
Appendix K

Stipulations Associated with Land Use
Authorizations

APPENDIX K

STIPULATIONS ASSOCIATED WITH LAND USE AUTHORIZATIONS

This appendix lists by alternative surface stipulations for new oil and gas leases referred to throughout this Draft Land Use Plan Amendment (LUPA) and Draft Environmental Impact Statement (EIS). In addition to oil and gas leases, these surface 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-administered or National Forest System lands. The stipulations would not apply to other activities and uses where they are contrary to laws, regulations, or policy for specific land use authorizations. The intent is to manage other activities and uses in the same manner as oil and gas leasing.

Surface disturbing activities are those that normally result in more than negligible disturbance to public lands. These activities normally involve disturbance to soils and vegetation to the extent that reclamation is required. They include, but are not limited to, the use of mechanized earth-moving equipment; truck-mounted drilling equipment; geophysical exploration; off-road vehicle travel in areas designated as limited or closed to off-highway vehicle (OHV) use; placement of surface facilities such as utilities, pipelines, structures, and oil and gas wells; new road construction; and use of pyrotechnics, explosives, and hazardous chemicals. Surface disturbing activities would not include livestock grazing, cross-country hiking, driving on designated routes, and minimum impact filming permits.

DESCRIPTION OF SURFACE STIPULATIONS

Table K.1, Draft RMP Oil and Gas Stipulations and Exception, Modification, and Waiver Criteria, shows the stipulations for Alternatives A, D, and E-I including exceptions, modifications, and waivers by alternative. Three surface stipulations could be applied to land use authorizations: (1) no surface occupancy (NSO), (2) timing limitations (TL), and (3) controlled surface use (CSU). There are no stipulations included for Alternatives B and C because they are closed to all oil and gas activities. All stipulations for other resources, besides Greater Sage-Grouse (sage-grouse or GRSG), included in the existing land use plans would still be applicable.

Areas identified as NSO would be closed to surface disturbing activities. An NSO stipulation cannot be applied to locatable minerals without a withdrawal. A withdrawal is not a land use planning decision because it must be approved by the Secretary of the Interior.

Areas identified as TL would be closed to surface disturbing activities during identified time frames. TL areas would be open to operational and maintenance activities, including associated vehicle travel, during the closed period unless otherwise specified in the stipulation.

Areas identified as CSU would require proposals to be authorized only according to the controls or constraints specified. The controls would be applicable to all surface disturbing activities.

RELIEF FROM STIPULATIONS

With regard to oil and gas, surface stipulations could be excepted, modified, or waived by the authorized officer. An exception exempts the holder of the land use authorization document from the stipulation on a one-time (or case-by-case) basis. A modification changes the language or provisions of a surface stipulation, either temporarily or permanently. A waiver permanently removes the stipulation from the lease. The environmental analysis document prepared for site-specific proposals such as oil and gas development (i.e., master development plans applications for permit to drill or sundry notices) also would need to address proposals to exempt, modify, or waive a surface stipulation.

On National Forest System lands, this process would follow regulatory requirements at 36 CFR 228.104. This process includes ensuring compliance with NEPA, and assessing if the action would be consistent with applicable federal laws, the current land and resource management plan, and meet the management objectives.

On BLM-administered lands, to exempt, modify, or waive a stipulation, the environmental analysis document would have to show that (1) the circumstances or relative resource values in the area had changed following issuance of the lease, (2) less restrictive requirements could be developed to protect the resource of concern, and (3) operations could be conducted without causing unacceptable impacts.

With respect to granting relief to stipulations on other types of authorizations, such as solid mineral leases, land use authorizations, etc. any changes to the contractual nature of these instruments would require environmental review and coordination with the Lessee, permit or authorization holder when specific surface disturbing activities are proposed via an operation plan, permitting action or similar instrument.

STANDARD TERMS AND CONDITIONS

All surface disturbing activities are subject to standard terms and conditions. These include the stipulations that are required for proposed actions in order to comply with the Threatened and Endangered Species Act. Standard terms and conditions for oil and gas leasing provide for relocation of proposed operations up to 200 meters and for prohibiting surface disturbing operations for a period not to exceed 60 days. The stipulations addressed in **Table K.1** that are within the parameters of 200 meters and 60 days are considered open to oil and gas leasing subject to standard terms and conditions.

