

NO SURFACE OCCUPANCY STIPULATION

PEREGRINE FALCON NEST SITES

No surface occupancy or use is allowed within one mile of identified peregrine falcon nesting sites.

On the lands described below:

For the purpose of:

To protect the habitat of the peregrine falcon, an endangered species 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.

Exception: An exception may be granted by the authorized officer if the operator submits a plan which demonstrates that the proposed action will not affect the peregrine falcon or its habitat. If the authorized officer determines that the action may or will have an adverse effect, 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 portions of the area can be occupied without adversely affecting peregrine falcon nest sites or breeding 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 peregrine falcon nest sites or breeding habitat.

NSO 11-7
Butte Field Office
Dillon Field Office