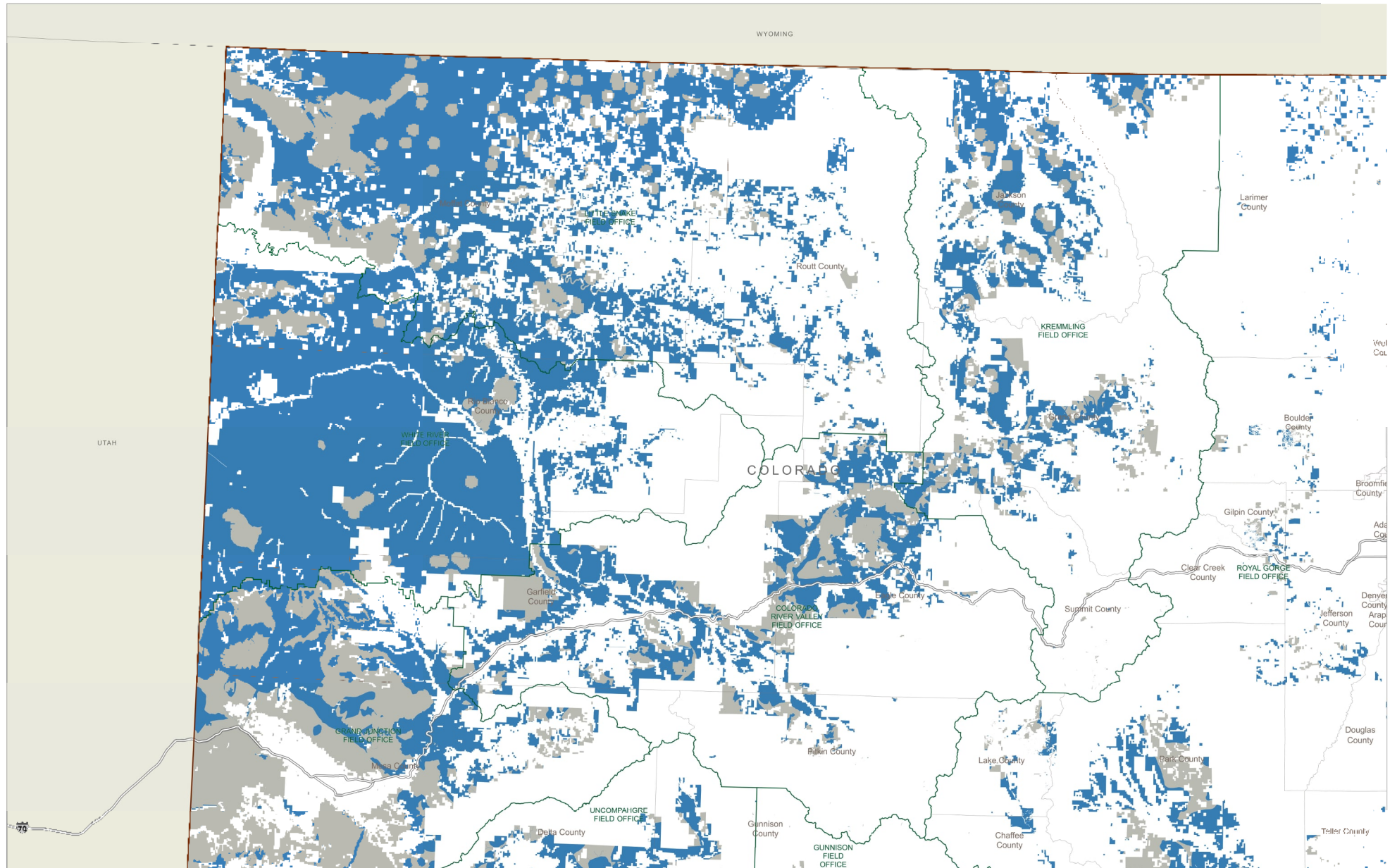
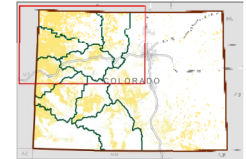


**Figure 18**  
**Timing Limitations—Northwest**

- Open, subject to timing limitation (TLs)
- BLM surface and subsurface decision area
- Planning area
- BLM field office



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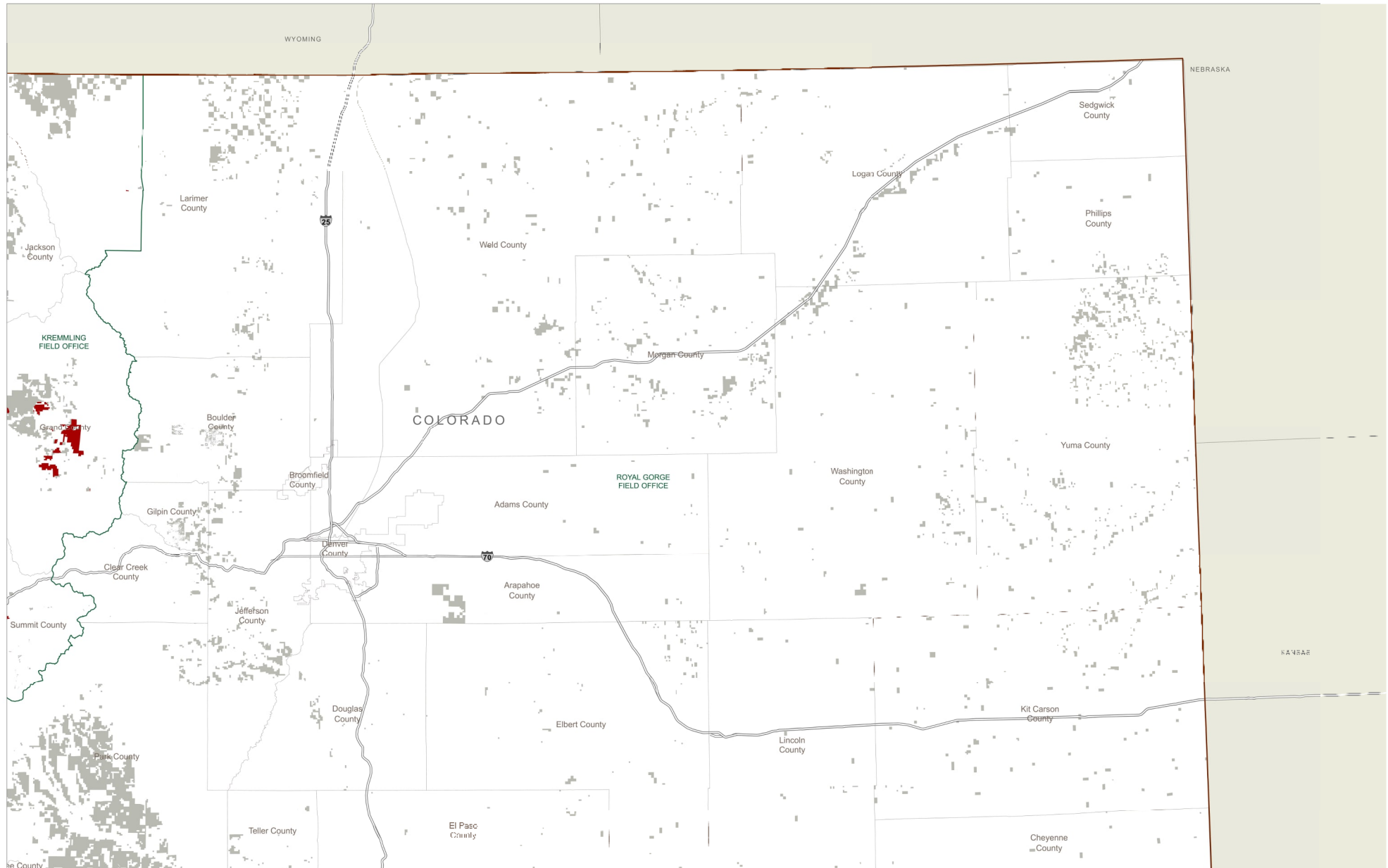
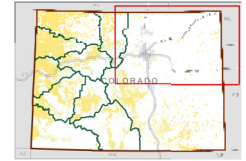


**Figure 19**  
**Closed to Fluid Mineral Leasing—Northeast**

- Closed to fluid mineral leasing
- BLM surface and subsurface decision area
- Planning area
- BLM field office



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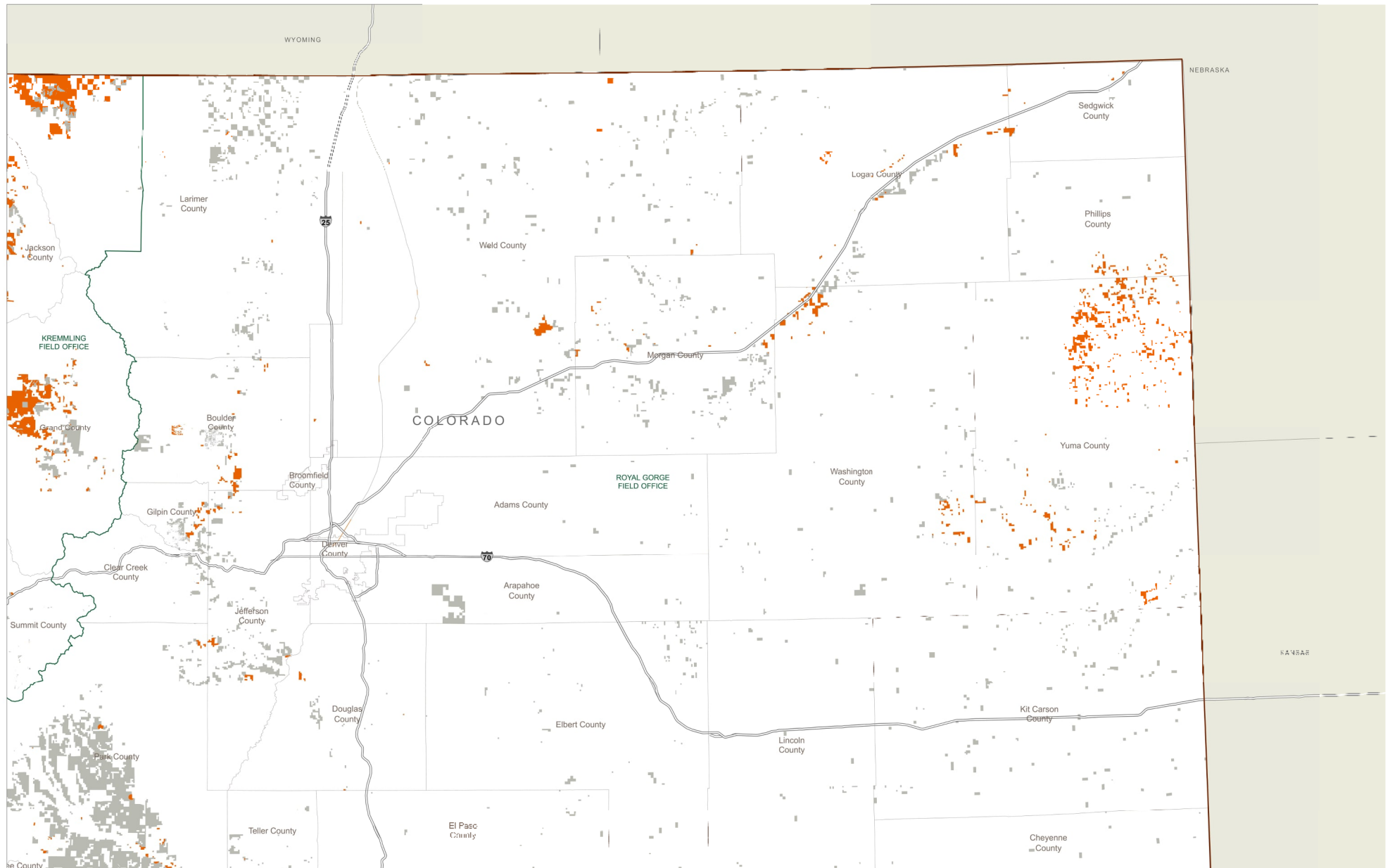
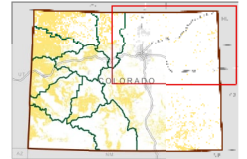


