

APPENDIX A. STIPULATIONS APPLICABLE TO OIL AND GAS LEASING AND OTHER SURFACE DISTURBING ACTIVITIES

This appendix lists, by alternative, the stipulations for oil and gas leasing referred to throughout this draft RMP and EIS. These stipulations would also apply, where appropriate and practical, to other surface disturbing activities (and occupancy) associated with land use authorizations, permits, and leases issued on BLM lands. The stipulations would not apply to activities and uses where they are contrary to laws, regulations, or specific program guidance. The intent is to maintain consistency to the extent possible, in applying stipulations to all surface disturbing activities.

Surface disturbing activities are those that result in more than negligible disturbance to public lands and resources. These activities normally involve use and/or occupancy of the surface and cause disturbance to vegetation and soils to the degree that reclamation is warranted. They include, but are not limited to, activities that require:

- The use of mechanized earth-moving equipment or truck-mounted drilling equipment;
- Off-road travel in areas designated as limited or closed to Off Highway Vehicle use;
- Placement of surface facilities such as utilities, pipelines, structures, oil and gas wells, recreation and administrative sites and range improvements;
- New road construction; and
- Use of pyrotechnics, explosives, or hazardous chemicals.

Activities generally not considered surface disturbing include, but are not limited to, livestock grazing, cross-country hiking, minimum impact filming, and vehicular travel on designated routes.

Although some activities would not require use or occupation of the surface, stipulations may still be applied if the activity requires BLM approval and it is determined that the activity may result in more than negligible resource impacts. One example is the use of low flying aircraft in crucial wildlife areas.

A.1 DESCRIPTION OF STIPULATIONS

The following Table shows resources of concern and stipulations including exceptions, modifications, and waivers by alternative. Three types of stipulations could be applied to land use authorizations: 1) no surface occupancy (NSO), 2) timing limitations (TL), and 3) controlled surface use (CSU).

Areas identified as NSO would be closed to surface disturbing activities. NSO areas would be avoidance areas for rights-of-way. An NSO stipulation cannot be applied to operations authorized under the mining laws without a withdrawal. A withdrawal is not a land use planning decision because it must be approved by the Secretary of Interior. Therefore, unless withdrawn, all public lands within the Monticello FO are open to mineral entry and subject only to TL and CSU stipulations that are consistent with rights granted under the mining laws.

Areas identified as TL would be closed to surface disturbing activities during identified time frames. This stipulation would not apply to operation and maintenance activities unless otherwise specified.

Areas identified as CSU would be open to surface disturbing activities subject to specified special operational constraints.

A.2 EXCEPTIONS, MODIFICATIONS, AND WAIVERS

The authorized office could grant an exception, waiver, or modification based on site specific information and the guidelines contained in this document:

- An exception exempts the holder of the land use authorization document from the stipulation on a one-time basis.
- A modification changes the language or provisions of a surface stipulation, either temporarily or permanently.
- A waiver permanently exempts the stipulation.

To exempt, modify, or waive a stipulation, site-specific environmental analysis would have to show that:

- The circumstances or relative resource values in the area had changed subsequent to the date of authorization;
- Less restrictive requirements could be developed to protect the resource of concern; or
- Operations could be conducted without causing unacceptable impacts.

A.3 CLOSED AREAS

The intent of this table is to present conditions for use in areas available for surface disturbing activities. Areas identified as closed are not available for surface disturbing activities.

Table A.1 Areas Closed to Surface Disturbing Activities

| Resource of Concern | Applicable Area | Stipulation Code | Management Alternative | | | | Stipulation Description |
|--|--|------------------|------------------------|---|---|---|--|
| | | | B | C | D | E | |
| Floodplains, Riparian areas, Springs, and Public Water Reserves, San Juan River Corridor | Planning Area | CSU | X | X | X | X | <p>No surface disturbing activities are allowed in active floodplains or within 100 meters of riparian areas along perennial streams. There would be no surface disturbance or occupancy within public water reserves. There would be no surface disturbing activities within the San Juan and Colorado River flood plains (Executive Orders 11988 & 11990). (Although oil and gas activities must also meet this requirement; a CSU lease stipulation is not necessary since this can be accomplished under the terms of the standard lease form and by using best management practices.)</p> <p>Exception: An exception could be authorized if: (a) there are no practical alternatives, (b) impacts could be fully mitigated, or (c) the action is designed to enhance the resource values.</p> <p>Modification: None</p> <p>Waiver: None</p> <p>Purpose: To protect and conserve riparian and floodplains and associated vegetation.</p> |
| Visual Resources | <p>VRM I Areas</p> <p>Potential ACECs:</p> <p>Butler Wash North</p> <p>Dark Canyon</p> <p>Valley of the Gods</p> <p>Indian Creek</p> <p>San Juan River</p> <p>Lockhart Basin</p> | NSO | X | | | X | <p>No surface occupancy.</p> <p>Exception: Allow for short term use/activities. An exception could be granted if after an environmental analysis the authorized officer determines that the project would not impair or could benefit the relevant and important values. Small signs, kiosks, route designators, etc used to manage activities or resources that do not draw attention to the casual observer could also be allowed.</p> <p>Modification: None</p> <p>Waiver: None</p> <p>Purpose: Protection of high quality visual resources.</p> |

