

Attachment F – Exhibits Description

EXHIBIT CO-34

ENDANGERED SPECIES ACT SECTION 7 CONSULTATION STIPULATION

The lease area may now or hereafter contain plants, animals, or their habitats determined to be threatened, endangered, or other special status species. BLM may recommend modifications to exploration and development proposals to further its conservation and management objective to avoid BLM-approved activity that will contribute to a need to list such a species or their habitat. BLM may require modifications to or disapprove proposed activity that is likely to result in jeopardy to the continued existence of a proposed or listed threatened or endangered species or result in the destruction or adverse modification of a designated or proposed critical habitat. BLM will not approve any ground-disturbing activity that may affect any such species or critical habitat until it completes its obligations under applicable requirements of the Endangered Species Act as amended, 16 U.S.C. § 1531 et seq., including completion of any required procedure for conference or consultation.

On the lands described below:

EXHIBIT CO-39

CONTROLLED SURFACE USE

This lease may be found to contain historic properties and/or resources protected under the National Historic Preservation Act (NHPA), American Indian Religious Freedom Act, Native American Graves Protection and Repatriation Act, E.O.13007, or other statutes and executive orders. The BLM will not approve any ground disturbing activities that may affect any such properties or resources until it completes its obligations under applicable requirements of the NHPA and other authorities. The BLM may require modification to exploration or development proposals to protect such properties, or disapprove any activity that is likely to result in adverse effects that cannot be successfully avoided, minimized or mitigated.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

On the lands described below:

EXHIBIT WR-CSU-01

CONTROLLED SURFACE USE STIPULATION

Surface occupancy or use is subject to the following special operating constraints:

Surface disturbing activities will be allowed in these areas only after an engineered construction/reclamation plan is submitted by the operator and approved by the Area Manager. The following items must be addressed in the plan: 1) How soil productivity will be restored; 2) How surface runoff will be treated to avoid accelerated erosion such as riling, gullyng, piping, and mass wasting.

On the lands described below:

<LEGAL_DESCRIPTIONS>

For the purpose of:

PROTECTING FRAGILE SOILS ON SLOPES GREATER THAN 35 PERCENT & SALINE SOILS

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see Bureau of Land Management Manuals 1624 and 3101 or Forest Service Manuals 1950 and 2820.)

EXCEPTION:

An exception may be granted by the Area Manager if an environmental analysis of the proposed action identifies that the scale of the operation would not result in any long-term decrease in site productivity or increased erosion. An exception may also be granted by the Area Manager if a more detailed soil survey determines that soil properties associated with the disturbance do not meet fragile soil criteria.

MODIFICATION: None

WAIVER: None

EXHIBIT WR-CSU-02

CONTROLLED SURFACE USE STIPULATION

Surface occupancy or use is subject to the following special operating constraints:

These Areas of Critical Environmental Concern (ACEC) are known to contain, or have potential to contain, threatened or endangered plants or plants that are candidates for listing as threatened or endangered, State of Colorado plant species of concern, Bureau of Land Management sensitive plants, remnant vegetation associations, and/or unique plant communities. A plant inventory will be conducted prior to approving any surface disturbing activities within the ACEC boundaries. Surface disturbance will not be allowed within mapped locations of these plants. The presence of the above listed plants would require relocating surface disturbance or facilities more than 200 meters. The

timing required for conducting the plant inventories may require deferring activities longer than 60 days.

On the lands described below:

<LEGAL_DESCRIPTIONS>

For the purpose of:

Protecting: ACECs

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see Bureau of Land Management Manuals 1624 and 3101 or Forest Service Manuals 1950 and 2820.)

EXCEPTION:

This stipulation may be excepted by the Area Manager if an environmental analysis of the proposed action indicates that the plants of concern would not be affected.

MODIFICATION: None

WAIVER: None

EXHIBIT WR-CSU-03

CONTROLLED SURFACE USE STIPULATION

Surface occupancy or use is subject to the following special operating constraints:

(1) Prior to authorizing activities in this area, the Field Manager will confer or consult with the FWS as required by Section 7 of the Endangered Species Act. Depending on the scope of the proposed action, a plan of development may be required that demonstrates how the proposed activities would be conducted or conditioned to avoid the direct or indirect loss of black-footed ferrets or to avoid affecting the capability of the site to achieve reestablishment objectives.

(2) The Field Manager may impose land use measures and limitations derived from a site specific ferret reintroduction and management plan (see below). The measures and limitations would be designed to avoid, or reduce to acceptable levels, the short and long term adverse effects on ferret survival, behavior, reproductive activities, and/or the area's capacity to sustain ferret population objectives.

Examples of measures and limitations include:

- a) relocation of surface activities more than 656 feet;
- b) deferring activities longer than 60 days;
- c) limiting access to designated roads and trails;
- d) modifications to project design to discourage raptor perching and prohibit the disruption of certain or all prairie dog burrow systems;

- e) limiting surface disturbance to certain seasons and times of day;
- f) requiring efforts to offset losses of, or expand suitable prairie dog habitats to compensate for, unavoidable habitat loss or adverse habitat modification.