**Figure 20**  
**No Surface Occupancy—Northeast**

- Open, subject to no surface occupancy (NSO)
- BLM surface and subsurface decision area
- Planning area
- BLM field office



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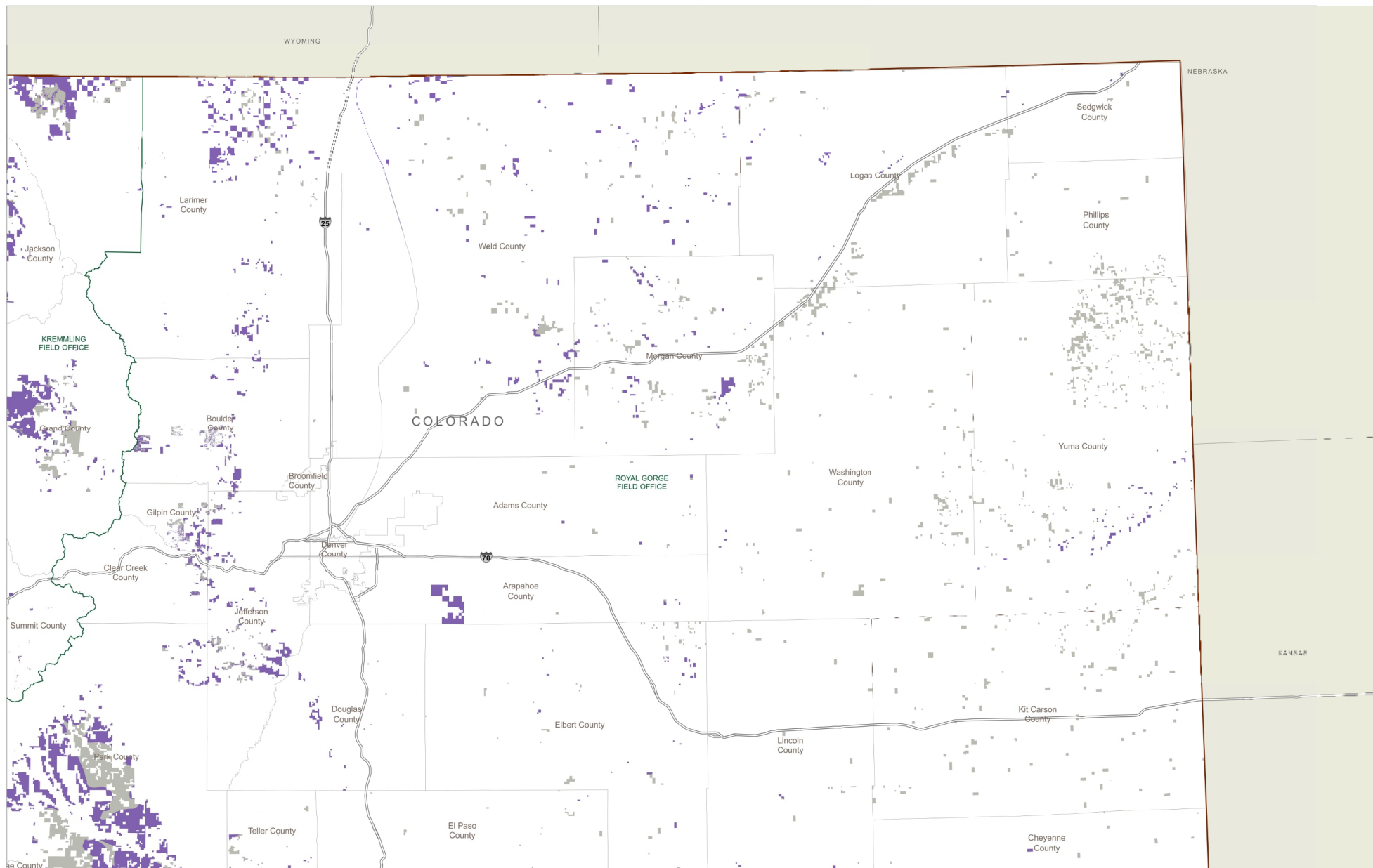
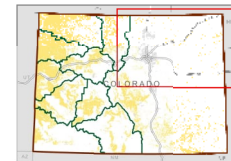


## Figure 21 Controlled Surface Use—Northeast

- Open, subject to controlled surface use (CSU)
- Open, subject to controlled surface use or timing limitation (CSU-TL)
- BLM surface and subsurface decision area
- Planning area
- BLM field office



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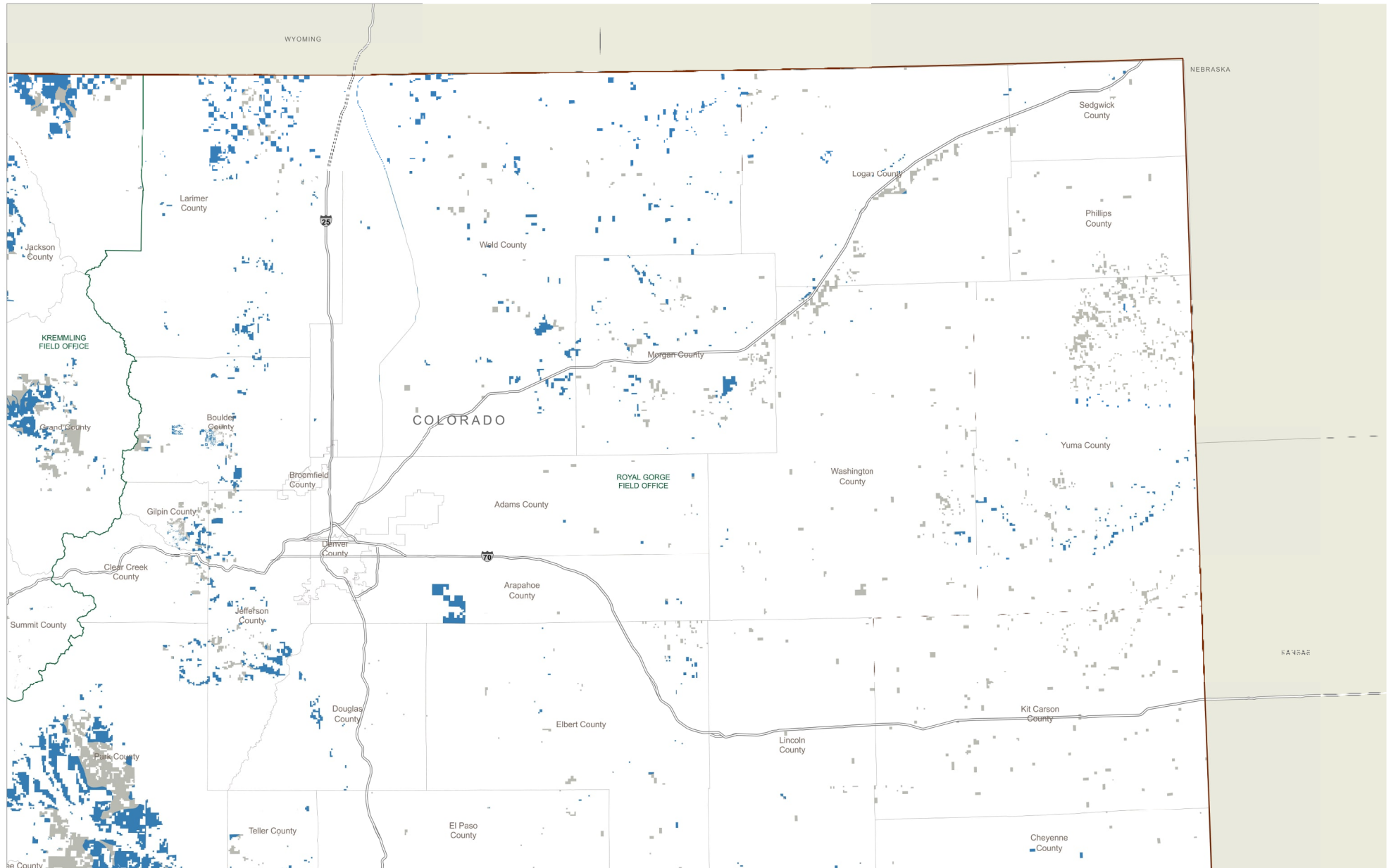
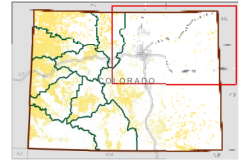


**Figure 22**  
**Timing Limitations—Northeast**

- Open, subject to timing limitation (TLs)
- BLM surface and subsurface decision area
- Planning area
- BLM field office