Table A.1 Areas Closed to Surface Disturbing Activities

| Resource of Concern | Applicable Area | Stipulation Code | Management Alternative | | | | Stipulation Description |
|---|---|------------------|------------------------|---|---|---|--|
| | | | B | C | D | E | |
| Visual Resources, cont. | Potential Wild & Scenic Rivers (WSR) | | | | | | |
| | Colorado River #3 | | X | X | | X | |
| | Fable Valley WSR | | X | | | X | |
| | Dark Canyon WSR | | X | X | | X | |
| | San Juan River #3 | | X | | | X | |
| | San Juan River #5 | | X | | | X | |
| | WSAs | | X | X | X | X | |
| | VRM II Areas | CSU | | | | | Surface disturbing activities must meet the objectives of VRM II class objectives. Exception: Allow for short term use/activities. Allow surface disturbing activities that are compatible and consistent with visitor's experience of the VRM II visual resource. The level of change to the landscape should be low; management activities may be seen, but should not attract attention of the casual observer. Any change to the landscape must repeat the basic elements of form, line, color, and texture found in the predominant natural features of the characteristic landscape. Modification: None Waiver: None Purpose: Protection of high quality visual resources. |
| Scenic Highway Corridor ACEC (Old ACEC boundary) | | X | X | | X | | |
| Mesa tops for Table of the Sun | | | X | | | | |
| Comb Ridge area south of Hwy 95 (except for proposed campgrounds & Butler wash OHV open area) | | | X | | | | |
| From Indian Creek ACEC to FS boundary | | | | X | | | |
| Bridger Jack Mesa ACEC | | | X | | | X | |
| San Juan River (portions) | | | X | X | X | X | |
| Highway 276 to Clay Hills Crossing | | | | X | | | |

Table A.1 Areas Closed to Surface Disturbing Activities

| Resource of Concern | Applicable Area | Stipulation Code | Management Alternative | | | | Stipulation Description |
|----------------------|---|------------------|------------------------|---|---|---|---|
| | | | B | C | D | E | |
| | Lavender Mesa Shay Canyon Colorado River #2 | | X | X | | X | |
| Fragile Soils/Slopes | Planning Area | CSU | X | X | | X | New surface disturbance/construction on slopes between 21-40% would require: an erosion control strategy, reclamation and site plan with a design approved by the BLM prior to construction and maintenance. Exception: None Modification: None Waiver: None Purpose: Protect soils and avoid erosion on sloped embankments. |
| Fragile Soils/Slopes | Planning Area | NSO | X | X | | X | Surface occupancy is not allowed on slopes greater than 40%. Exception: If after an environmental analysis the authorized officer determines that it would cause undo or unnecessary degradation to pursue other placement alternatives; surface occupancy in the NSO may be authorized. Additionally, a plan would be submitted by the operator and approved by BLM prior to construction and maintenance. Modification: None Waiver: None Purpose: Protect soils, avoid erosion, and maintain public health and safety in sloped embankments. |
| Cultural | Potential ACEC Alkali Ridge (39,196 acres) | CSU | X | X | | X | Cultural properties eligible for the National Register of Historic Places would be surrounded by an avoidance area sufficient to avoid impacts. (Although oil and gas activity must also meet this standard, a CSU lease stipulation is not necessary since this can be accomplished under the terms of the standard lease form and by using best management |

Table A.1 Areas Closed to Surface Disturbing Activities

| Resource of Concern | Applicable Area | Stipulation Code | Management Alternative | | | | Stipulation Description |
|---------------------|---|------------------|------------------------|---|---|---|---|
| | | | B | C | D | E | |
| | | | | | | | practices.) Exceptions: An exception could be granted if after an environmental analysis the authorized officer determines that the project would not impair or could benefit the relevant and important values. Modification: None Waiver: None Purpose: Protection and preservation of cultural resources or sites of religious significance to Native Americans that are fragile, sensitive, rare, irreplaceable, unique and/or exemplary. |
| Cultural | Alkali Ridge Potential ACEC (2,146 acres), National Historic Landmark | NSO | X | X | X | X | No surface occupancy is allowed within the National Historic Landmark. Exceptions: An exception could be granted if after an environmental analysis the authorized officer determines that the project would not impair or could benefit the relevant and important values. Modification: None Waiver: None Purpose: Protection and preservation of cultural resources and/or sites of religious significance to Native Americans. |
| Cultural | Comb Ridge CSMA 38,012 acres (and Butler Wash East of Comb Ridge) | NSO | X | X | | X | Cultural properties eligible for the National Register of Historic Places would be surrounded by an avoidance area sufficient to avoid impacts. Exceptions: An exception could be granted if after an environmental analysis the authorized officer determines that the project would not adversely impact or could benefit cultural properties. Modification: None Waiver: None Purpose: Protection and preservation of cultural resources |

Table A.1 Areas Closed to Surface Disturbing Activities

| Resource of Concern | Applicable Area | Stipulation Code | Management Alternative | | | | Stipulation Description |
|---------------------|--|------------------|------------------------|---|---|---|---|
| | | | B | C | D | E | |
| | | | | | | | or sites of religious significance to Native Americans that are fragile, sensitive, rare, irreplaceable, unique and/or exemplary. |
| Cultural | Tank Bench CSMA 2,646 acres (and Butler Wash East of Comb Ridge) | NSO | X | X | | X | Cultural properties eligible for the National Register of Historic Places would be surrounded by an avoidance area sufficient to avoid impacts. Exceptions: An exception could be granted if after an environmental analysis the authorized officer determines that the project would not adversely impact or could benefit cultural properties. Modification: None Waiver: None Purpose: Protection and preservation of cultural resources or sites of religious significance to Native Americans that are fragile, sensitive, rare, irreplaceable, unique and/or exemplary. |
| Vegetation | Potential ACEC Bridger Jack | NSO | X | | | X | Surface occupancy is not allowed on mesa tops. Exceptions: An exception could be granted if after an environmental analysis the authorized officer determines that the project would not impair or could benefit the relevant and important values. Modification: None Waiver: None Purpose: Protect near relict vegetation resources. |
| Visual Resources | Potential ACEC Butler Wash North | NSO | X | | | X | Surface occupancy is not allowed. Exceptions: An exception could be granted if after an environmental analysis the authorized officer determines that the project would not impair or could benefit the relevant and important values. Small signs, kiosks, route designators, etc used to manage activities or resources could be allowed. Modification: None |