(3) The following provisions are derived from “A Cooperative Plan for Black-footed Ferret Reintroduction and Management, Wolf Creek and Coyote Basin Management Areas”:

- a) A “Plan of Operations” will be developed for large or multi-year mineral development programs that occur on federal estate within Black-footed Ferret Management Areas.
- b) Mineral development and utility installation activities will be designed to avoid adverse influence on prairie dog habitat. In the event adverse impacts to prairie dog habitat are unavoidable, activities will be designed to influence the smallest area practicable and/or those areas with the lowest prairie dog densities. When proposed developments cannot be designed or implemented to avoid substantive adverse impacts to the black-footed ferret or their habitat, the project proponents and appropriate agency(ies) would cooperatively develop a mitigation plan. The default objective for compensation is equal and in-kind replacement of the disturbed or destroyed prairie dog habitat via a cooperatively arranged expansion or enhancement of other prairie dog colonies in the Management Area.
- c) Ferret occupation at the site of a proposed commercial activity may require special mitigation measures (e.g., delay of activities, capture and relocation of ferrets, habitat mitigation, modification to the design of activities or facilities, singularly or in combination). The course of events chosen will be determined cooperatively by the operator, CDOW, and FWS at the time of an identified conflict. Reliable evidence of a ferret occupying a proposed project vicinity during the reproductive period may warrant imposing measures as COAs in an effort to reduce the risk of compromising ferret reproductive efforts. Such measures may include relocating the proposed facility, modifying the conduct of an activity, or imposing a timing limitation (1 May to 15 July) on suitable habitats within 0.5 mile of the documented evidence.
- d) On-site habitat reclamation will be required upon cessation of temporary (less than two years) surface disturbances as necessary.
- e) As a general rule, acre-for-acre mitigation will be required for habitat lost due to permanent (equal to or greater than two years) surface disturbances.
Examples of mitigation forms are listed below:
 - i) Vegetation Treatment. Burning, mechanical, and/or chemical treatments applied to areas with excessive or otherwise incompatible vegetation adjacent to existing towns and likely to be colonized by prairie dogs following land treatment.
 - ii) Relocation of Prairie Dogs. Prairie dogs translocated from the site of surface disturbance to an area with vacant burrow systems.
 - iii) Create New Burrow Systems. The construction of artificial burrows in potential habitat which is lacking burrows and relocating affected prairie dogs to the artificial burrows.
 - iv) Habitat Banking. To avoid the inconvenience and inefficiency of implementing a large number of small mitigation projects over time, operators would have the option of implementing larger mitigation projects that could be used as a credit against future habitat modifications.

On the lands described below:

<LEGAL_DESCRIPTIONS>

For the purpose of:

Protecting: **BLACK-FOOTED FERRET REINTRODUCTION AREA**

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see Bureau of Land Management Manuals 1624 and 3101 or Forest Service Manuals 1950 and 2820.)

EXCEPTION:

The Area Manager, in conference with FWS, may authorize surface disturbance or use within these areas if an environmental analysis finds that the activity as proposed or conditioned, would not adversely influence ferret recovery, or conflict with the ferret reintroduction and management plan.

MODIFICATION:

The Area Manager, in conference with FWS, may modify the terms of the CSU if the proposed action is shown to be compatible with ferret recovery goals and/or the ferret reintroduction and management plan.

WAIVER:

The Area Manager, in conference with FWS, may grant a waiver if extirpation of wild, free roaming ferret populations culminates in the discontinuance of the species recovery program, or local reintroduction efforts are otherwise abandoned.

EXHIBIT WR-CSU-05

CONTROLLED SURFACE USE STIPULATION

Surface occupancy or use is subject to the following special operating constraints:

Prior to authorizing surface disturbance within this area, and pending conferral or consultation with the U.S. Fish & Wildlife Service as required by the Endangered Species Act, the Area Manager may require the proponent/applicant to submit a plan of development that would demonstrate that:

- 1) involvement of cottonwood stands or cottonwood regeneration areas have been avoided to the extent practicable;
- 2) special reclamation measures or design features are incorporated that would accelerate recovery and/or reestablishment of affected cottonwood communities;

3) the pre-development potential of affected floodplains to develop or support riverine cottonwood communities has not been diminished; and

4) the current/future utility of such cottonwood substrate for bald eagle use would not be impaired.

On the lands described below:

<LEGAL_DESCRIPTIONS>

For the purpose of:

PROTECTING BALD EAGLE NEST, ROOST, & PERCH SUBSTRATE

This is a controlled surface use area for maintaining the long term suitability, utility and development opportunities for specialized habitat features involving nest, roost, and perch substrate on Federal lands.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see Bureau of Land Management Manuals 1624 and 3101 or Forest Service Manuals 1950 and 2820.)

EXCEPTION:

The Area Manager may grant an exception to this stipulation if an environmental analysis indicates that the proposed or conditioned activities would not affect the long term suitability or utility of habitat features or diminish opportunities for natural floodplain functions. Surface disturbance and occupation may also be authorized in the event that established impacts to habitat values would be compensated or offset to the satisfaction of the Bureau of Land Management in consultation with U.S. Fish & Wildlife Service and Colorado Parks and Wildlife.

MODIFICATION: Integral with exception and stipulation.