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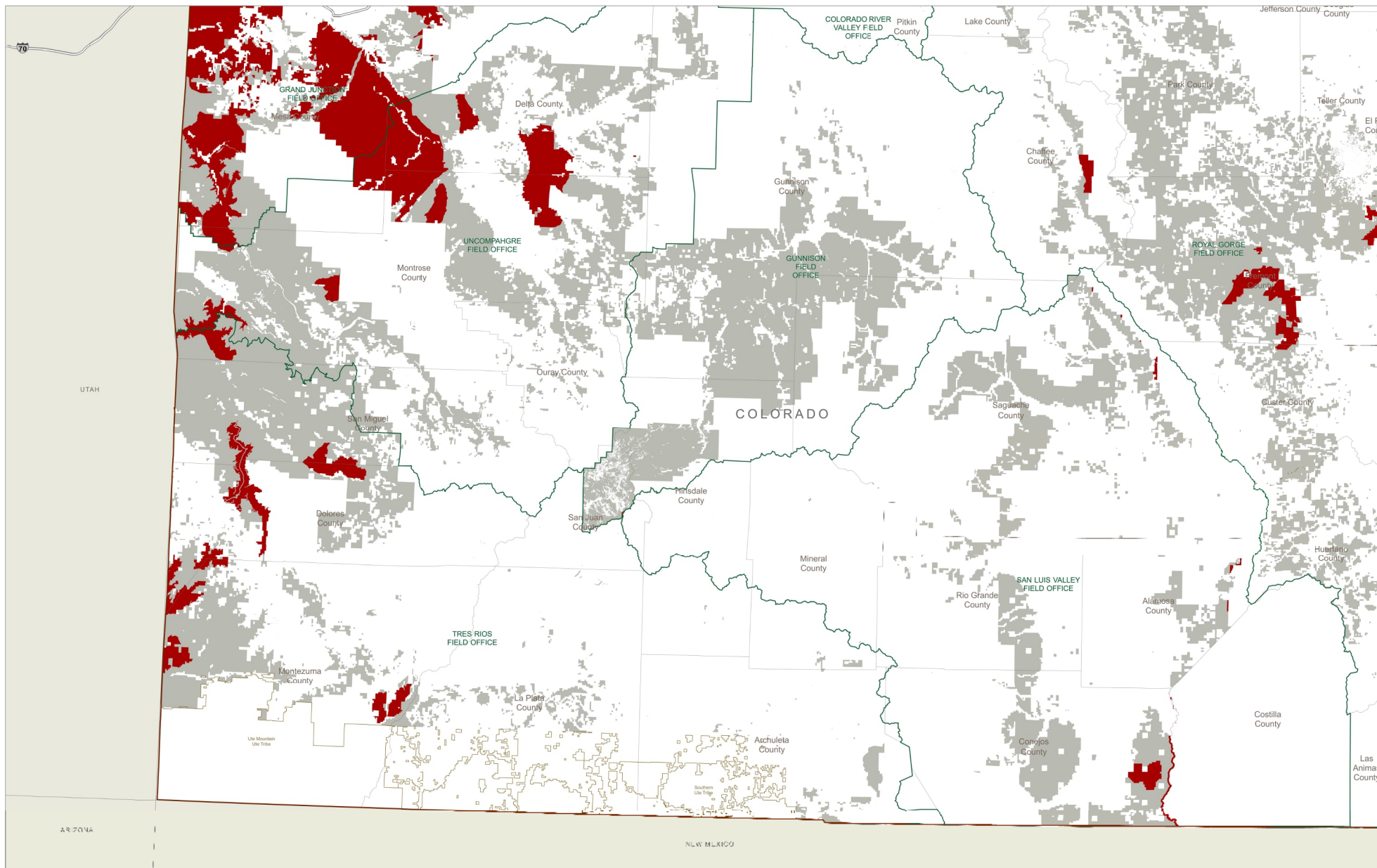
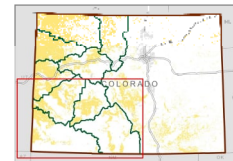


**Figure 23**  
**Closed to Fluid Mineral Leasing—Southwest**

- Closed to fluid mineral leasing
- BLM surface and subsurface decision area
- Planning area
- BLM field office
- Tribal Reservation: not in the decision area



Source: BLM 10-2-2023  
U.S. Department of the Interior  
Bureau of Land Management  
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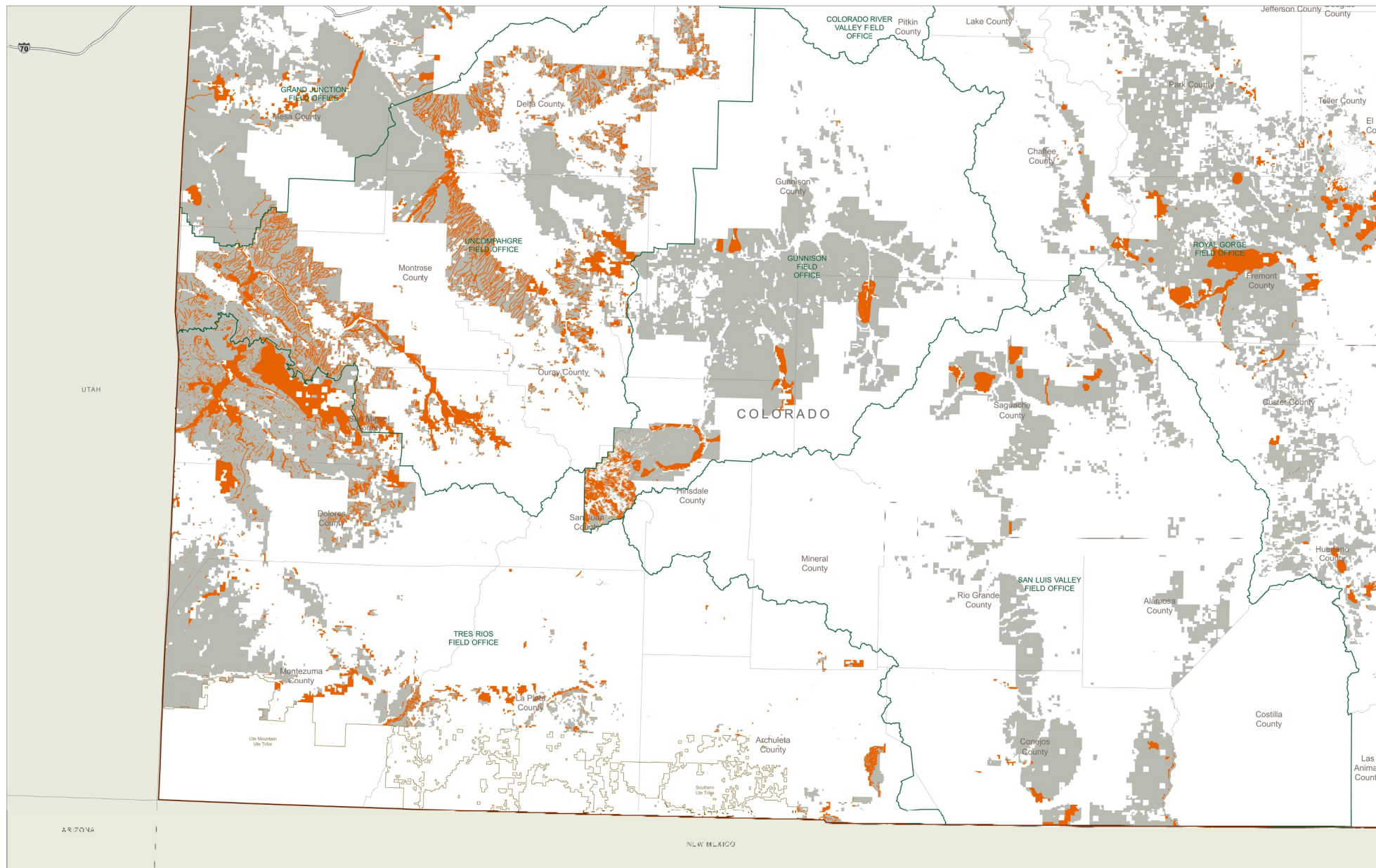
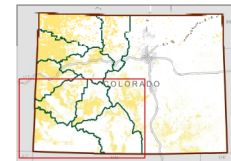


**Figure 24**  
**No Surface Occupancy—Southwest**

- Open, subject to no surface occupancy (NSO)
- BLM surface and subsurface decision area
- Planning area
- BLM field office
- Tribal Reservation: not in the decision area



Source: BLM 10-2-2022  
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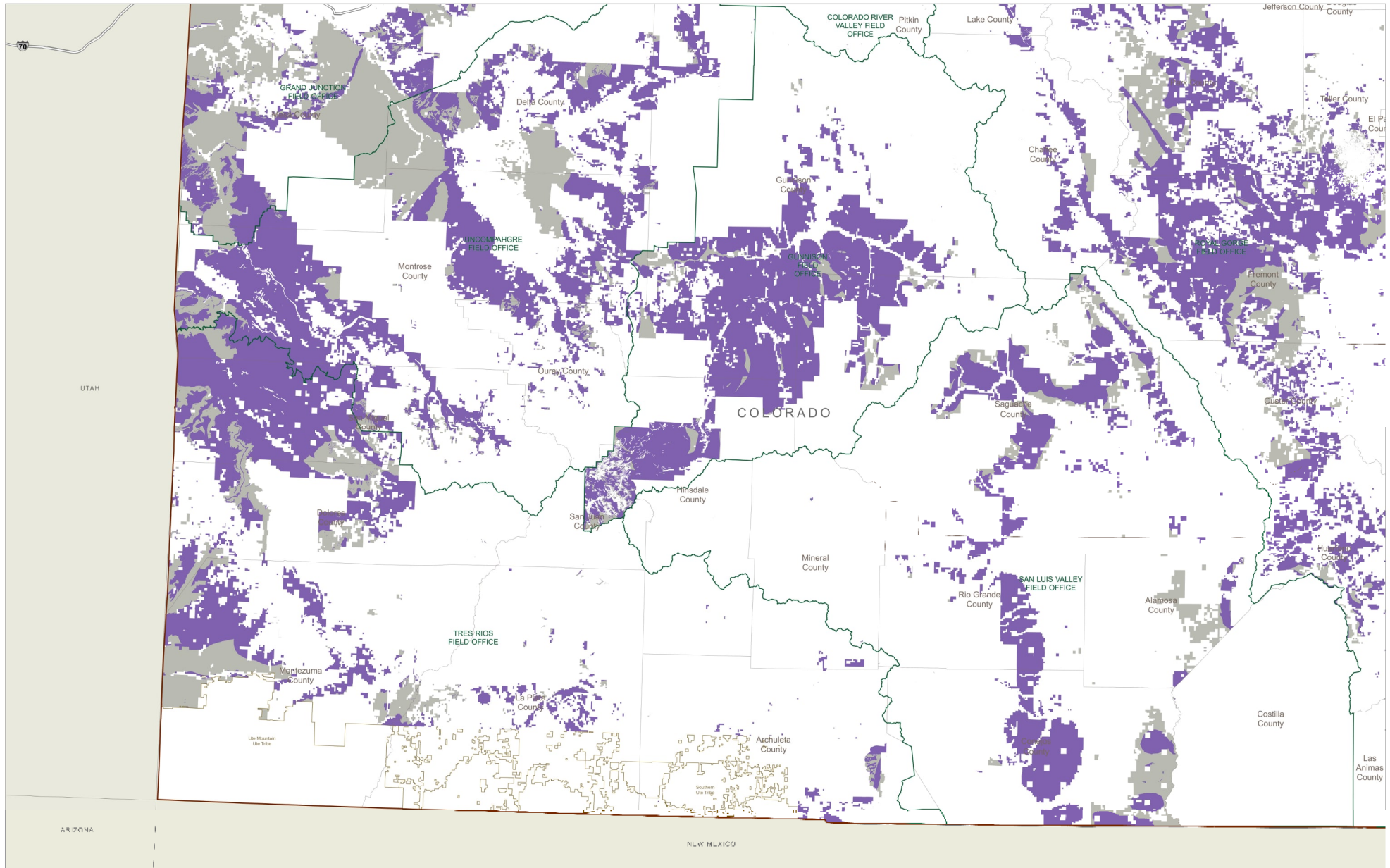
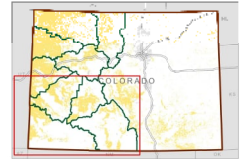