Table A.1 Areas Closed to Surface Disturbing Activities

| Resource of Concern | Applicable Area | Stipulation Code | Management Alternative | | | | Stipulation Description |
|---------------------|-----------------------------|------------------|------------------------|---|---|---|--|
| | | | B | C | D | E | |
| | | | | | | | <p>Waiver: None</p> <p>Purpose: Protection of high quality visual resources that are fragile, sensitive, rare, irreplaceable, unique and/or exemplary.</p> |
| Cultural Resources | Potential ACEC Hovenweep | CSU | X | X | | X | <p>Cultural properties eligible for the National Register of Historic Places would be surrounded by an avoidance area sufficient to avoid impacts.(Although oil and gas activity must also meet this standard, a CSU lease stipulation is not necessary since this can be accomplished under the terms of the standard lease form and by using best management practices.)</p> <p>Exceptions: An exception could be granted if after an environmental analysis the authorized officer determines that the project would not impair or could benefit the relevant and important values.</p> <p>Modification: None</p> <p>Waiver: None</p> <p>Purpose: Protection and preservation of cultural resources or sites of religious significance to Native Americans that are fragile, sensitive, rare, irreplaceable, unique and/or exemplary.</p> |
| Visual Resources | Potential ACEC Indian Creek | NSO | X | X | | X | <p>Surface occupancy is not allowed.</p> <p>Exceptions: An exception could be granted if after an environmental analysis the authorized officer determines that the project would not impair or could benefit the relevant and important values.</p> <p>Modification: None</p> <p>Waiver: None</p> <p>Purpose: Protect the VRM I Class visual resources.</p> |

Table A.1 Areas Closed to Surface Disturbing Activities

| Resource of Concern | Applicable Area | Stipulation Code | Management Alternative | | | | Stipulation Description |
|--------------------------------------|-------------------------------|------------------|------------------------|---|---|---|---|
| | | | B | C | D | E | |
| Visual Resources | Potential ACEC Lockhart Basin | NSO | X | | | X | Surface occupancy is not allowed Exceptions: None. Modification: None. Waiver: None. Purpose: Protect the VRM I Class visual resources in the potential ACEC. |
| Visual Resources | Potential ACEC Lockhart Basin | CSU | | X | | | Projects must meet VRM III objectives. (Although oil and gas activity must also meet this standard, a CSU lease stipulation is not necessary since this can be accomplished under the terms of the standard lease form and by using best management practices.) Exceptions: An exception could be granted if after an environmental analysis the authorized officer determines that the project would not impair or could benefit the relevant and important values. Modification: None Waiver: None Purpose: Protect the VRM III Class visual resources in the potential ACEC. |
| Relict Vegetation & Visual Resources | Potential ACEC Lavender Mesa | NSO | X | X | | X | Surface occupancy on the mesa top is not allowed. Exceptions: An exception could be granted for test plots and facilities necessary to study the plant communities, restoration/reclamation activities. An exception could be granted if after an environmental analysis the authorized officer determines that the project would not impair or could benefit the relevant and important values. Modification: None Waiver: None Purpose: Protect relict vegetation resources on the mesa tops. |

Table A.1 Areas Closed to Surface Disturbing Activities

| Resource of Concern | Applicable Area | Stipulation Code | Management Alternative | | | | Stipulation Description |
|---|-----------------------------------|------------------|------------------------|---|---|---|--|
| | | | B | C | D | E | |
| Cultural Resources | Shay Canyon ACEC | NSO | X | X | | X | Surface occupancy is not allowed. Exceptions: An exception could be granted if after an environmental analysis the authorized officer determines that the project would not impair or could benefit the relevant and important values. Modification: None Waiver: None Purpose: Protection of cultural resources or sites of religious significance to Native Americans that are fragile, sensitive, rare, irreplaceable, unique and/or exemplary. |
| Cultural, Riparian, Wildlife and Visual Resources | Potential ACEC San Juan River | NSO | X | X | | X | No surface occupancy within the river corridor (100 meters of flood plain). Exceptions: An exception could be granted if the disturbance is related to recreational facilities or would not impair or could benefit the relevant and important values. Modification: None Waiver: None Purpose: Protect cultural, riparian, wildlife, and visual resources that are fragile, sensitive, rare, irreplaceable, unique and/or exemplary. |
| Visual Resources | Potential ACEC Valley of the Gods | NSO | | X | | | Surface occupancy is not allowed. Exceptions: If after an environmental analysis the authorized officer determines that the project could meet VRM I objectives. Modification: None Waiver: None Purpose: Protect visual resources |
| Recreation | Planning Area | NSO | X | X | X | X | No surface disturbing activities within 200 meters of all developed recreation sites and within one quarter mile of campgrounds. |

Table A.1 Areas Closed to Surface Disturbing Activities

| Resource of Concern | Applicable Area | Stipulation Code | Management Alternative | | | | Stipulation Description |
|---------------------------------------|---|------------------|------------------------|---|---|---|---|
| | | | B | C | D | E | |
| | | | | | | | <p>Exception: An exception could be granted if the disturbance is related to recreational infrastructure support. If after an environmental assessment it is determined that the visual intrusions and noise can be mitigated so as to not adversely affect the visitor experience of the campers.</p> <p>Modification: None</p> <p>Waiver: None</p> <p>Purpose: Preserve and protect the federal investment in recreation sites and enhance visitor experiences.</p> |
| Recreation | <p>San Juan River-SRMA</p> <p>Alternative Size</p> <p>A 9,380 acres</p> <p>B 10,203 acres</p> <p>C 9,859 acres</p> <p>D 6,365 acres</p> <p>E 10,203 acres</p> | NSO | X | X | X | X | <p>Surface occupancy is not allowed within the San Juan River SRMA.</p> <p>Exceptions: If after an environmental analysis the authorized officer determines that the disturbance is related to or can be shown to benefit recreational experiences.</p> <p>Modification:</p> <p>Waiver:</p> <p>Purpose: Preserve and protect the federal investment in developed and potential recreation sites, and the recreational opportunities and visitors' San Juan River experience.</p> |
| Wildlife – Desert Bighorn Sheep | Desert Bighorn Lambing and Rutting Areas | TL | X 453,390 ac. | | | X | <p>No surface disturbing activities or occupancy are allowed from April 1 to July 15 for lambing and from October 15 to December 31 for rutting.</p> <p>Exception: The Field Manager may grant an exception after an environmental analysis the authorized officer determines that the animals are not present in the project area or the activity can be completed so as to not adversely affect the animals. Routine operation and maintenance is allowed.</p> <p>Modification: The Field Manager may modify the boundaries of the stipulation area if a portion of the area is not being used as desert bighorn lambing or rutting grounds.</p> <p>Waiver: A waiver may be granted if the habitat is determined</p> |

