



U.S. Army Corps of Engineers
Omaha District

CONTROLLED SURFACE USE STIPULATION

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

All activities during the winter period may be subject to immediate suspension and/or special measures. The winter construction period is considered to be in effect when any of the following conditions occur:

- The ground is frozen and plating of topsoil occurs
 - Equipment slippage from operating on frozen ground results in scalping into plant root systems
 - Road crossings cannot be adequately compacted
 - Topsoil is frozen and cannot separate from sub-grade material in areas requiring right-of-way (ROW) work
 - The backfill material freezes to the extent that adequate compaction becomes difficult
 - Reclamation of the entire ROW to USACE standards becomes difficult
1. During the winter period, trenching is the only acceptable method of construction. Snow is to be removed from the area of stored backfill material prior to trenching. Skids must be attached to a plow to prevent scraping of topsoil. Snow will not be mixed in with backfill material.
 2. The allowable trench width (typically 8, 10 or 12 inches) is subject to compaction methods. Narrow trench widths do not permit adequate compaction.
 3. No open trench will be left at the end of each day except for the short span necessary to start from the following day.
 4. Cutting of roads is limited to trenching and boring machines. The use of backhoes is limited for use at tie in points, rocky areas and when crossing other lines.
 5. All construction activities will be suspended during periods of winter thaw.

On the lands described below:

For the purpose of:



U.S. Army Corps of Engineers
Omaha District

CONTROLLED SURFACE USE STIPULATION

To conserve integrity of soil, minimize soil mixing and compaction, maintain soil productivity and provide necessary protection to prevent excessive soil erosion.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes.

Exception: An exception to this stipulation may be granted by USACE, if the Lessee submits a plan that demonstrates that impacts from the proposed action are minimal or can be adequately mitigated.

Modification: NONE

Waiver: NONE