**Figure 25**  
**Controlled Surface Use—Southwest**

- Open, subject to controlled surface use (CSU)
- Open, subject to controlled surface use or timing limitation (CSU-TL)
- BLM surface and subsurface decision area
- Planning area
- BLM field office
- Tribal Reservation: not in the decision area



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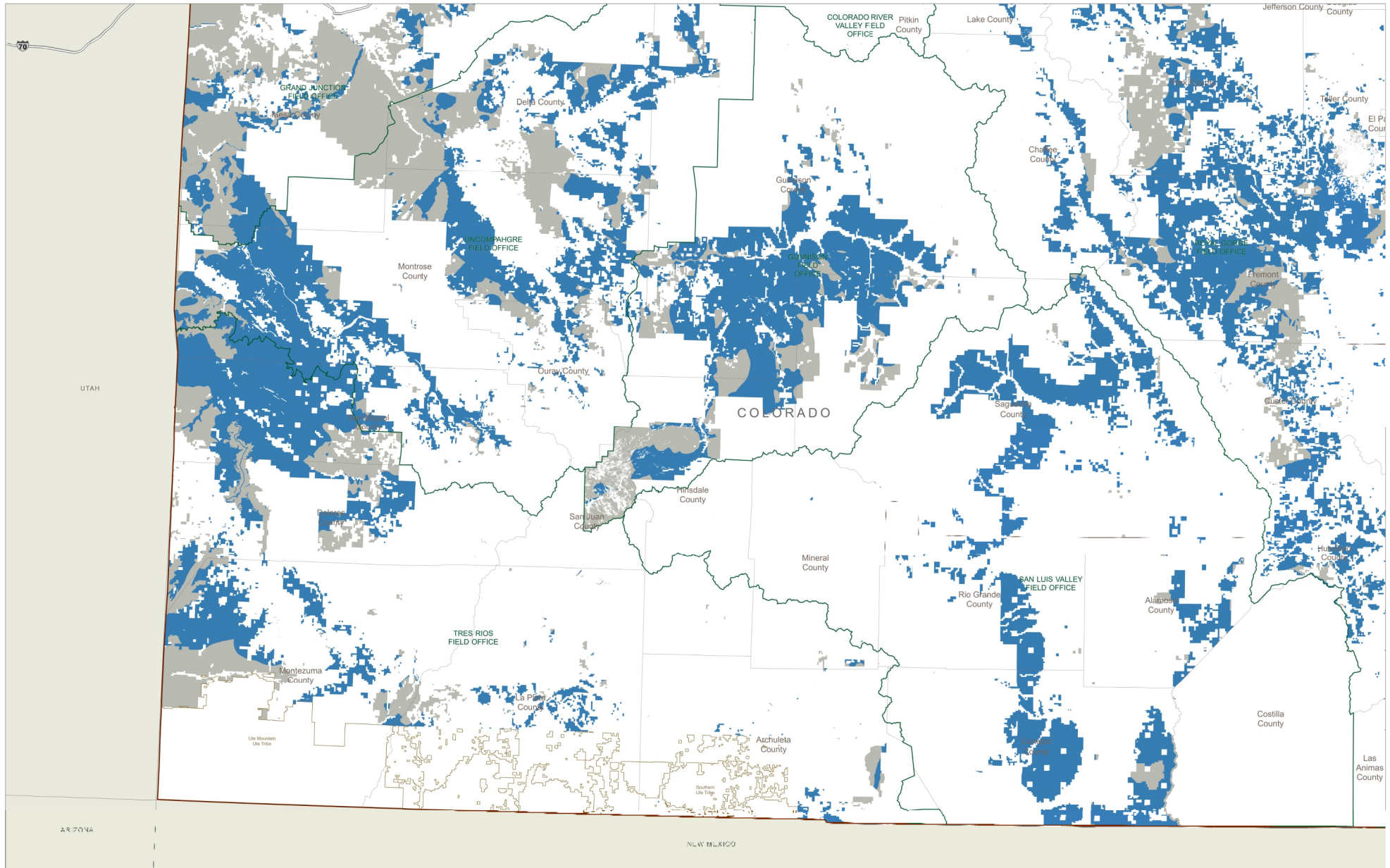
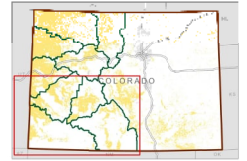


**Figure 26**  
**Timing Limitations—Southwest**

- Open, subject to timing limitation (TLs)
- BLM surface and subsurface decision area
- Planning area
- BLM field office
- Tribal Reservation: not in the decision area



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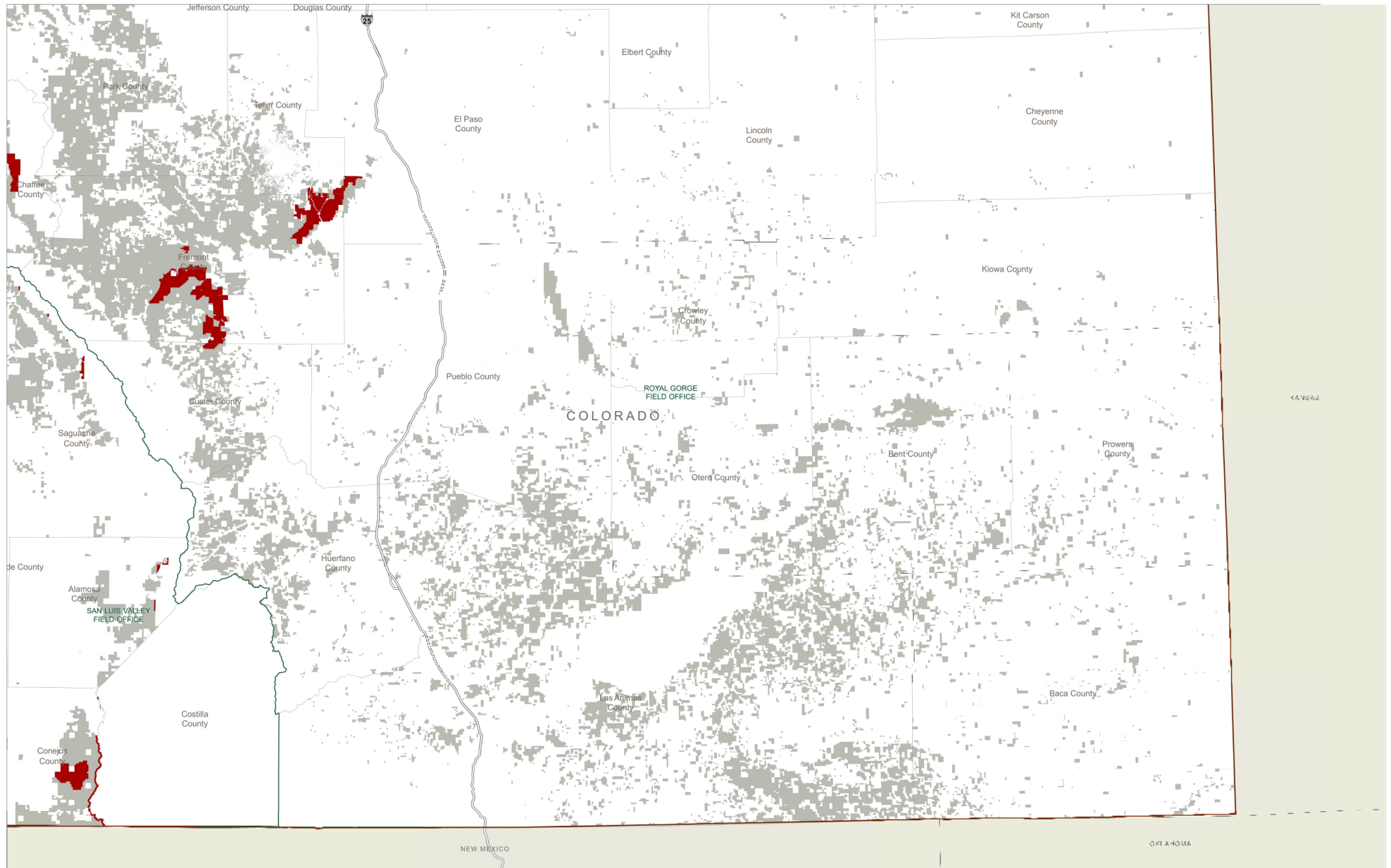
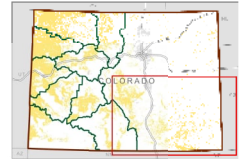


## Figure 27 Closed to Fluid Mineral Leasing—Southeast

- Closed to fluid mineral leasing
- Planning area
- BLM surface and subsurface decision area
- BLM field office