Table A.1 Areas Closed to Surface Disturbing Activities

| Resource of Concern | Applicable Area | Stipulation Code | Management Alternative | | | | Stipulation Description |
|---------------------------------|--|------------------|------------------------|---------------------|---------------------|---|--|
| | | | B | C | D | E | |
| | | | | | | | as unsuitable for lambing and/or rutting grounds. Purpose: To minimize disturbance within desert bighorn lambing and rutting grounds. |
| Wildlife – Desert Bighorn Sheep | Desert Bighorn Lambing and Rutting Areas | TL | | X 453,390 ac, | | | No surface disturbing activities or occupancy are allowed from April 1 to June 15 for lambing and from October 15 to December 15 for rutting. Exception: The Field Manager may grant an exception after an environmental analysis the authorized officer determines that the animals are not present in the project area or the activity can be completed so as to not adversely affect the animals. Routine operation and maintenance is allowed. Modification: The Field Manager may modify the boundaries of the stipulation area if a portion of the area is not being used as desert bighorn lambing or rutting grounds. Waiver: A waiver may be granted if the habitat is determined as unsuitable for lambing and/or rutting grounds. Purpose: To minimize disturbance within desert bighorn lambing and rutting grounds. |
| Wildlife – Desert Bighorn Sheep | Desert Bighorn Lambing and Rutting Areas | TL | | | X 299,008 ac. | | No surface disturbing activities or occupancy are allowed from April 15 to May 15 for lambing and from November 1 to December 15 for rutting. Exception: The Field Manager may grant an exception after an environmental analysis the authorized officer determines that the animals are not present in the project area or the activity can be completed so as to not adversely affect the animals. Routine operation and maintenance is allowed. Modification: The Field Manager may modify the boundaries of the stipulation area if a portion of the area is not being used as desert bighorn lambing or rutting grounds. Waiver: A waiver may be granted if the habitat is determined as unsuitable for lambing and/or rutting grounds. Purpose: To minimize disturbance within desert bighorn |

Table A.1 Areas Closed to Surface Disturbing Activities

| Resource of Concern | Applicable Area | Stipulation Code | Management Alternative | | | | Stipulation Description |
|---|--|------------------|------------------------|---|---|-----------------|---|
| | | | B | C | D | E | |
| | | | | | | | lambing and rutting grounds. |
| Wildlife Resources – Mexican Spotted Owl | Dark Canyon Area (same as potential ACEC polygon) | TL | | X | X | | <p>Closed for Mexican spotted owl (March 1 – August 31) and desert bighorn sheep (April 1-June 15 for lambing, and October 15 to December 15 for rutting) for balanced alternative. April 15 to May 15 for lambing and November 1 to December 15 for rutting for commodity. Projects must meet VRM III objectives.</p> <p>Exceptions: The Field manager may grant an exception on a case-by-case basis if it can be shown that legal rights would be curtailed, the animals are not present in the project location, or the activity can be conducted so as not to adversely affect the animals. An exception could be granted if after an environmental analysis the authorized officer determines that the project could benefit the relevant and important values.</p> <p>Modification: None</p> <p>Waiver: None</p> <p>Purpose: Protect the wildlife values in Dark Canyon.</p> |
| Wildlife Resources – Gunnison Sage Grouse | Crucial Year Round Habitat – Within 2.0 miles of active strutting ground | CSU | X 145583 ac. | | | X 145583 ac. | <p>Prohibit year-round construction of fences. Retrofit visual devices on existing fences to prevent collisions. Where opportunity exists, remove existing fences. Prohibit construction of powerlines or other tall structures year-round. CSU for oil and gas leasing activities. Not available for non-ground disturbing geophysical work from March 20 to May 15. Prohibit construction of roads year-round. Prohibit construction of wind power turbines year-round. Avoid all permitted activities from March 20 to May 15. If impracticable, no activity from sunset the evening before to three hours after sunrise the next morning.</p> <p>Exception: An exception could be authorized if: (a) there are no practical alternatives, (b) impacts could be fully mitigated, or (c) the action is designed to enhance the resource values.</p> |