WAIVER: None

EXHIBIT WR-CSU-06

CONTROLLED SURFACE USE STIPULATION

Surface occupancy or use is subject to the following special operating constraints:

Prior to authorizing surface disturbance of occupied stream reaches or within watersheds contributing to occupied habitats, the Area Manager may require the proponent/applicant to submit a plan of development that would demonstrate that the proposed action would not:

1) increase stream gradient;

- 2) result in a net increase in sediment contribution;
- 3) decrease stream channel sinuosity;
- 4) increase the channel width to depth ratio;
- 5) increase water temperature;
- 6) decrease vegetation derived stream shading; and
- 7) degrade existing water quality parameters, including specific conductance, turbidity, organic/inorganic contaminant levels, and dissolved oxygen in occupied reaches or contributing perennial or intermittent tributaries.

If approvals are granted and development results in these standards being exceeded, additional measures would be required to correct the deficiencies. The proponent may be required to monitor stream/channel responses throughout the life of the project.

On the lands described below:

<LEGAL_DESCRIPTIONS>

For the purpose of:

Protecting: COLORADO RIVER CUTTHROAT TROUT HABITAT.

This is a controlled surface use area for protecting aquatic habitats occupied by populations of Colorado River cutthroat trout.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see Bureau of Land Management Manuals 1624 and 3101 or Forest Service Manuals 1950 and 2820.)

EXCEPTION:

The Area Manager may authorize surface disturbance in these areas if an environmental analysis indicates that the project would have no adverse influence on identified stream characteristics.

MODIFICATION:

Short term transgressions of the stream characteristics listed above may be allowed if the Area Manager determines, through environmental analysis, that short term deviations will have no adverse consequences on affected channel reaches beyond the construction phase of the project.

WAIVER:

In the event the population status of Colorado River cutthroat trout warrants downgrading, this stipulation may be replaced by less stringent criteria.

EXHIBIT WR-LN-01

LEASE NOTICE

PRAIRIE DOG TOWNS: Lands within this lease parcel involve prairie dog ecosystems that constitute potential habitat for wild or reintroduced populations of the federally endangered black-footed ferret. Conservation and recovery efforts for the black-footed ferret are authorized by the Endangered Species Act of 1973 (as amended). The successful lessee may be required to perform special conservation measures prior to and during lease development. These measures may include one or more of the following:

1. Performing site-specific habitat analysis and/or participating in ferret surveys.
2. Participating in the preparation of a surface use plan of operations with Bureau of Land Management, U.S. Fish & Wildlife Service, and Colorado Parks and Wildlife, which integrates and coordinates long term lease development with measures necessary to minimize adverse impacts to black-footed ferrets or their habitat.
3. Abiding by special daily and seasonal activity restrictions on construction, drilling, product transport, and service activities.
4. Incorporating special modifications to facility siting, design, construction, and operation.
5. Providing in-kind compensation for habitat loss and/or displacement (e.g., special on-site habitat enhancement).

On the lands described below:

<LEGAL_DESCRIPTIONS>

EXHIBIT WR-NSO-01

NO SURFACE OCCUPANCY STIPLATION

No surface occupancy or use is allowed on the lands described below:

<LEGAL_DESCRIPTIONS>

For the purpose of:

PROTECTING LANDSLIDE AREAS. Identified soils are considered unstable and subject to slumping and mass movement. Surface occupancy will not be allowed in such areas delineated from U.S. Department of Agriculture Soil Conservation Service Order III Soil

Surveys.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see Bureau of Land Management Manuals 1624 and 3101 or Forest Service Manuals 1950 and 2820.)

EXCEPTION:

The Area Manager may authorize surface occupancy if an environmental analysis finds the nature of the proposed action could be conditioned so as not to impair the stability of the landslide areas. An exception may also be granted if a more detailed soil survey, that is, Order I, conducted by a qualified soil scientist, finds the soil properties associated with the proposed action are not susceptible to slumping and mass movement.

MODIFICATION:

Site specific modifications may be granted by the Area Manager pending determination that a portion of the soil units meet the following conditions:

1. Inclusions within the soil unit where slopes are less than 35 percent.
2. A more detailed survey identifies and delineates wet areas and sloping rock formations, and the proposed action is designed to avoid those areas.
3. The proposed action utilizes land treatments and soil stabilization practices that will demonstrate a high probability of reducing soil loss and preventing degradation of water quality.
4. The proposed action would not cause slumping or mass movement as demonstrated through engineering and design criteria.

WAIVER: None

EXHIBIT WR-NSO-02

NO SURFACE OCCUPANCY STIPULATION

No surface occupancy or use is allowed on the lands described below:

<LEGAL_DESCRIPTIONS>

For the purpose of:

Protecting: SPECIAL STATUS RAPTORS. This area encompasses the nests of special status raptors, including listed, proposed, or candidate species for listing under the Endangered Species Act and Bureau of Land Management sensitive species. Surface occupancy is not allowed within 1/4 mile of the identified nests.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see Bureau of Land Management Manuals 1624 and 3101 or Forest Service Manuals 1950 and 2820.)

EXCEPTION:

An exception may be granted by the Area Manager, if authorization is obtained from the U.S. Fish & Wildlife Service (through applicable provisions of the Endangered Species Act, Eagle Protection

Act, or Migratory Bird Treaty Act) , to interrupt active nesting attempts and/or cause short or long term adverse modification of suitable nest site characteristics. An exception may also be granted by the Area Manager if it is determined that the nature or conduct of the proposed or conditioned activity would not impair the function or utility of the nest site for current or subsequent nest activities or occupancy.