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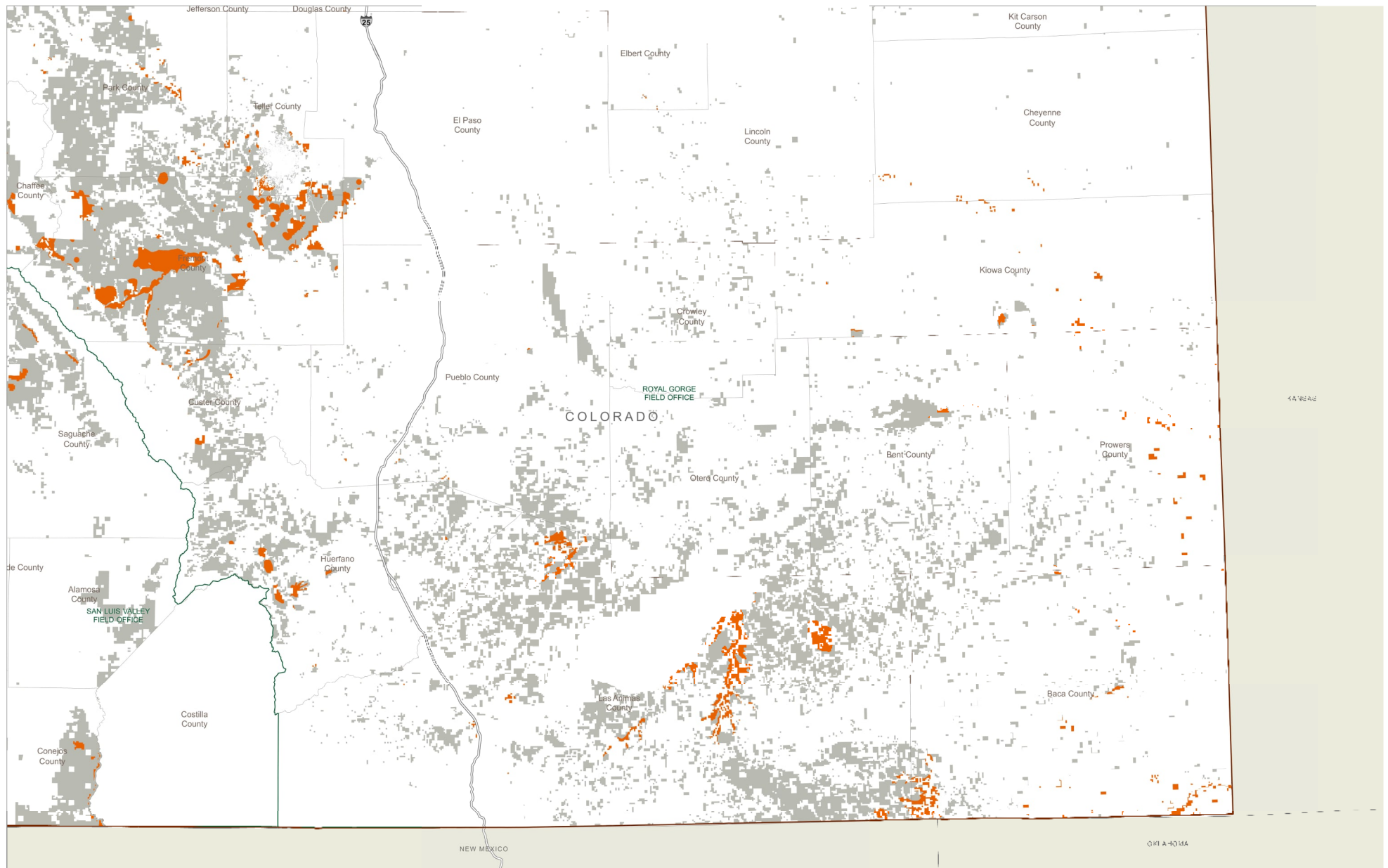
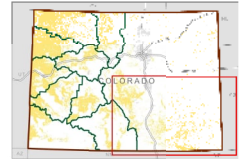


## Figure 28 No Surface Occupancy—Southeast

- Open, subject to no surface occupancy (NSO)
- BLM surface and subsurface decision area
- Planning area
- BLM field office



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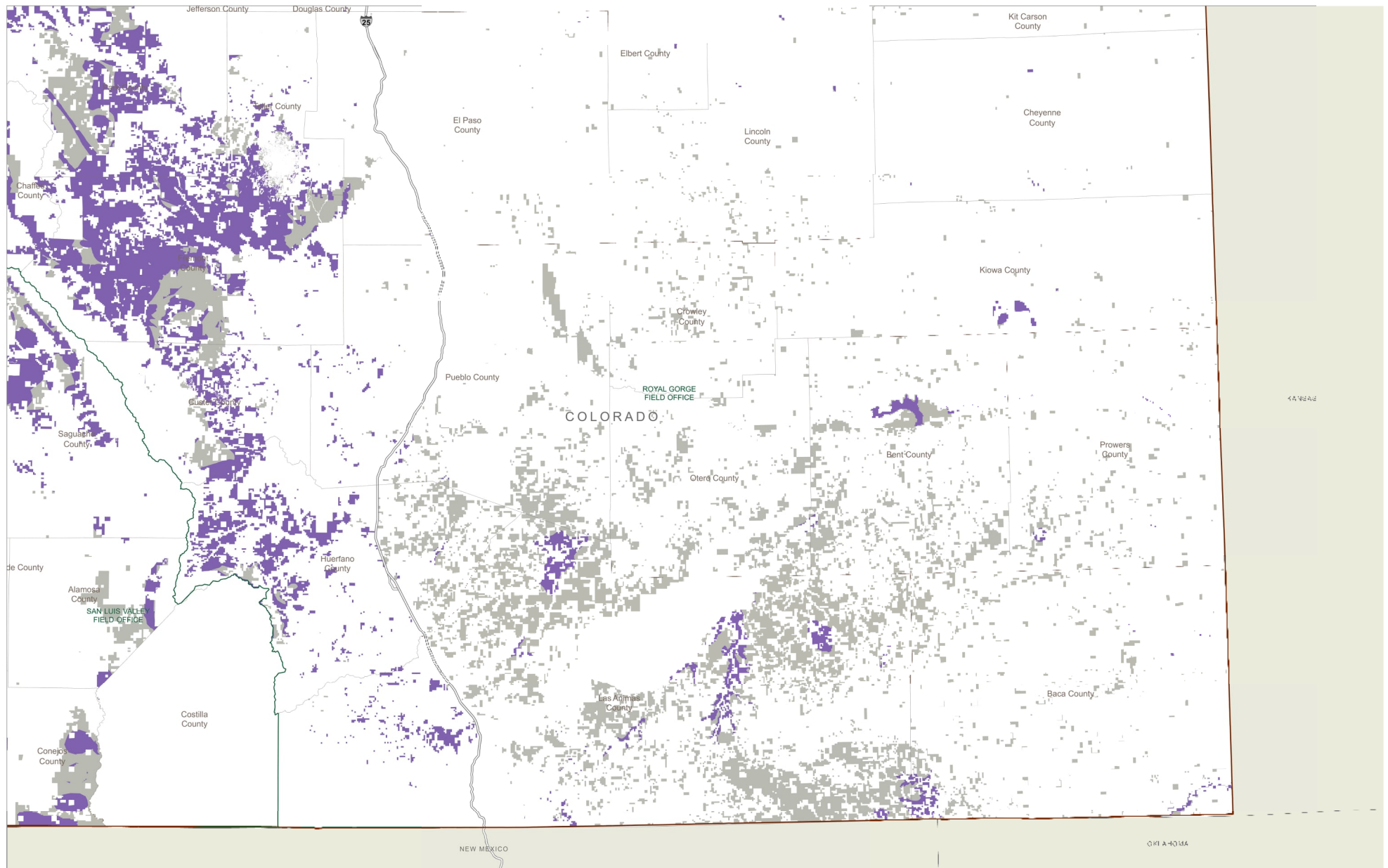
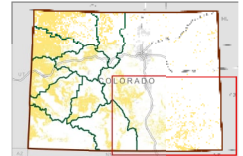


**Figure 29**  
**Controlled Surface Use—Southeast**

- Open, subject to controlled surface use (CSU)
- BLM surface and subsurface decision area
- Planning area
- BLM field office



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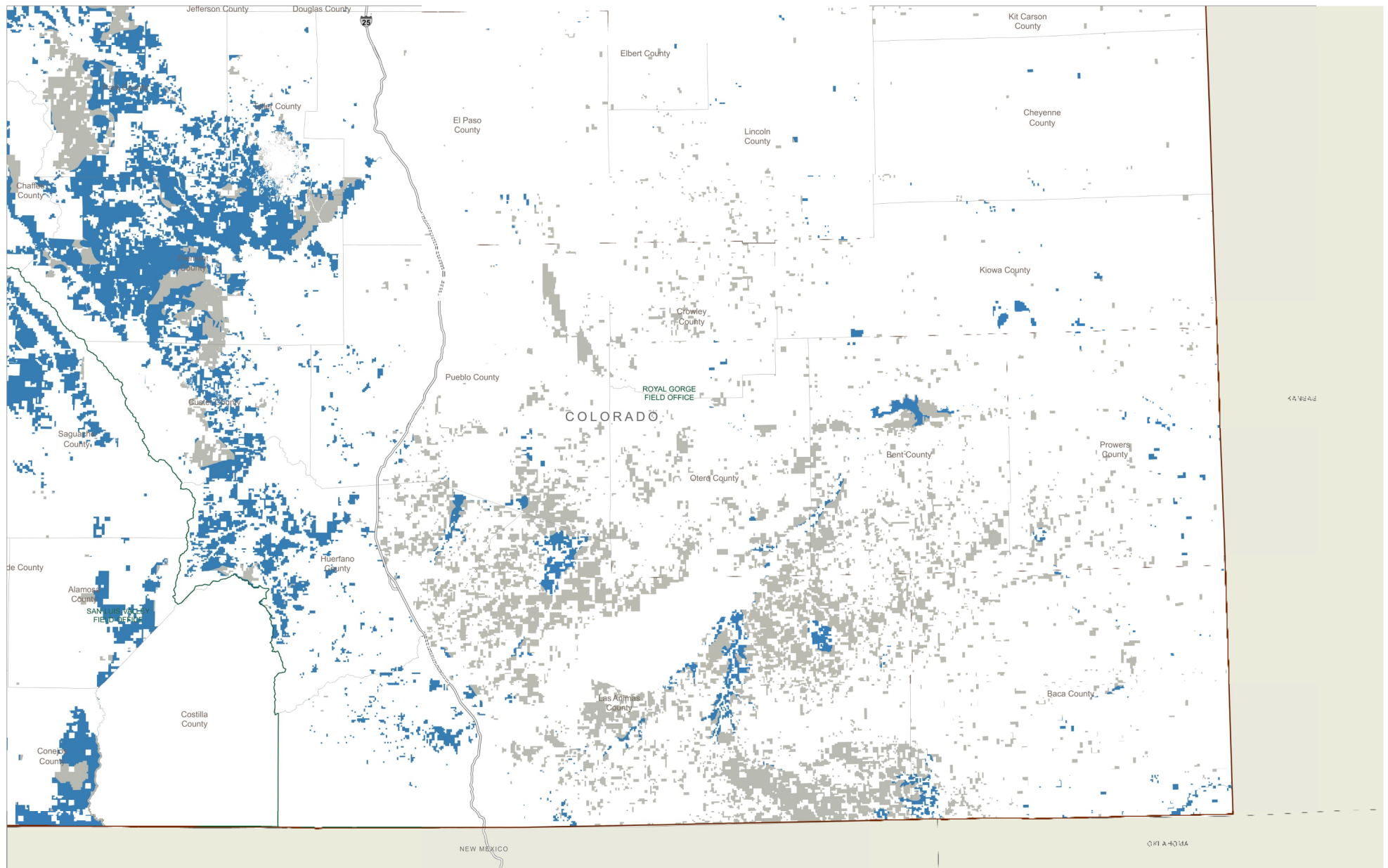
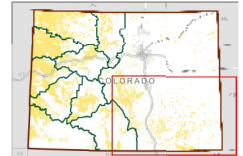