Table A.1 Areas Closed to Surface Disturbing Activities

| Resource of Concern | Applicable Area | Stipulation Code | Management Alternative | | | | Stipulation Description |
|---|---|------------------|------------------------|------------------|-----------------|---|---|
| | | | B | C | D | E | |
| | | | | | | | <p>Modification: None</p> <p>Waiver: None</p> <p>Purpose: To protect and conserve Gunnison Sage Grouse and their habitat</p> |
| Wildlife Resources – Gunnison Sage Grouse | Crucial Year Round Habitat – Within 0.6 miles of active strutting ground | CSU | | X 145,583 ac. | | | <p>Retrofit visual devices on existing fences to prevent collisions year-round. Where opportunity exists, remove existing fences. Avoid construction of new fences as much as possible. If new fences have to be built, fit with visual devices. Prohibit construction of powerlines or other tall structures year-round. CSU for oil and gas leasing activities. Not available for non-ground disturbing geophysical work from March 20 to May 15. Prohibit construction of roads year-round. Avoid construction of wind power turbines year-round. With the exception of grazing, prohibit all permitted activities from one hour before sunrise to three hours after sunrise from March 20 to May 15.</p> <p>Exception: An exception could be authorized if: (a) there are no practical alternatives, (b) impacts could be fully mitigated, or (c) the action is designed to enhance the resource values.</p> <p>Modification: None</p> <p>Waiver: None</p> <p>Purpose: To protect and conserve Gunnison Sage Grouse and their habitat</p> |
| Wildlife Resources – Gunnison Sage Grouse | Crucial Year Round Habitat – Within 0.25 miles of active strutting ground | CSU | | | X 70,460 ac. | | <p>Avoid construction of fences wherever possible. Avoid construction of powerlines or other tall structures. If impractical, bury powerlines or retrofit them to prevent perching by raptors. CSU for oil and gas leasing activities. Not available for non-ground disturbing geophysical work from March 20 to May 15. Prohibit maintenance and operation activities for mineral production from one hour before sunrise to three hours after sunrise from March 20 to May 15. Prohibit construction of roads year-round. Avoid</p> |

Table A.1 Areas Closed to Surface Disturbing Activities

| Resource of Concern | Applicable Area | Stipulation Code | Management Alternative | | | | Stipulation Description |
|---------------------|---------------------------|------------------|------------------------|--------------------|--------------------|---|---|
| | | | B | C | D | E | |
| | | | | | | | <p>construction of wind power turbines year-round. Avoid permitted activities from one hour before sunrise to three hours after sunrise from March 20 to May 15.</p> <p>Exception: An exception could be authorized if: (a) there are no practical alternatives, (b) impacts could be fully mitigated, or (c) the action is designed to enhance the resource values.</p> <p>Modification: None</p> <p>Waiver: None</p> <p>Purpose: To protect and conserve Gunnison Sage Grouse and their habitat</p> |
| Wildlife – Antelope | Pronghorn Fawning Grounds | TL | X 29,363 ac. | X 29,363 ac. | X 29,363 ac. | X | <p>Allow no surface disturbing activities from May 1 to June 15 within pronghorn fawning grounds. (Although oil and gas activity must also meet this requirement, a lease stipulation is not necessary since this can be accomplished under the terms of the standard lease form and by using best management practices.)</p> <p>Exception: The Field Manager may grant an exception after an environmental analysis the authorized officer determines that the animals are not present in the project area or the activity can be completed so as to not adversely affect the animals. Routine operation and maintenance is allowed.</p> <p>Modification: The Field Manager may modify the boundaries of the stipulation area if a portion of the area is not being used as pronghorn fawning grounds.</p> <p>Waiver: May be granted if the fawning grounds are determined to be unsuitable or unoccupied and there is no reasonable likelihood of future use of the fawning grounds.</p> <p>Purpose: To minimize stress and disturbance during critical antelope birthing time.</p> |
| Wildlife – Deer | Deer Winter Range | TL | X 787,919 ac. | | | X | <p>No surface disturbing activities from November 1 to May 15.</p> <p>Exception: The Field Manager may grant an exception after an environmental analysis the authorized officer determines</p> |

Table A.1 Areas Closed to Surface Disturbing Activities

| Resource of Concern | Applicable Area | Stipulation Code | Management Alternative | | | | Stipulation Description |
|---------------------|-------------------|------------------|------------------------|---------------------|---------------------|---|--|
| | | | B | C | D | E | |
| | | | | | | | <p>that the animals are not present in the project area or the activity can be completed so as to not adversely affect the animals. Routine operation and maintenance is allowed.</p> <p>Modification: The Field Manager may modify the boundaries of the stipulation area if a portion of the area is not being used as deer winter range.</p> <p>Waiver: May be granted if the deer winter range are determined to be unsuitable or unoccupied and there is no reasonable likelihood of future use of the deer winter range.</p> <p>Purpose: To minimize stress and disturbance to deer during critical winter months.</p> |
| Wildlife – Deer | Deer Winter Range | TL | | X 370,015 ac. | | | <p>No surface disturbing activities from November 15 to April 15.</p> <p>Exception: The Field Manager may grant an exception after an environmental analysis the authorized officer determines that the animals are not present in the project area or the activity can be completed so as to not adversely affect the animals. Routine operation and maintenance is allowed.</p> <p>Modification: The Field Manager may modify the boundaries of the stipulation area if a portion of the area is not being used as deer winter range.</p> <p>Waiver: May be granted if the deer winter range are determined to be unsuitable or unoccupied and there is no reasonable likelihood of future use of the deer winter range.</p> <p>Purpose: To minimize stress and disturbance to deer during critical winter months.</p> |
| Wildlife – Deer | Deer Winter Range | TL | | | X 182,314 ac. | | <p>No surface disturbing activities from December 15 to March 31.</p> <p>Exception: The Field Manager may grant an exception after an environmental analysis the authorized officer determines that the animals are not present in the project area or the activity can be completed so as to not adversely affect the animals. Routine operation and maintenance is allowed.</p> |