MODIFICATION:

Site specific modifications to the no surface occupancy area may be granted by the Area Manager pending determination that a portion of the area is not essential to nest site functions or utility; or that the nature or conduct of the activity, as proposed or conditioned, would not impair the function or utility of the nest site for current or subsequent nest activities or occupancy. The stipulation may also be modified if the proponent, Bureau of Land Management, and where necessary, other affected interests, negotiate compensation that satisfactorily offsets anticipated impacts to raptor breeding activities and/or habitats. Modifications could also occur if sufficient information is provided that supports the contention that the action would not contribute to the suppression of breeding population densities or the population's production or recruitment regime from a Geographic Reference Area perspective. If a species status is downgraded, or delisted, the no surface occupancy buffer area may be modified to an appropriate level.

WAIVER:

A waiver may be granted if the species becomes extinct or if site conditions change such that there is no reasonable likelihood of occupation for a subsequent minimum period of 10 years.

EXHIBIT WR-NSO-03

NO SURFACE OCCUPANCY STIPULATION

No surface occupancy or use is allowed on the lands described below:

<LEGAL_DESCRIPTIONS>

For the purpose of:

PROTECTING OTHER RAPTORS. This area encompasses raptor nests of other than special status raptor species. Surface occupancy is not allowed within 1/8 mile of

identified nests.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see Bureau of Land Management Manuals 1624 and 3101 or Forest Service Manuals 1950 and 2820.)

EXCEPTION:

An exception may be granted by the Area Manager if authorization is obtained from the U.S. Fish & Wildlife Service (through applicable provisions of the Endangered Species Act, Eagle Protection Act, or Migratory Bird Treaty Act), to interrupt active nesting attempts and/or cause short or long term adverse modification of suitable nest site characteristics. The Area Manager may also grant an exception if an environmental analysis finds that the nature or conduct of the action, as proposed or conditioned, would not impair the function or utility of the nest site for current or subsequent nest activities or occupancy.

MODIFICATION:

Site specific modifications to the no surface occupancy area may be granted by the Area Manager pending determination that a portion of the area is not essential to nest site functions or utility; or that the nature or conduct of the activity, as proposed or conditioned, would not impair the function or utility of the nest site for current or subsequent nest activities or occupancy. The stipulation may also be modified if the proponent, Bureau of Land Management, and where necessary, other affected interests, negotiate compensation that satisfactorily offsets anticipated impacts to candidate raptor breeding activities and/or habitats. Modifications could also occur if sufficient information is provided that supports the contention that the action would not contribute to the suppression of breeding population densities or the population's production or recruitment regime from a Geographic Reference Area perspective.

WAIVER:

A waiver may be granted by the Area Manager if documentation shows the nest site has been abandoned for a minimum of three years; or that the site conditions, including surrounding nest habitat, have changed such that there is no reasonable likelihood of site occupation for a subsequent minimum period of 10 years.

EXHIBIT WR-NSO-05

NO SURFACE OCCUPANCY STIPULATION

No surface occupancy or use is allowed on the lands described below:

<LEGAL_DESCRIPTIONS>

For the purpose of:

Protecting: BALD EAGLE ROOSTS. This area encompasses bald eagle nocturnal roosts and/or concentration areas. Surface occupancy is not allowed with 1/4 mile of designated features.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see Bureau of Land Management Manuals 1624 and 3101 or Forest Service Manuals 1950 and 2820.)

EXCEPTIONS:

An exception may be granted by the Area Manager if authorization is obtained from the U.S. Fish & Wildlife Service (through applicable provisions of the Endangered Species Act, Eagle Protection Act, or Migratory Bird Treaty Act), to interrupt roosting activities and/or cause short or long-term adverse modification of suitable roost site characteristics. The Area Manager may also grant an exception if an environmental analysis indicates that the nature or conduct of the action, as proposed or conditioned, would not impair the function or utility of the site for current or subsequent roosting activities or occupancy.

MODIFICATIONS:

The no surface occupancy stipulation may be modified by the Area Manager if an environmental analysis indicates that a portion of the area is nonessential to roost site function or utility; or that the proposed action could be conditioned to not impair the function or utility of the site for current or subsequent roosting activities or occupancy. The stipulation may also be modified commensurate with changes in species status.

WAIVER:

The stipulation may be waived if the species becomes extinct or if the site has failed to support roosting activities over a minimum three-year period. A waiver may also apply if the area has changed such that there is no reasonable likelihood of site occupation for a subsequent minimum period of 10 years.

EXHIBIT WR-NSO-06

NO SURFACE OCCUPANCY STIPULATION

No surface occupancy or use is allowed on the lands described below:

<LEGAL_DESCRIPTIONS>

For the purpose of:

Protecting: AREAS OF CRITICAL ENVIRONMENTAL CONCERN (ACEC). These ACECs contain vertebrate and/or invertebrate fossils of high scientific value or possess plant species that are listed as threatened or endangered, candidates for listing, Bureau of Land Management sensitive, State of Colorado plant species of concern, or remnant

vegetation associations. Surface occupancy or disturbance will not be allowed within the boundaries of the ACEC.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see Bureau of Land Management Manuals 1624 and 3101 or Forest Service Manuals 1950 and 2820.)