**Figure 30**  
**Timing Limitations—Southeast**

- Open, subject to timing limitation (TLs)
- BLM surface and subsurface decision area
- Planning area
- BLM field office









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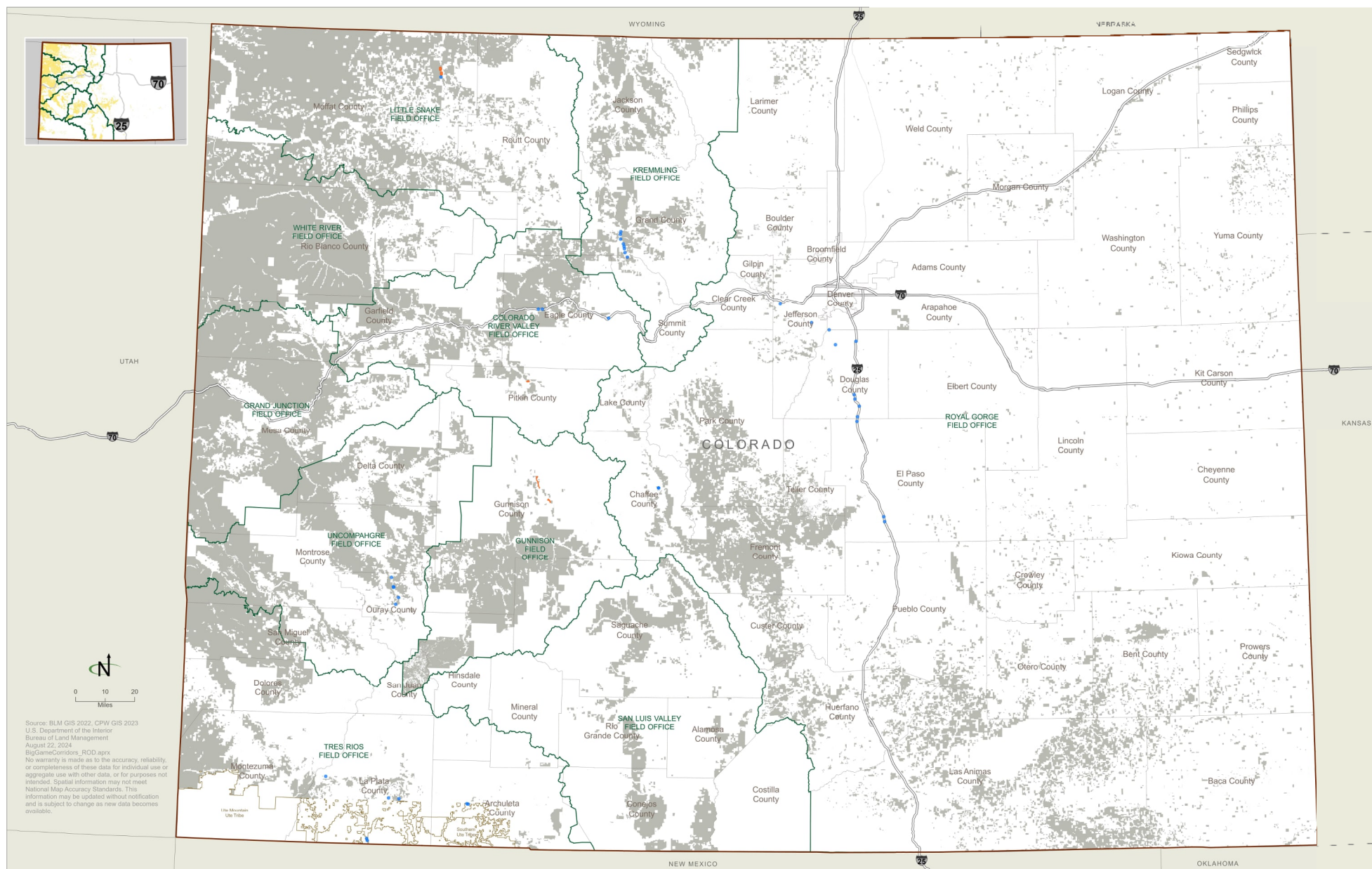




## Big Game Corridor Resource Management Plan Amendment/EIS

### Figure 31 Pinch Points

-  Pinch point buffer (0.5-mile)    
  BLM surface and subsurface decision area    
  BLM field office  
 Non-highway crossing    
  Planning area    
  Tribal Reservation; not in the decision area



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# Appendix B

Stipulations Applicable to Oil and Gas Leasing,  
Exploration, and Development with Exception,  
Modification, and Waiver Criteria

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# **Appendix B. Stipulations Applicable to Oil and Gas Leasing, Exploration, and Development with Exception, Modification, and Waiver Criteria**

Stipulations apply to all surface-disturbing activities – including surface use and occupancy – associated with new oil and gas land use authorizations, permits, and leases issued on Bureau of Land Management (BLM)-administered lands in big game high priority habitat (HPH). The stipulations would not apply to activities or uses where they are contrary to laws, regulations, valid existing rights, or specific program guidance.

No surface occupancy (NSO), controlled surface use (CSU), and timing limitation (TL) stipulations apply to oil and gas leasing, exploration, and development of BLM-administered fluid mineral estate, which includes mineral estate underlying BLM surface lands, privately owned surface lands, locally-owned surface lands, and state-owned surface lands but excludes National Forest System lands. To lease minerals beneath surface lands administered by the U.S. Department of Agriculture, Forest Service, the BLM must receive consent to lease from the Forest Service and incorporate any accompanying stipulations required by forest land use plans or forest-wide programmatic leasing analyses.

**Defining Surface-disturbing Activities, Surface Use and Occupancy.** A surface-disturbing activity, including surface use or occupancy, is defined as a land use action that alters surface/near-surface soils, surface geologic features, or vegetation beyond natural site conditions on a scale that affects the identified resource values. A surface-disturbing activity may require mitigation and reclamation.

Examples of surface-disturbing activities, surface use and occupancy constrained by stipulations include, but are not limited to:

- Geophysical exploration equipment off designated routes
- Truck-mounted drilling
- The use of mechanical earth-moving equipment for scraping, excavation, or digging
- New route construction, including existing two-track road upgrades for access or fluid minerals development
- Well development
- Stationary drill rigs
- Construction of permanent or other long-term facilities, such as powerlines, pipelines, water tanks, and well pads for fluid minerals development
- Use of pyrotechnics or explosives

A surface-disturbing activity, including surface use or occupancy, is defined as a land use action that alters surface/near-surface soils, surface geologic features, or vegetation beyond natural site conditions on a scale that affects the identified resource values. Surface disturbances could require mitigation and



reclamation. Examples of surface disturbing activity may include, but are not limited to, the use of mechanized earth-moving equipment; construction of oil and gas pads and access roads, oil and gas-associated facilities (e.g., compressor sites, central gathering facilities), power lines and pipelines associated with oil and gas authorizations. Surface disturbance is not normally caused by casual-use activities. Activities that are not considered surface-disturbing activities include, but are not limited to, oil and gas well site staking, noxious weed treatment, low intensity equipment maintenance.

**Application of Stipulations.** The predominant consideration for the application of any stipulation is the compatibility or incompatibility of the surface-disturbing activity, surface use or occupancy (including proposed design criteria) with the resource value(s) being protected as defined in the stipulation. In some cases, a proposal may cause a short-term disturbance but offer long-term benefits to the resource values protected by the stipulation.

A secondary consideration is whether the surface-disturbing activity would result in more than negligible (i.e., small, of little consequence, not readily noticeable) disturbance or impact to the resource value being protected as defined in the purpose for the stipulation. Project-specific environmental analysis would evaluate factors such as: the extent, duration, or intensity of the activity; the existing condition of the area affected; and if the impact is anticipated to last longer than 2 years without revegetation of pre-disturbance types of vegetation.

## **B.1 STANDARD OIL AND GAS LEASE TERMS AND CONDITIONS**

Leasing of federal onshore oil and gas resources is regulated under 43 CFR 3100. In compliance with the Onshore Oil and Gas Leasing Rule effective on June 22, 2024, the BLM may relocate proposed operations up to 800 meters and prohibit new surface disturbing operations for a period of up to 90 days in any lease year. BLM's regulatory authority also includes ensuring that fluid minerals development is conducted in an environmentally sound manner that protects other resources and values and requires adequate reclamation.

## **B.2 STIPULATIONS APPLICABLE TO OIL AND GAS LEASING, EXPLORATION, AND DEVELOPMENT**

Three types of stipulations could be applied to oil and gas land use authorizations: 1) no surface occupancy (NSO); 2) controlled surface use (CSU); and 3) timing limitation (TL). Lease stipulations and lease notices would be applied, as applicable, to all new leases and to reinstated leases. On existing leases, the BLM would seek voluntary compliance, incorporated as design features or operator-committed measures, or would develop Conditions of Approval (COAs) for Applications for Permit to Drill (APDs) or other oil-and-gas-related authorizations, consistent with valid existing rights, to achieve resource objectives. New development on existing leases must comply with current management direction to the extent feasible. This direction is consistent with Interior Board of Land Appeals decisions (*Yates Petroleum Corp.*, 176 Interior Board of Land Appeals 144 [2008] and *William P. Maycock*, 180 Interior Board of Land Appeals 1 [2010]) that BLM has discretion to modify surface operations to add specific mitigation measures supported by site-specific NEPA analysis undertaken during the development phase on existing leases (BLM 2010q). Any additional mitigation measures would need to be justifiable, still provide for lease development, and be incorporated in a site-specific document.