Table A.1 Areas Closed to Surface Disturbing Activities

| Resource of Concern | Applicable Area | Stipulation Code | Management Alternative | | | | Stipulation Description |
|---------------------|------------------|------------------|------------------------|--------------------|---|---|--|
| | | | B | C | D | E | |
| | | | | | | | <p>Modification: The Field Manager may modify the boundaries of the stipulation area if a portion of the area is not being used as deer winter range.</p> <p>Waiver: May be granted if the deer winter range are determined to be unsuitable or unoccupied and there is no reasonable likelihood of future use of the deer winter range.</p> <p>Purpose: To minimize stress and disturbance to deer during critical winter months.</p> |
| Wildlife – Elk | Elk Winter Range | TL | X 191,172 ac. | | | X | <p>No surface disturbing activities from November 1 to May 15.</p> <p>Exception: The Field Manager may grant an exception after an environmental analysis the authorized officer determines that the animals are not present in the project area or the activity can be completed so as to not adversely affect the animals. Routine operation and maintenance is allowed.</p> <p>Modification: The Field Manager may modify the boundaries of the stipulation area if a portion of the area is not being used as elk winter range.</p> <p>Waiver: May be granted if the deer winter range are determined to be unsuitable or unoccupied and there is no reasonable likelihood of future use of the elk winter range.</p> <p>Purpose: To minimize stress and disturbance to elk during critical winter months.</p> |
| Wildlife – Elk | Elk Winter Range | TL | | X 97,470 ac. | | | <p>No surface disturbing activities from November 15 to April 15.</p> <p>Exception: The Field Manager may grant an exception after an environmental analysis the authorized officer determines that the animals are not present in the project area or the activity can be completed so as to not adversely affect the animals. Routine operation and maintenance is allowed.</p> <p>Modification: The Field Manager may modify the boundaries of the stipulation area if a portion of the area is not being used as elk winter range.</p> <p>Waiver: May be granted if the deer winter range are</p> |

Table A.1 Areas Closed to Surface Disturbing Activities

| Resource of Concern | Applicable Area | Stipulation Code | Management Alternative | | | | Stipulation Description |
|--|---|------------------|------------------------|---|--------------------|---|--|
| | | | B | C | D | E | |
| | | | | | | | determined to be unsuitable or unoccupied and there is no reasonable likelihood of future use of the elk winter range. Purpose: To minimize stress and disturbance to elk during critical winter months. |
| Wildlife – Elk | Elk Winter Range | TL | | | X 62,684 ac. | | No surface disturbing activities from December 15 to March 31. Exception: The Field Manager may grant an exception after an environmental analysis the authorized officer determines that the animals are not present in the project area or the activity can be completed so as to not adversely affect the animals. Routine operation and maintenance is allowed. Modification: The Field Manager may modify the boundaries of the stipulation area if a portion of the area is not being used as elk winter range. Waiver: May be granted if the deer winter range are determined to be unsuitable or unoccupied and there is no reasonable likelihood of future use of the elk winter range. Purpose: To minimize stress and disturbance to elk during critical winter months. |
| Special Status Species - Mexican Spotted Owl (MSO) | MSO Habitat and Nest Sites 121,686 acres | CSU/TL | X | X | X | X | In areas that contain suitable habitat for MSO or designated Critical Habitat, actions would be avoided or restricted that may cause stress and disturbance during nesting and rearing of their young. Appropriate measures would depend on whether the action is temporary or permanent and whether it occurs within or outside the owl nesting season. A temporary action is completed prior to the following breeding season leaving no permanent structures and resulting in no permanent habitat loss. A permanent action continues for more than one breeding season and/or causes a loss of owl habitat or displaces owls through disturbances, i.e., creation of a permanent structure. Current avoidance and |

Table A.1 Areas Closed to Surface Disturbing Activities

| Resource of Concern | Applicable Area | Stipulation Code | Management Alternative | | | | Stipulation Description |
|---------------------|-----------------|------------------|------------------------|---|---|---|--|
| | | | B | C | D | E | |
| | | | | | | | <p>minimization measures include the following:</p> <p>Surveys will be required prior to implementation of the proposed action. All surveys must be conducted by qualified individual(s) acceptable to the BLM.</p> <p>Assess habitat suitability for both nesting and foraging using accepted habitat models in conjunction with field reviews.</p> <p>Apply the conservation measures below if project activities occur within 0.5 mile of suitable owl habitat. Determine potential effects of actions to owls and their habitat.</p> <p>Document type of activity, acreage and location of direct habitat impacts, type and extent of indirect impacts relative to location of suitable owl habitat.</p> <p>Document if action is temporary or permanent.</p> <p>Activities may require monitoring throughout the duration of the project. To ensure desired results are being achieved, minimization measures will be evaluated, and, if necessary, Section 7 consultation reinitiated.</p> <p>Any activity that includes water production should be managed to ensure maintenance of enhancement of riparian habitat.</p> <p>Where technically and economically feasible, use directional drilling or multiple wells from the same pad to reduce surface disturbance and eliminate drilling in canyon habitat suitable for MSO nesting.</p> <p>For all temporary actions that may impact owls or suitable habitat:</p> <ol style="list-style-type: none"> a. If the action occurs entirely outside of the owl breeding season from March 1 through August 31, and leaves no permanent structure or permanent habitat disturbance, the action can proceed without an occupancy survey. b. If the action will occur during a breeding season, a |

Table A.1 Areas Closed to Surface Disturbing Activities

| Resource of Concern | Applicable Area | Stipulation Code | Management Alternative | | | | Stipulation Description |
|---------------------|-----------------|------------------|------------------------|---|---|---|--|
| | | | B | C | D | E | |
| | | | | | | | <p>survey for owls is required prior to commencing the activity. If owls are found, the activity should be delayed until outside of the breeding season.</p> <p>c. Rehabilitate access routes created by the project through such means as raking out scars, re-vegetation, gating access points, etc.</p> <p>For all permanent actions that may impact owls or suitable habitat:</p> <p>a. Survey two consecutive years for owls according to accepted protocol prior to commencing activities.</p> <p>b. If owls are found, no disturbing actions will occur within 0.5 mile of an identified site. If nest site is unknown, no activity will occur within the designated current and historic Protected Activity Center (PAC).</p> <p>c. Avoid permanent structures within 0.5 mile of suitable habitat unless surveyed and not occupied.</p> <p>d. Reduce noise emissions (e.g., use hospital-grade mufflers) to 45 dBA at 0.5 mile from suitable habitat, including canyon rims. Placement of permanent noise-generating facilities should be contingent upon a noise analysis to ensure noise does not encroach upon a 0.5 mile buffer for suitable habitat, including canyon rims.</p> <p>e. Limit disturbances to and within suitable habitat by staying on designated and/or approved routes.</p> <p>f. Limit new access routes created by the project.</p> <p>Modifications to the Surface Use Plan of Operations may be required in order to protect the MSO and/or habitat in accordance with Section 6 of the lease terms, the Endangered Species Act, and the regulations at 43 CFR 3101.1-2.</p> <p>Purpose: To protect MSO habitat.</p> <p>Exception: An exception may be granted by the Field</p> |