EXCEPTION:

The Area Manager may grant an exception to this stipulation if, after an on the ground plant inventory is conducted, an environmental analysis indicates that the nature or conduct of the action, as proposed or conditioned, would not directly or indirectly affect the identified important values of the ACEC.

MODIFICATION: None

WAIVER: None

EXHIBIT WR-NSO-08

NO SURFACE OCCUPANCY STIPULATION

No surface occupancy or use is allowed on the lands described below:

<LEGAL_DESCRIPTIONS>

For the purpose of:

Protecting: **KNOWN & POTENTIAL HABITAT OF LISTED & CANDIDATE THREATENED OR ENDANGERED PLANT SPECIES.** This area contains threatened or endangered plants, candidate threatened or endangered plants, or potential habitat for these plants. No surface occupancy will be allowed on mapped populations of these plants.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see Bureau of Land Management Manuals 1624 and 3101 or Forest Service Manuals 1950 and 2820.)

EXCEPTIONS:

The Area Manager may grant an exception if an inventory and subsequent environmental analysis indicates that the nature or conduct of the action, as proposed or conditioned, would not directly or indirectly affect plant populations.

MODIFICATION: None

WAIVER: None

EXHIBIT WR-NSO-09

NO SURFACE OCCUPANCY STIPULATION

No surface occupancy or use is allowed on the lands described below:

<LEGAL_DESCRIPTIONS>

For the purpose of:

Protecting: SENSITIVE PLANTS & REMNANT VEGETATION ASSOCIATIONS.
This area contains Bureau of Land Management sensitive plants and remnant vegetation associations. Surface occupation will not be allowed within known populations of these plants.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see Bureau of Land Management Manuals 1624 and 3101 or Forest Service Manuals 1950 and 2820.)

EXCEPTIONS:

The Area Manager may grant an exception if an inventory and subsequent environmental analysis indicated that the nature or conduct of the action, proposed or conditioned, would not directly or indirectly affect plant populations. An exception may also be applied if the no surface occupancy stipulation would hinder or preclude the exercise of valid existing rights. Under that circumstance, protection of the plants would be afforded through Conditions of Approval, that would require reclamation of disturbed areas to include utilizing native seed mixes in remnant vegetation association areas, and reproducing sensitive species via transplant or some other means in areas containing sensitive species.

MODIFICATION: None

WAIVER: None

EXHIBIT WR-TL-01

TIMING LIMITATION STIPULATION

No surface use is allowed during the following time period(s). This stipulation does not apply to operation and maintenance of production facilities.

No development activities are allowed within 1/2 mile of identified nest sites from February 1 through August 15, or until fledgling and dispersal of young. Development activities will be allowed from August 16 through January 31.

On the lands described below:

<LEGAL_DESCRIPTIONS>

For the purpose of (reasons):

Protecting: LISTED, PROPOSED, OR CANDIDATE THREATENED OR ENDANGERED & BUREAU OF LAND MANAGEMENT SENSITIVE RAPTORS OTHER THAN BALD EAGLE AND FERRUGINOUS HAWKS: This area encompasses the nests of threatened, endangered, or candidate raptors.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see Bureau of Land Management Manuals 1624 and 3101 or Forest Service Manuals 1950 and 2820.)

EXCEPTION:

An exception may be granted to these dates by the Area Manager, if authorization is obtained from the U.S. Fish & Wildlife Service (through applicable provisions of the Endangered Species Act, Eagle Protection Act, or Migratory Bird Treaty Act) to harass, harm, wound, or kill in the context of active nesting attempts. An exception can also be granted if an environmental analysis of the proposed action indicated that nature or conduct of the activity could be conditioned so as not to impair the utility of nest for current or subsequent nesting activity or occupancy. The Area Manager may also grant an exception if the nest is unattended or remains unoccupied by May 15 of the project year.

MODIFICATION:

The Area Manager may modify the size of the stipulation area if an environmental analysis indicates that a portion of the area is nonessential to nest utility or function, or that the proposed action could be conditioned so as not to impair the utility of nest for current or subsequent nest activities or occupation. The stipulation may also be modified if the proponent, Bureau of Land Management, and where necessary, other affected interests, negotiate compensation that satisfactorily offsets anticipated impacts to raptor breeding activities and/or habitats. Modifications could also occur if sufficient information is provided that supports the contention that the action would not contribute to the suppression of breeding population densities or the population's production or recruitment regime from a Geographic Reference Area perspective. If a species status is downgraded, or if a species is delisted, the size of the timing limitation area may be reduced.

WAIVER:

A waiver may be granted if the species becomes extinct or there is no reasonable likelihood of site occupation over a minimum 10-year period.

EXHIBIT WR-TL-02

TIMING LIMITATION STIPULATION

No surface use is allowed during the following time period(s). This stipulation does not apply to operation and maintenance of production facilities.

No development is allowed within 1/2 mile of identified nests from December 15 through July 15, or until fledgling and dispersal of young. (Development activities will be allowed from July 16 through December 14) .