Where a proposed fluid mineral development project on an existing lease could adversely affect big game HPH, the BLM will work with the lessees, operators, or other project proponents to avoid,

reduce, and mitigate adverse impacts to the extent compatible with lessees' rights to drill and produce fluid mineral resources. The BLM will work with the lessee, operator, or project proponent in developing an APD or oil and gas-related authorization to avoid, minimize, and compensate for impacts to big game HPH and will ensure that the best information is incorporated into site-specific analysis.

#### **B.2.1 No Surface Occupancy (NSO)**

A NSO stipulation, a major constraint, includes stipulations that may be worded, "no surface use/occupancy," "no surface disturbance," "conditional NSO," "no ground-disturbing activity," and "no surface occupancy." Use or occupancy of the land surface for oil and gas exploration or development and other surface-disturbing activities (as previously defined) are prohibited to protect identified resources or values. Where a NSO applies to BLM lands, oil and gas are open to leasing, but surface occupancy or surface-disturbing activities associated with oil and gas leasing, exploration, and development are prohibited. Access to oil and gas resources would require directional drilling and/or horizontal drilling from outside the boundaries of the area with the NSO stipulation.

#### **B.2.2 Controlled Surface Use (CSU)**

A CSU stipulation, a moderate constraint, allows some use and occupancy of surface lands while protecting identified resources or values. Where a CSU applies to BLM lands, oil and gas are open to leasing but the BLM may require special operational constraints, including special design or relocating the surface-disturbing activity to protect the specified resources or values.

#### **B.2.3 Timing Limitation (TL)**

A TL stipulation, a moderate constraint, closes an area to oil and gas exploration and development, other surface-disturbing activities, and intensive human activity during identified time frames. This stipulation does not apply to operation and basic maintenance activities, including associated vehicle travel, unless otherwise specified.

Construction, drilling, completions, and other operations considered to be intensive in nature are not allowed during the timeframe. Administrative activities are allowed at the discretion of the BLM Authorized Officer.

#### **B.2.4 Lease Notice (LN)**

A LN provides more detailed information concerning existing operational, procedural, or administrative requirements already provided by law, lease terms, regulations, or operational orders. A LN also addresses special items that lessees should consider when planning operations but does not impose additional restrictions. LNs are not a land use planning level decision and new LNs may be added to fluid mineral leases at the time of sale.

#### **B.2.5 Condition of Approval (COA)**

COAs are conditions or provisions (requirements) under which an APD or other oil-and-gas-related authorization is approved. When making a decision regarding discrete surface-disturbing activities following site-specific environmental review, the BLM has the authority to impose reasonable measures to minimize, mitigate, or prevent impacts on resources and values. In other words, COAs are site-specific measures supported by environmental analysis to protect resources and values, and apply at the implementation phase of a project proposal.

### **B.3 EXCEPTIONS, MODIFICATIONS, AND WAIVERS APPLICABLE TO OIL AND GAS LEASING, EXPLORATION, AND DEVELOPMENT**

Stipulations may be excepted, modified, or waived by the BLM Authorized Officer. Exceptions, modifications, and waivers provide a viable and effective means of applying adaptive management techniques to oil and gas mineral leasing.

Standard exception, modification, and waiver criteria apply to all NSOs, CSUs, and TLs. In the following paragraphs, “leasehold” refers to a fluid mineral lease, and “proposed action” refers to a surface-disturbing activity.

An exception is a one-time stipulation exemption determined on a case-by-case basis for a particular location of a leasehold or oil-and-gas-related land use authorization area. Granting of a stipulation exception does not constitute subsequent approvals. The stipulation continues to apply to all other sites within the leasehold or authorization area. The BLM Authorized Officer may grant an exception to a stipulation if it is determined that the factors leading to its inclusion in the lease or action have changed sufficiently such that: 1) the protection provided by the stipulation is no longer justified or necessary to meet resource objectives established in the RMPA; or 2) proposed operations would not cause unacceptable impacts. If a stipulation exception is granted, additional best management practices and/or COAs may apply based on the nature and extent of impacted resources or values. The BLM Authorized Officer may require additional cooperation and coordination, plans of development, surveys, mitigation proposals, or environmental analysis, and may coordinate with other government agencies and/or the public in order to make this determination.

A modification is a change to the provisions of a lease or oil-and-gas-related land use authorization stipulation – either temporarily or for the lease term or length of the authorization. Depending on the specific modification, the stipulation may or may not apply to other locations within the leasehold or authorization area. The BLM Authorized Officer may modify a stipulation or the area subject to the stipulation if it is determined that the factors leading to its inclusion in the lease or project area have changed sufficiently. The BLM Authorized Officer may modify a stipulation as a result of new information if: 1) the protection provided by the stipulation is no longer justified or necessary to meet resource objectives established in the RMPA; 2) the protection provided by the stipulation is no longer sufficient to meet resource objectives established in the RMPA; or 3) proposed operations would not cause unacceptable impacts. The BLM Authorized Officer may require additional plans of development, surveys, mitigation proposals, or environmental analysis, and may coordinate with other government agencies and/or the public in order to make this determination. If a stipulation modification is granted, additional best management practices and/or COAs may apply based on the nature and extent of impacted resources or values. A 30-day public notice and comment period may also be required before modification of a stipulation.

A waiver permanently exempts a leasehold or oil-and-gas-related land use authorization from a stipulation. When a waiver is granted, the stipulation no longer applies anywhere within the leasehold or authorization area. The BLM Authorized Officer may waive a stipulation if it is determined that the factors leading to its inclusion in the lease or project no longer exist. The BLM Authorized Officer may require additional plans of development, surveys, mitigation proposals, or environmental analysis, and may coordinate with other government agencies and/or the public in order to make this determination. A 30-day public notice and comment period may also be required before waiver of a stipulation.

The environmental analysis document prepared for site-specific proposals for oil and gas development (e.g., Applications for Permit to Drill) also needs to include and address any proposal to except, modify, or waive a surface stipulation.

### No Surface Occupancy (NSO) Stipulations Applicable to Oil and Gas Mineral Leasing

Stipulation Description
<p><b><u>CO-NSO-BG-1</u></b></p> <p><b>STIPULATION:</b> Prohibit surface occupancy and use and apply restrictions within bighorn sheep production areas.</p> <p><b>PURPOSE:</b> To protect bighorn sheep production areas.</p> <p><b>Standard EXCEPTION, MODIFICATION, and WAIVER criteria apply.</b></p> <p>In addition, an <b>EXCEPTION, MODIFICATION, or WAIVER</b> may be granted in coordination with Colorado Parks and Wildlife (CPW). This may include special design, construction, and implementation measures, including relocation of proposed facilities and operations, timing limitations, and may require additional compensatory mitigation to offset the adverse impacts associated with high intensity activities (e.g., construction, drilling, and completions) that would provide conservation benefits sufficient to offset the residual direct and indirect impacts to big game HPH caused by the proposed oil and gas activities.</p>
<p><b><u>CO-NSO-BG-2</u></b></p> <p><b>STIPULATION NSO:</b> Prohibit surface occupancy and use within 0.5 mile of Colorado Parks and Wildlife (CPW)-identified big game migratory highway crossing pinch point areas and within CPW-mapped big game non-highway crossing pinch point areas.</p> <p><b>PURPOSE:</b> To maintain, conserve, and protect big game HPH pinch point areas.</p> <p><b>Standard EXCEPTION, MODIFICATION, and WAIVER criteria apply.</b></p> <p>In addition, an <b>EXCEPTION, MODIFICATION, or WAIVER</b> may be granted in coordination with CPW. This may include special design, construction, and implementation measures, including relocation of proposed facilities and operations and may require additional compensatory mitigation to offset the adverse impacts associated with high intensity activities (e.g., construction, drilling, and completions) that would provide conservation benefits sufficient to offset the residual direct and indirect impacts to big game HPH caused by the proposed oil and gas activities.</p>



**Controlled Surface Use (CSU) Stipulations Applicable to Oil and Gas Leasing**

<b>Stipulation Description</b>
<p><b><u>CO-CSU-BG-1 (Oil and Gas Location Density Threshold)</u></b></p> <p><b>STIPULATION:</b> Surface occupancy and use may be restricted within big game high priority habitat (HPH). Authorization of new oil and gas facility locations within big game HPH will be avoided when the oil and gas location density exceeds one active oil and gas location per square mile or contributes to an increased density beyond one active oil and gas location per square mile. In addition, a BLM- and CPW-approved Wildlife Mitigation Plan (WMP) will be required and implemented for new oil and gas facility locations within big game HPH. The WMP will address direct and indirect functional habitat loss, including consideration of the impacts of both oil and gas facilities and new oil and gas routes, and offset the unavoidable adverse impacts to the affected big game habitat.</p> <p><b>PURPOSE:</b> To maintain, conserve, and protect big game HPH on BLM-administered lands and Federal mineral estate in Colorado.</p> <p><b>Standard EXCEPTION, MODIFICATION, and WAIVER criteria apply.</b></p> <p>In addition, the Authorized Officer may grant an <b>EXCEPTION, MODIFICATION, or WAIVER</b> in coordination with CPW, where a proposed action:</p> <ul style="list-style-type: none"><li>• Would have negligible or nominal direct, indirect, or cumulative effects on big game HPH;</li><li>• Is an alternative to a similar action on a nearby parcel with greater overall adverse impacts to big game HPH or species of higher conservation concern (e.g., ESA listed species, BLM sensitive species);</li><li>• Where the oil and gas location density exceeds one active oil and gas location per square mile, the BLM in coordination with CPW, may require additional compensatory mitigation to offset the adverse impacts associated with high intensity activities (e.g., construction, drilling, and completions) that would provide conservation benefits sufficient to offset the residual direct and indirect impacts to big game HPH caused by the proposed oil and gas activities.</li></ul> <p>Such an exception, modification, or waiver will not be granted unless the BLM, in coordination with CPW, finds that the proposed action satisfies the above. Such finding shall initially be made by a team of one field biologist or other expert from each respective agency. In the event the initial finding is not unanimous, the finding may be elevated to the appropriate senior official for final resolution. In the event their finding is not unanimous, the exception will not be granted.</p>