Table A.1 Areas Closed to Surface Disturbing Activities

| Resource of Concern | Applicable Area | Stipulation Code | Management Alternative | | | | Stipulation Description |
|--------------------------------------|---|------------------|------------------------|---|---|---|--|
| | | | B | C | D | E | |
| | | | | | | | <p>Manager if authorization is obtained from USFWS (through applicable provisions of the ESA). The Field Manager may also grant an exception if an environmental analysis indicates that the nature or the conduct of the actions would not impair the primary constituent element determined necessary for the survival and recovery of the MSO and USFWS concurs with this determination.</p> <p>Modification: The Field Manager may modify the boundaries of the stipulation area if an environmental analysis indicates and USFWS (through applicable provisions of the ESA) determines a portion of the area is not being used as Critical Habitat.</p> <p>Waiver: A waiver may be granted if the MSO is de-listed and the Critical Habitat is determined by USFWS as not necessary for the survival and recovery of the MSO.</p> |
| Special Status Species - Bald Eagles | Nest sites and winter roost areas within habitat for Bald Eagles 143,421 acres | CSU/TL | X | X | X | X | <p>In areas that contain habitat for the bald eagle, actions would be avoided or restricted that may cause stress and disturbance during nesting and rearing of their young. Appropriate measures will depend on whether the action is temporary or permanent, and whether it occurs within or outside the bald eagle breeding or roosting season. A temporary action is completed prior to the following breeding or roosting season leaving no permanent structures and resulting in no permanent habitat loss. A permanent action continues for more than one breeding or roosting season and/or causes a loss of eagle habitat or displaces eagles through disturbances, i.e., creation of a permanent structure. Current avoidance and minimization measures include the following:</p> <ol style="list-style-type: none"> 1. Surveys would be required prior to operations unless species occupancy and distribution information is complete and available. All surveys must be conducted by qualified individual(s), and be conducted according to |

Table A.1 Areas Closed to Surface Disturbing Activities

| Resource of Concern | Applicable Area | Stipulation Code | Management Alternative | | | | Stipulation Description |
|---------------------|-----------------|------------------|------------------------|---|---|---|--|
| | | | B | C | D | E | |
| | | | | | | | <p>protocol.</p> <ol style="list-style-type: none"> 2. Lease activities would require monitoring throughout the duration of the project. To ensure desired results are being achieved, minimization measures would be evaluated and, if necessary, Section 7 consultation reinitiated. 3. Water production would be managed to ensure maintenance or enhancement of riparian habitat. 4. Temporary activities within 1.0 mile of nest sites would not occur during the breeding season of January 1 to August 31, unless the area has been surveyed according to protocol and determined to be unoccupied. 5. Temporary activities within 0.5 miles of winter roost areas, e.g., cottonwood galleries, would not occur during the winter roost season of November 1 to March 31, unless the area has been surveyed according to protocol and determined to be unoccupied. 6. No permanent infrastructure would be placed within 1.0 mile of nest sites. 7. No permanent infrastructure would be placed within 0.5 miles of winter roost areas. 8. Remove big game carrion to 100 feet from on lease roadways occurring within bald eagle foraging range. 9. Avoid loss or disturbance to large cottonwood gallery riparian habitats. 10. Where technically and economically feasible, use directional drilling or multiple wells from the same pad to reduce surface disturbance and eliminate drilling in suitable habitat. Utilize direction drilling to avoid direct impacts to large cottonwood gallery riparian habitats. Ensure that such direction drilling does not intercept or degrade alluvial aquifers. |

Table A.1 Areas Closed to Surface Disturbing Activities

| Resource of Concern | Applicable Area | Stipulation Code | Management Alternative | | | | Stipulation Description |
|--|--|------------------|------------------------|---|---|---|--|
| | | | B | C | D | E | |
| | | | | | | | <p>11. All areas of surface disturbance within riparian areas and/or adjacent uplands should be re-vegetated with native species.</p> <p>Additional measures may also be employed to avoid or minimize effects to the species between the lease stage and lease development stage. These additional measures would be developed and implemented in consultation with the USFWS to ensure continued compliance with the Endangered Species Act.</p> <p>Purpose: To protect bald eagle habitat.</p> <p>Exception: An exception may be granted by the Field Manager if authorization is obtained from USFWS (through applicable provisions of the ESA). The Field Manager may also grant an exception if an environmental analysis indicates that the nature of the conduct of the actions, as proposed or conditioned, would not impair the primary constituent element determined necessary for the survival and recovery of the Bald Eagles and USFWS concurs with this determination.</p> <p>Modification: The Field Manager may modify the boundaries of the stipulation area if an environmental analysis indicates, and USFWS (through applicable provisions of the ESA) determines that a portion of the area is not being used as Bald Eagle nesting territories.</p> <p>Waiver: May be granted if Bald Eagles are de-listed and if USFWS determines it is not necessary to protect nesting territories according to the Endangered Species Act and The Bald Eagle Protection Act or if there is no reasonable likelihood of site occupancy over a minimum 10 year period.</p> |
| Special Status Species – Southwestern Willow | Southwestern Willow Flycatcher Habitat | CSU/TL | X | X | X | X | In areas that contain riparian habitat within the range for the Southwestern willow flycatcher, actions would be avoided or restricted that may cause stress and disturbance during nesting and rearing of their young. Appropriate measures will depend on whether the action is temporary or permanent, |