On the lands described below:

<LEGAL_DESCRIPTIONS>

For the purpose of (reasons):

Protecting: BALD EAGLE NESTS: This area encompasses bald eagle nests.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see Bureau of Land Management Manuals 1624 and 3101 or Forest Service Manuals 1950 and 2820.)

EXCEPTION:

An exception may be granted to these dates by the Area Manager, if authorization is obtained from the U.S. Fish & Wildlife Service (through applicable provisions of the Endangered Species Act, Eagle Protection Act, or Migratory Bird Treaty Act) to harass, harm, wound, or kill in the context of active nesting attempts. An exception can also be granted if an environmental analysis of the proposed action indicates that nature or conduct of the activity could be conditioned so as not to impair the utility of nest for current or subsequent nesting activity or occupancy. The Area Manager may also grant an exception if the nest is unattended or remains unoccupied by May 15 of the project year.

MODIFICATION:

The Area Manager may modify the size of the stipulation area if an environmental analysis indicates that a portion of the area is nonessential to nest utility or function, or that the proposed action could be conditioned so as not to impair the utility of the nest site for current or subsequent nest activities or occupation. If the species status is downgraded, or if the species is delisted, the size of the timing limitation area may be reduced.

WAIVER:

A waiver may be granted if the nest has remained unoccupied for a minimum of three years or conditions have changed such that there is no reasonable likelihood of site occupation over a minimum 10-year period.

EXHIBIT WR-TL-03

TIMING LIMITATION STIPULATION

No surface use is allowed during the following time period(s). This stipulation does not apply to operation and maintenance of production facilities.

No development is allowed within one (1) mile of identified nests from February 1 through August 15, or until fledgling and dispersal of young. (Development activities will be allowed from August 16 through January 31) .

On the lands described below:

<LEGAL_DESCRIPTIONS>

For the purpose of (reasons):

Protecting: FERRUGINOUS HAWKS: This area encompasses the nests of ferruginous hawks which are candidates for listing under the Endangered Species Act.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see Bureau of Land Management Manuals 1624 and 3101 or Forest Service Manuals 1950 and 2820.)

EXCEPTION:

An exception may be granted to these dates by the Area Manager, if authorization is obtained from the U.S. Fish & Wildlife Service (through applicable provisions of the Endangered Species Act, Eagle Protection Act, or Migratory Bird Treaty Act) to harass, harm, wound, or kill in the context of active nesting attempts. An exception can also be granted if an environmental analysis of the proposed action indicates that nature or conduct of the activity could be conditioned so as not to impair the utility of nest for current or subsequent nesting activity or occupancy. The Area Manager may also grant an exception if the nest is unattended or remains unoccupied by May 15 of the project year.

MODIFICATION:

The Area Manager may modify the size of the stipulation area if an environmental analysis indicates that a portion of the area is nonessential to nest utility or function, or that the proposed action could be conditioned so as not to impair the utility of the nest site for current or subsequent nest activities or occupation. The stipulation may also be modified if the proponent, Bureau of Land Management, and where necessary, other affected interests, negotiate compensation that satisfactorily offsets anticipated impacts to raptor breeding activities and/or habitats. Modifications could also occur if sufficient information is provided that supports the contention that the action would not contribute to the suppression of breeding population densities or the population's production or recruitment regime from a Geographic Reference Area perspective. If the species status is downgraded, or if the species is delisted, the size of the timing limitation area may be reduced.

WAIVER:

A waiver may be granted if the species becomes extinct or there is not reasonable likelihood of site occupation over a minimum 10-year period.

EXHIBIT WR-TL-04

TIMING LIMITATION STIPULATION

No surface use is allowed during the following time period(s). This stipulation does not apply to operation and maintenance of production facilities.

No development activities are allowed within 1/4 mile of identified nests from February 1 through August 15, or until fledgling and dispersal of young. (Development will be allowed from August 16 through January 31)

On the lands described below:

<LEGAL_DESCRIPTIONS>

For the purpose of (reasons):

PROTECTING OTHER RAPTORS: This area encompasses the nests of raptors that are other than threatened, endangered, or candidate species.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see Bureau of Land Management Manuals 1624 and 3101 or Forest Service Manuals 1950 and 2820.)

EXCEPTION:

An exception may be granted to these dates by the Area Manager, if authorization is obtained from the U.S. Fish & Wildlife Service (through applicable provisions of the Endangered Species Act, Eagle Protection Act, or Migratory Bird Treaty Act) to harass, harm, wound, or kill in the context of active nesting attempts. An exception can also be granted if an environmental analysis of the proposed action indicates that nature or conduct of the activity could be conditioned so as not to impair the utility of nest for current or subsequent nesting activity or occupancy. The Area Manager may also grant an exception if the nest is unattended or remains unoccupied by May 15 of the project year.

MODIFICATION:

The Area Manager may modify the size of the stipulation area if an environmental analysis indicates that a portion of the area is nonessential to nest utility or function, or that the proposed action could be conditioned so as not to impair the utility of the nest site for current or subsequent nest activities or occupation. The stipulation may also be modified if the proponent, Bureau of Land Management, and where necessary, other affected interests, negotiate

compensation that satisfactorily offsets anticipated impacts to raptor breeding activities and/or habitats. Modifications could also occur if sufficient information is provided that supports the contention that the action would not contribute to the suppression of breeding population densities or the population's production or recruitment regime from a Geographic Reference Area perspective.

