

NO SURFACE OCCUPANCY STIPULATION

BALD EAGLE NEST SITES

No surface occupancy or use is allowed within one-half mile of Bald Eagle nest sites and within Bald Eagle nesting habitat in riparian areas.

On the lands described below:

For the purpose of:

To protect bald eagle nesting sites and/or breeding habitat in accordance with the Montana Bald Eagle Management Plan.

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 the authorized officer if the operator submits a plan which demonstrates that impacts from the proposed action will not affect the bald eagle or its habitat. If the authorized officer determines that the action may have an adverse affect, the operator may submit a plan demonstrating that the impacts can be adequately mitigated. This plan must be approved by the BLM in consultation with the U.S. Fish and Wildlife Service (FWS).

Modification: The boundaries of the stipulated area may be modified if the authorized officer, in consultation with the FWS, determines that the area can be occupied without adversely affecting bald eagle nest sites or nesting habitat.

Waiver: This stipulation may be waived if the authorized officer, in consultation with the FWS, determines that the entire leasehold can be occupied without adversely affecting bald eagle nest sites or nesting habitat.

NSO 11-44
Butte Field Office
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