Table A.1 Areas Closed to Surface Disturbing Activities

| Resource of Concern | Applicable Area | Stipulation Code | Management Alternative | | | | Stipulation Description |
|---------------------|-----------------|------------------|------------------------|---|---|---|--|
| | | | B | C | D | E | |
| Flycatcher | | | | | | | <p>and whether it occurs within or outside the nesting season. A temporary action is completed prior to the following breeding season leaving no permanent structures and resulting in no permanent habitat loss. A permanent action continues for more than one breeding season and/or causes a loss of habitat or displaces flycatchers through disturbances, i.e., creation of a permanent structure. Current avoidance and minimization measures include the following:</p> <ol style="list-style-type: none"> 1. Surveys would be required prior to operations unless species occupancy and distribution information is complete and available. All surveys must be conducted by qualified individual(s) and be conducted according to protocol. 2. Activities would require monitoring throughout the duration of the project. To ensure desired results are being achieved, minimization measures would be evaluated and, if necessary, Section 7 consultation reinitiated. 3. Water production would be managed to ensure maintenance or enhancement of riparian habitat. 4. Where technically and economically feasible, use directional drilling or multiple wells from the same pad to reduce surface disturbance and eliminate drilling in suitable riparian habitat. Ensure that such directional drilling does not intercept or degrade alluvial aquifers. 5. Activities would maintain a 300 feet buffer from suitable riparian habitat year long. 6. Activities within 0.25 mile of occupied breeding habitat would not occur during the breeding season of May 1 to August 15. 7. Ensure that water extraction or disposal practices do not result in change of hydrologic regime that would result in loss or degradation of riparian habitat. |

Table A.1 Areas Closed to Surface Disturbing Activities

| Resource of Concern | Applicable Area | Stipulation Code | Management Alternative | | | | Stipulation Description |
|--|--|------------------|------------------------|---|---|---|--|
| | | | B | C | D | E | |
| | | | | | | | <p>8. Re-vegetate with native species all areas of surface disturbance within riparian areas and/or adjacent land. Additional measures to avoid or minimize effects to the species may be developed and implemented in consultation with the USFWS between the lease sale stage and lease development stage to ensure continued compliance with the ESA.</p> <p>Purpose: To protect Southwestern willow flycatcher habitat.</p> <p>Exception: An exception may be granted by the Field Manager if authorization is obtained from USFWS (through applicable provisions of the ESA). The Field Manager may also grant an exception if an environmental analysis indicates that the nature of the conduct of the actions, as proposed or conditioned, would not impair the primary constituent element determined necessary for the survival and recovery of the southwestern willow flycatcher and USFWS concurs with this determination.</p> <p>Modification: The Field Manager may modify the boundaries of the stipulation area if an environmental analysis indicates, and USFWS (through applicable provisions of the ESA) determines that a portion of the area is not being used as southwestern willow flycatcher habitat.</p> <p>Waiver: May be granted if the southwestern willow flycatcher is de-listed and if USFWS determines it is not necessary for the survival and recovery of the southwestern willow flycatcher.</p> |
| Special Status Species – Critical Habitat of the Endangered Colorado River | Colorado River, Green River, Colorado River and Dolores River Confluence, and all associated back waters | NSO | X | X | X | X | <p>Surface disturbing activities within the 100 year floodplain of the Colorado River, Green River, and at the Dolores/Colorado River confluence would not be allowed. Other avoidance and minimization measures include:</p> <ul style="list-style-type: none"> • Surveys will be required prior to operations unless species occupancy and distribution information is complete and available. All surveys must be conducted |

Table A.1 Areas Closed to Surface Disturbing Activities

| Resource of Concern | Applicable Area | Stipulation Code | Management Alternative | | | | Stipulation Description |
|---------------------|-----------------|------------------|------------------------|---|---|---|--|
| | | | B | C | D | E | |
| Fishes | 48,513 acres | | | | | | <p>by qualified individuals.</p> <ul style="list-style-type: none"> • Lease activities will require monitoring throughout the duration of the project. To ensure desired results are being achieved, minimization measures will be evaluated and, if necessary, Section 7 consultation reinitiated. • Water production will be managed to ensure maintenance or enhancement of riparian habitat. • Avoid loss or disturbance of riparian habitats. • Conduct watershed analysis for leases in designated critical habitat and overlapping major tributaries in order to determine toxicity risk from permanent facilities • Implement the Utah Oil and Gas Pipeline Crossing Guidance. • In areas adjacent to 100 year floodplains, particularly in systems prone to flash floods, analyze the risk for flash floods to impact facilities, and use closed loop drilling, and pipeline burial or suspension according to the Utah Oil and Gas Pipeline Crossing Guidance, to minimize the potential for equipment damage and resulting leaks or spills. <p>Purpose: To protect critical habitat of the endangered Colorado River fishes.</p> <p>Exception: An exception may be granted by the Field Manager if:</p> <p>1) There is no practical alternative, and 2) the development would enhance riparian/aquatic values. This exception would require consultation with the USFWS. The Field Manager may also grant an exception if an environmental analysis indicates that the nature or the conduct of the actions, as proposed or conditioned, would not impair the primary constituent element determined necessary for the survival and recovery of the Endangered Colorado River , fishes.</p> |

Table A.1 Areas Closed to Surface Disturbing Activities

| Resource of Concern | Applicable Area | Stipulation Code | Management Alternative | | | | Stipulation Description |
|---------------------|-----------------|------------------|------------------------|---|---|---|--|
| | | | B | C | D | E | |
| | | | | | | | <p>Modification: The Field Manager may modify the boundaries of the stipulation area if an environmental analysis indicates, and USFWS (through applicable provisions of the ESA) determines a portion of the area is not being used as Critical Habitat.</p> <p>Waiver: A waiver may be granted if the Endangered Colorado River Fishes are de-listed and the Critical Habitat is determined by USFWS as not necessary for the survival and recovery of the Endangered Colorado River fishes.</p> |

THIS PAGE INTENTIONALLY LEFT BLANK