

CONTROLLED SURFACE USE STIPULATION
GREATER SAGE-GROUSE GENERAL HABITAT

Stipulation: Surface use prohibited within 2 miles of a lek. Surface disturbing and disruptive activities within 2 miles of a lek will be avoided unless the project proponent can clearly demonstrate that the impacts can be adequately mitigated and conservation actions or needed design features are included and the goals of this plan not compromised.

On the lands described below:

Objective: Within the Greater Sage-Grouse General Habitat, maintain integrity of the habitat, to support sustainable sage-grouse populations.

Exception: The AO may grant an exception to specific requirements of this stipulation if the action, as proposed or conditioned will not compromise the habitat for sage-grouse and meet the goals for sage-grouse habitat.

- a) Surface disturbing/disruptive activities will prevent or minimize disturbance to Greater Sage-Grouse or their habitat. Except as identified above or during emergency situations, activities will not compromise the habitat.
- b) Continuous noise (related to long-term operations and/or activities) will be no greater than 49 decibels at 1/4 miles from the perimeter of the lek.
- c) Temporary noise (related to installation, maintenance, one-time use, emergency operations, etc.) exceeding 49 decibels at 1/4 miles from the perimeter of a lek or surface disturbing/disruptive activities may be allowed, but only from 10 a.m. to 4 p.m. between March 15 and May 15.
- d) Manage water developments to reduce the spread of West Nile virus within sage-grouse habitat areas.
- e) Site and/or minimize linear ROW to reduce disturbance to sagebrush habitats.
- f) Maximize placement of new utility developments (power lines, pipelines, etc.) and transportation routes in existing utility or transportation corridors.
- g) Power lines will be buried, eliminated, designed or sited in a manner which does not impact sage-grouse.

CONTROLLED SURFACE USE STIPULATION

GREATER SAGE-GROUSE GENERAL HABITAT (continued)

- h) Placement of other high profile structures, exceeding 10 feet in height, will be eliminated, designed or sited in a manner which does not impact sage-grouse.
- i) Remote monitoring of production facilities must be utilized and all permit applications must contain a plan to reduce the frequency of vehicle use.
- j) Maximize the area of interim reclamation on long-term access roads and well pads including reshaping, topsoiling and revegetating cut and fill slopes.
- k) Restore disturbed areas at final reclamation to pre-disturbance conditions or desired plant community.
- l) Permanent (longer than 2 months) structures which create movement must be designed or sited to minimize impacts to sage-grouse.
- m) Consider use of off-site mitigation, (e.g. creation of sagebrush habitat, purchase conservation easements, or buying down grazing) with proponent dollars to offset habitat losses.
- n) Consider creation of a “Mitigation Trust Account” when impacts cannot be avoided, minimized, or effectively mitigated through other means. If approved by the BLM, the proponent may contribute funding to maintain habitat function based on the estimated cost of habitat treatments or other mitigation needed to maintain the functions of impacted habitats. Off-site mitigation should only be considered when no feasible options are available to adequately mitigate within and immediately adjacent to the impacted site, or when the off-site location will provide more effective mitigation of the impact than can be achieved on-site.

Modification: The AO may modify the area subject to the stipulation if an environmental analysis finds a portion of the General Habitat Area is nonessential or no longer sage-grouse habitat.

Waiver: The AO may waive this stipulation if no portion of the leasehold is within 2 miles of the perimeter of an active lek.