**Timing Limitation (TL) Stipulations Applicable to Oil and Gas Leasing**

<b>Stipulation Description</b>
<p><b><u>CO-TL-BG-1</u></b></p> <p><b>STIPULATION:</b> Prohibit surface use and surface-disturbing and disruptive activities during the following time period(s) in the big game winter range high priority habitat as mapped by Colorado Parks and Wildlife (CPW) and analyzed and accepted by the BLM:</p> <ul style="list-style-type: none"><li>• Bighorn sheep winter range - November 1 to April 30;</li><li>• Elk and mule deer severe winter range and winter concentration areas, - December 1 to April 30; and</li><li>• Pronghorn winter concentration areas - January 1 to April 30.</li></ul> <p><b>Purpose:</b> To reduce disruption of big game during the winter season in crucial big game winter habitat.</p> <p><b>Standard EXCEPTION, MODIFICATION, and WAIVER criteria apply.</b></p> <p>In addition, an <b>EXCEPTION, MODIFICATION, or WAIVER</b> may be granted in coordination with CPW. This may require additional compensatory mitigation to offset the adverse impacts associated with high intensity activities (e.g., construction, drilling, and completions) that would provide conservation benefits sufficient to offset the residual direct and indirect impacts to big game HPH caused by the proposed oil and gas activities.</p>
<p><b><u>CO-TL-BG-2</u></b></p> <p><b>STIPULATION:</b> Prohibit surface use and surface-disturbing and disruptive activities during the following time period(s) in the big game production high priority habitat as mapped by Colorado Parks and Wildlife (CPW) and analyzed and accepted by the BLM:</p> <ul style="list-style-type: none"><li>• Bighorn sheep production areas - Rocky Mtn bighorn sheep April 15 - June 30, Desert bighorn sheep - February 1 to May 1;</li><li>• Elk production (calving) areas - May 15 to June 30.</li></ul> <p><b>Purpose:</b> To reduce behavioral disruption during big game parturition and early young rearing periods.</p> <p><b>Standard EXCEPTION, MODIFICATION, and WAIVER criteria apply.</b></p> <p>In addition, an <b>EXCEPTION, MODIFICATION, or WAIVER</b> may be granted in coordination with CPW. This may require additional compensatory mitigation to offset the adverse impacts associated with high intensity activities (e.g., construction, drilling, and completions) that would provide conservation benefits sufficient to offset the residual direct and indirect impacts to big game HPH caused by the proposed oil and gas activities.</p>

**Lease Notices (LNs) Applicable to Oil and Gas Leasing**

<b>Lease Notice Description</b>
<p><b><u>CO-LN-BG-1</u></b></p> <p><b>Lease Notice (LN):</b> This lease overlaps with CPW-mapped big game high priority habitat and requires a wildlife mitigation plan (WMP). CPW recommends a surface density limitation of less than one linear mile of routes per square mile (640 acres). The lessee or their designated operator shall consult with the BLM prior to seeking approval for an application for permit to drill (APD) or surface disturbance, whichever occurs first, to discuss best management practices and potential habitat mitigation requirements. The lessee or their designated operator shall work with the BLM and coordinate with Colorado Parks and Wildlife to take reasonable measures to avoid, minimize, and/or mitigate impacts to big game habitat functionality. The BLM will encourage the use of Master Development Plans or agreements for operations proposed on this lease.</p>
<p><b><u>CO-LN-BG-2</u></b></p> <p><b>Lease Notice (LN):</b> The lease area is located within big game habitat or currently under big game high priority habitat review by the State of Colorado and requires a wildlife mitigation plan (WMP). The lessee or their designated operator shall work with the BLM and coordinate with Colorado Parks and Wildlife to take reasonable measures to avoid, minimize, and/or mitigate impacts to big game habitat functionality. Big game habitats are mapped in land use plans, BLM's GIS database, or other maps provided by local, state, federal or tribal agencies that are analyzed and may be incorporated by the BLM in future RMP amendments or maintenance actions. The BLM will encourage the use of Master Development Plans or agreements for operations proposed on this lease.</p>

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# Appendix C

Implementation Guidance for  
Oil and Gas Permitting in Big Game High Priority Habitat

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# Appendix C. Implementation Guidance for Oil and Gas Permitting in Big Game High Priority Habitat

**Appendix C**, Implementation Guidance for Oil and Gas Permitting in big game high priority habitat (HPH), provides methodologies to better align the Bureau of Land Management's (BLM's) oil and gas permitting process with the Colorado Energy and Carbon Management Commission's (ECMC's) rules (Rule 1202.c, d; Rule 1203) for oil and gas development in elk, mule deer, pronghorn, and bighorn sheep HPH to conserve seasonal habitats and connectivity between and within big game HPH in support of Colorado Parks and Wildlife's (CPW's) big game population objectives. A controlled surface use (CSU) density limitation of one active oil and gas location per square mile in big game HPH will be applied to new leases and new permits. This CSU also requires operators to develop and implement wildlife mitigation plans to avoid, minimize, and offset direct, indirect, and cumulative adverse impacts.

The application of the facility density CSU methodology is intended to follow a mitigation hierarchy to avoid, minimize, and mitigate unavoidable direct, indirect, and cumulative adverse impacts to big game HPH.

- Avoidance includes the assessment to avoid siting locations in big game HPH, which may include an alternative location analysis.
- Minimization measures include reduction of oil and gas facility densities within big game HPH, application of timing limitations, and implementation of best management practices (BMPs) designed to reduce overall disturbance to wildlife during both the development and production phases associated with oil and gas extraction. Where feasible and appropriate, co-locate, consolidate, and cluster oil and gas development to minimize impacts to big game HPH. When co-location and clustering are not feasible, strive for low density oil and gas development within big game HPH.
- Mitigation requirements would address direct impacts, indirect impacts, and the cumulative effects of oil and gas activities on big game populations and their CPW-mapped big game HPH, as well as offset unavoidable adverse impacts.

## C.1 APPLICATION OF OIL AND GAS FACILITY DENSITY CSU

This RMPA proposes a CSU recommending a density limitation of one active oil and gas location per square mile in big game HPH, in alignment with ECMC's 1200 Series Rules. Big game HPH includes the following habitat types:

- **Bighorn Sheep** - production areas, migration corridors, winter range
- **Elk** - production areas, migration corridors, severe winter range, winter concentration areas
- **Mule deer** - migration corridors, severe winter range, winter concentration areas
- **Pronghorn** - migration corridors, winter concentration areas
- **Pinch Points** - highway crossing structures and non-highway areas, as mapped.

For each new or amended well pad location or larger area development plan in big game HPH, the BLM will determine the project-level facility density by assessing the number of active oil and gas locations in one square mile around the proposed development. Development proposals in big game HPH will trigger the need for coordination among CPW, the BLM, and the operator to assess alternatives to avoid, minimize, and mitigate impacts to big game HPH.

In collaboration with the operator, pertinent local governments, the landowner, and state and federal agencies, the BLM will conduct an onsite visit and assess resource conditions at the site, in addition to analyzing the project-level facility density. The BLM will review proposed pad, access road, pipeline, and other ancillary facility alignments and consider alternative locations for means to avoid, minimize, and if necessary, mitigate unavoidable residual adverse impacts from proposed oil and gas developments.

Facilities included in the density calculation are the following:

- Active oil and gas locations (including authorized permits that have yet to be constructed)
- Other active oil and gas development facilities (e.g., compressor sites, centralized gathering facilities, produced water injection sites).
- Route information and inventory of existing oil and gas access roads in the project area zone of influence (one square mile around the proposed direct disturbance) would be used to inform the project design.

To determine the existing density of oil and gas facilities, various methods could include the use of resources like disturbance tracking tools, geographic information system (GIS) tools, aerial maps, and existing databases. One methodology to calculate the facility density for the CSU is detailed in Appendix L of the Proposed Resource Management Plan Amendment/Final Environmental Impact Statement.

## **C.2 DEVELOPMENT OF A WILDLIFE MITIGATION PLAN**

The Wildlife Mitigation Plan will include the following:

- (1) A description of any pre-application consultation with the BLM and CPW, which includes an alternative location analysis that identifies site-specific measures to avoid, minimize, or mitigate adverse impacts to big game HPH;
- (2) A description of timing limitations, BMPs, and design features incorporated into the proposed application for permit to drill (APD) that the operator commits to implementing for the purposes of avoiding and/or minimizing impacts to wildlife;
- (3) A description of the pertinent general operating requirements applicable to the Oil and Gas Location; and
- (4) A description of the compensatory mitigation commitments, when required, to offset unavoidable direct, indirect, and cumulative adverse impacts to wildlife resources.

The direct impact area is the proposed disturbance footprint, including the well pad, access road, pipeline, and other ancillary facility alignments. The indirect impact area will be determined by identifying the big game HPH, big game species of concern, and the appropriate associated indirect impacts buffer (based on the best available science regarding species-specific disturbance and avoidance distances). The sum of the direct impact area and indirect impact area equates to a preliminary compensatory mitigation area. With

the delineated boundaries of the potential adverse indirect impact area, the quantity and quality of functional habitat will be assessed, including the following considerations:

- Seasonal habitats and migration and movement corridors present for each impacted species;
- Forage quality, range condition, and distance to escape cover; and
- Other considerations including:
  - % of species-specific indirect impact buffer from existing oil and gas locations that overlaps species-specific indirect impact buffer from the proposed action (APD)
  - % of acreage in use for residential, transportation, industrial, commercial, incompatible agricultural, or other non-habitat purposes
  - % of use of existing facilities – The extent to which a proposed action uses existing infrastructure to reduce indirect impacts from traffic, noise, light, etc., and to limit habitat fragmentation. Consider pad site, access roads, pipeline corridors, electric lines, tank batteries, etc.
  - Use of BMPs

Based on these considerations, the final compensatory mitigation acreage will be calculated.

Consideration for exceptions to timing limitations should be calculated in the wildlife mitigation plan. Exceptions to timing limitations may require additional compensatory mitigation to offset the adverse impacts associated with high intensity activities (e.g., construction, drilling, and completions) during sensitive periods for big game. This may be addressed during the APD approval process, or at the time an exception request is submitted.

The BLM, in coordination with CPW, will determine whether compensatory mitigation proposed by the operator is sufficient to protect wildlife from direct and indirect impacts. An operator may complete compensatory mitigation by:

- (1) Completing a project approved by the BLM and CPW or
- (2) Paying a habitat mitigation fee to CPW's compensatory mitigation program. A fee will be calculated to reimburse all reasonable and necessary direct and indirect costs that will be incurred by the BLM and/or CPW in completing compensatory mitigation sufficient to offset the residual direct and indirect impacts to big game HPH caused by the proposed oil and gas operations (see ROD, Section 11.6). More detail on the permit process and associated compensatory mitigation requirements will be given when a site-specific oil and gas development proposal is received.
- (3) The Authorized Officer may grant an exception from the compensatory mitigation requirement after consulting with CPW if it is determined that the authorization (e.g., APD or ROW) meets the following criteria:
  - Ground-truthing by CPW and BLM staff determines that the big game HPH layers indicated by mapping are not present and unlikely to return within the proposed area of development, or
  - The proposed development action will result in no or de minimis additional adverse direct or indirect impacts to big game.

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