WAIVER: A waiver may be granted if the nest has remained unoccupied for a minimum of three years or conditions have changed such that there is no reasonable likelihood of site occupation over a minimum 10-year period.

EXHIBIT WR-TL-05

TIMING LIMITATION STIPULATION

No surface use is allowed during the following time period(s). This stipulation does not apply to operation and maintenance of production facilities.

No development is allowed within 1/2 mile of identified sites from November 15 through April 15. (Development activities will be allowed from April 16 through November 14.)

On the lands described below:

<LEGAL_DESCRIPTIONS>

For the purpose of (reasons):

Protecting: BALD EAGLE WINTER ROOSTS & CONCENTRATION AREAS. This area encompasses bald eagle winter roosts and concentration areas.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see Bureau of Land Management Manuals 1624 and 3101 or Forest Service Manuals 1950 and 2820.)

EXCEPTION:

An exception may be granted to these dates by the Area Manager, if authorization is obtained from the U.S. Fish & Wildlife Service (through applicable provisions of the Endangered Species Act, Eagle Protection Act, or Migratory Bird Treaty Act) to harass, harm, wound, or kill in the context of ongoing roosting activities and/or short or long term adverse modification of suitable roost site characteristics. An exception can also be granted if an environmental analysis of the proposed action indicates that nature or conduct of the activity (through Section 7 consultation) which fully offset losses associated with project implementation.

MODIFICATION:

The Area Manager may modify the size of the stipulation area or time frames if an environmental analysis indicates that a portion of the area is nonessential to roost site function and utility, or that the proposed action could be conditioned so as not to impair the utility of the roost site for current or subsequent roosting activities or occupancy.

WAIVER:

A waiver may be granted if the species becomes extinct, the site has failed to support roosting activities over a minimum three year period, or if the site conditions have changed such that there is no reasonable likelihood of site occupation over a minimum 10-year period.

EXHIBIT WR-TL-07

TIMING LIMITATION STIPULATION

No surface use is allowed during the following time period(s). This stipulation does not apply to operation and maintenance of production facilities.

No development is allowed from May 15 through June 30. (Development is allowed from July 1 through May 14.)

On the lands described below:

<LEGAL_DESCRIPTIONS>

For the purpose of (reasons):

Protecting: ELK PRODUCTION AREA. This area encompasses an elk production area.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see Bureau of Land Management Manuals 1624 and 3101 or Forest Service Manuals 1950 and 2820.)

EXCEPTION:

The Area Manager may grant an exception if an environmental analysis indicates that the proposed action can be conditioned so as not to interfere with habitat function or compromise animal condition within the project vicinity. An exception may also be granted if the proponent, Bureau of Land Management, and Colorado Parks and Wildlife negotiate compensation that would satisfactorily offset anticipated impacts to elk production or habitat condition. An exception may also be granted for actions intended to enhance the long term utility for availability of suitable habitat.

MODIFICATION:

The Area Manager may modify the size and time frames of this stipulation if Colorado Parks and Wildlife monitoring information indicates that current animal use patterns are inconsistent with dates established for animal occupation. Modifications could be authorized if the proposed action

could be conditioned so as not to interfere with critical habitat function or compromise animal condition. A modification may also be approved if the proponent, Bureau of Land Management, and Colorado Parks and Wildlife agree to compensation that satisfactorily offset detrimental impacts to elk production or habitat condition.

WAIVER:

This stipulation may be waived if Colorado Parks and Wildlife determines that the area is no longer utilized by elk for production purposes.

EXHIBIT WR-TL-08

TIMING LIMITATION STIPULATION

No surface use is allowed during the following time period(s). This stipulation does not apply to operation and maintenance of production facilities.

No development activity is allowed from December 1 through April 30. (Development activities are allowed from May 1 through November 30.)

On the lands described below:

<LEGAL_DESCRIPTIONS>

For the purpose of (reasons):

PROTECTING BIG GAME SEVERE WINTER RANGE. This area encompasses big game severe winter range.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see Bureau of Land Management Manuals 1624 and 3101 or Forest Service Manuals 1950 and 2820.)

EXCEPTION:

The Area Manager may grant an exception in an environmental analysis indicates that the proposed action could be conditioned as not to interfere with habitat function or compromise animal condition within the project activity. An exception may also be granted if the proponent, Bureau of Land Management, and Colorado Parks and Wildlife negotiate compensation that would satisfactorily offset anticipated impacts to big game winter activities or habitat condition. Under mild winter conditions, when prevailing habitat or weather conditions allow early dispersal of animals from all or portions of a project area, an exception may be granted to suspend the last 60 days of this seasonal limitation. Severity of winter will be determined on the basis of snow depth, snow crusting, daily mean temperatures, and whether animals were concentrated on the winter range during the winter months. Exceptions may also be granted for actions specifically intended to enhance the long term utility or availability of suitable habitat.

MODIFICATION:

The Area Manager may modify the size and time frames of this stipulation if Colorado Parks and Wildlife monitoring information indicates that current animal use patterns are inconsistent with dates established for animal occupation. Modifications may also be authorized if the proposed action could be conditioned so as not to interfere with habitat function or compromise animal condition. In addition, if the proponent, Bureau of Land Management, and Colorado Parks and Wildlife agree to habitat compensation that satisfactorily offsets detrimental impacts to activity or habitat condition.

WAIVER:

This stipulation may be waived if Colorado Parks and Wildlife determines that all or specific portions of the area no longer satisfy this functional capacity.

EXHIBIT WR-TL-09

TIMING LIMITATION STIPULATION

No surface use is allowed during the following time period(s). This stipulation does not apply to operation and maintenance of production facilities.

This stipulation will not take effect until direct and indirect impacts to suitable summer range habitats exceed 10 percent of that available within the individual Game Management Units (GMU). When this threshold has been reached, no further development activity will be allowed from May 15 through August 15. (Development is allowed until 10 percent of individual GMU summer habitat has been affected, then additional development is allowed from August 16 through May 14.)

On the lands described below:

<LEGAL_DESCRIPTIONS>

For the purpose of (reasons):

Protecting: DEER & ELK SUMMER RANGE. This area is located within deer and elk summer ranges, which due to limited extent, are considered critical habitat within appropriate Colorado Parks and Wildlife GMUs.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see Bureau of Land Management Manuals 1624 and 3101 or Forest Service Manuals 1950 and 2820.)

EXCEPTION:

The Area Manager may grant an exception if an environmental analysis indicates that the proposed action could be conditioned to have no additional influence on the utility or suitability of summer range habitats. An exception may also be granted if the proponent, Bureau of Land Management, and Colorado Parks and Wildlife negotiate compensation that would satisfactorily offset anticipated impacts to summer range function or habitat. Exceptions may also be granted for actions specifically intended to enhance the long term utility or availability of suitable habitat.

MODIFICATION:

The Area Manager may modify the size and time frames of this stipulation if Colorado Parks and Wildlife monitoring information indicates that current animal use patterns are inconsistent with dates established for animal occupation. Modifications may also be authorized if the proposed action could be conditioned to have no additional influence on the utility or suitability of summer range habitats.

WAIVER:

This stipulation may be waived if Colorado Parks and Wildlife determines that all or specific portions of the area no longer satisfy this functional capacity or that these summer ranges no longer merit critical habitat status. Waivers will also be applied to delineated summer range occurring below 2,250 meters (7,350 feet) in elevation.

EXHIBIT WR-TL-10

TIMING LIMITATION STIPULATION

No surface use is allowed during the following time period(s). This stipulation does not apply to operation and maintenance of production facilities.

No development activity will be allowed between December 16 and March 15.
(Development activities will be allowed from March 16 through December 15.)

On the lands described below:

<LEGAL_DESCRIPTIONS>

For the purpose of (reasons):

Protecting: SAGE-GROUSE WINTER CONCENTRATION AREAS.

This area encompasses sagebrush habitats that are occupied by wintering concentrations of grouse, or represent the only habitats that remain available for use during periods of heavy snowpack. Colorado Parks and Wildlife has indicated that these features exist on public lands within the White River Resource Area but have not yet delineated specific areas that will be subject to this timing restriction.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see Bureau of Land Management Manuals 1624 and 3101 or Forest Service Manuals 1950 and 2820.)

EXCEPTION:

Specific exception language will be developed in cooperation with Colorado Parks and Wildlife after the affected areas have been delineated.

MODIFICATION:

Specific modification language will be developed in cooperation with Colorado Parks and Wildlife after the affected areas have been delineated.

WAIVER: Specific waiver language will be developed in cooperation with Colorado Parks and Wildlife after the affected areas have been delineated.

EXHIBIT WR-LN-02

LEASE NOTICE

PALEONTOLOGICAL VALUES: This lease encompasses a Potential Fossil Yield Classification Class 4 or 5 paleontological area and has the potential to contain important fossils. Prior to authorizing surface disturbing activities, the Bureau of Land Management will make a preliminary determination as to whether potential exists for the presence of fossil material. If potential exists for the presence of valuable fossils, the area will be required to have a Class I paleontological survey completed. Mapped fossil sites will be protected by applying the appropriate mitigation to the use authorization. Mitigation may involve the relocation of disturbance in excess of 200 meters, or excavation and recording of the fossil remains. Certain areas may require the presence of a qualified paleontologist to monitor operations during surface disturbing activities. Bureau of Land Management will determine the disposition of any fossils discovered and excavated.

On the lands described below:

<LEGAL_DESCRIPTIONS>

EXHIBIT CO-01

NO SURFACE OCCUPANCY STIPULATION

No surface occupancy or use is allowed on the lands described below (legal description or other description):

<LEGAL_DESCRIPTIONS>

For the purpose of:

Protection of surface and longwall coal mines where oil and gas development is incompatible with planned coal extraction.

Changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

Exception Criteria:

This stipulation may be waived if the lessee agrees that any well approved for drilling will be plugged below the coal when the crest of the highwall or longwall approaches within 500 feet of the well. A suspension of operations and production will be considered for the lease only when a well is drilled and then plugged, and a new well or reentry is planned when the mine moves through the location.

EXHIBIT CO-29

LEASE NOTICE

An inventory of fossil resources in Class I and II paleontological areas must be performed by an accredited paleontologist approved by the Authorized Officer.

On the lands described below:

<LEGAL_DESCRIPTIONS>