Table K.1
Draft RMP Oil and Gas Stipulations and Exception, Modification, and Waiver Criteria

Alternative A – Stipulations	
Stipulation	Stipulation Description
No surface occupancy within 1/2 mile of greater sage-grouse leks. Price Field Office	<p>Exception: The authorized officer may grant an exception if an environmental analysis demonstrates that the action will not impair the function or utility of the site for current or subsequent reproductive display, including daytime loafing/staging activities, and/or will not result in development of a permanent aboveground structure within 1/2 mile of a lek.</p> <p>Modification: The authorized officer may modify the NSO area in extent if an environmental analysis finds that a portion of the NSO area is nonessential to site utility or function, or if further analysis shows that the size or location of the lek has changed, or that the proposed action could be conditioned to not impair the function or utility of the site for current or subsequent reproductive display including daytime loafing/staging activities.</p> <p>Waiver: A waiver may be granted if there are no active lek sites and it is determined the sites have been completely abandoned or destroyed or occur outside the initial identified area, as determined by BLM.</p>
No surface occupancy for oil and gas leasing within 1/2 mile of greater sage-grouse leks. Richfield Field Office	<p>Exception: An exception may be granted by the authorized officer if the operator submits a plan that demonstrates that impacts from the proposed action can be adequately mitigated.</p> <p>Modification: The authorized officer may modify the boundaries of the stipulation area if (1) portions of the area do not include lek sites, (2) the lek site(s) have been completely abandoned or destroyed, or (3) occupied lek site(s) occur outside the current defined area, as determined by the BLM.</p> <p>Waiver: A waiver may be granted if there are no active lek site(s) in the leasehold and it is determined the site(s) have been completely abandoned or destroyed or occur outside current defined area, as determined by the BLM.</p>
No surface-disturbing activities within 1/4 mile of active sage grouse leks year round. Vernal Field Office	<p>Exception: None</p> <p>Modification: None</p> <p>Waiver: None</p>
No surface occupancy within 1/2 mile of a greater sage-grouse lek site. Kanab Field Office	<p>Exception: An exception may be granted by the Authorized Officer if the operator submits a plan that demonstrates that impacts from the proposed action can be adequately mitigated.</p> <p>Modification: The Authorized Officer may modify the boundaries of the stipulation area if (1) portions of the area do not include lek sites, (2) the lek site(s) have been completely abandoned or destroyed, or (3) occupied lek site(s) occur outside the current defined area, as determined by the BLM.</p>

Table K.1
Draft RMP Oil and Gas Stipulations and Exception, Modification, and Waiver Criteria

Alternative A – Stipulations	
Stipulation	Stipulation Description
	<p>Waiver: A waiver may be granted if there are no active lek site(s) in the leasehold and it is determined the site(s) have been completely abandoned or destroyed or occur outside current defined area, as determined by the BLM.</p>
<p>No well sites or production facilities such as tank batteries and compressor stations may be constructed on these lands. Construction of roads, pipelines and other similar facilities must comply with direction in the 2003 Uinta National Forest Land and Resource Management Plan², and involve consultation with the U.S. Fish and Wildlife Service and coordination with the Utah Division of Wildlife Resources.</p> <p>Uinta National Forest</p>	<p>For the Purpose Of: Facilitating recovery of the species, and protecting sage grouse and key habitat for this species (brood-rearing and winter habitat as identified by the Utah Division of Wildlife Resources and as portrayed in the 2003 Uinta National Forest Land and Resource Management Plan)</p> <p>Exception: None</p> <p>Modification: A modification may be granted if the authorizing official determines through consultation with the U.S. Fish and Wildlife Service and coordination with the Utah Division of Wildlife Resources, that new habitat studies demonstrate a portion of the lease area affected by this stipulation no longer contains brood-rearing or winter habitat.</p> <p>Waiver: A waiver may be granted if the authorizing official determines through consultation with the U.S. Fish and Wildlife Service and coordination with the Utah Division of Wildlife Resources, that new habitat studies demonstrate the entire lease area affected by this stipulation no longer contains brood-rearing or winter habitat</p>
<p>No surface occupancy or use is allowed within 1 mile of sage-grouse leks (all habitats), and between 1 and 2 miles of sage-grouse leks within sagebrush habitat only.</p> <p>Dixie National Forest</p>	<p>For the Purpose Of: Protecting breeding and brood rearing sage grouse from predation, displacement, habitat fragmentation, and disturbance. Preventing any loss of viability to sage grouse populations.</p> <p>Exception: Seismic activities, including blasting, would be limited during the lekking period: March 1– May 15.</p> <p>A request for a waiver, exception, or modification (WEM) to the above lease stipulation may be requested along with the submission of a Surface Use Plan of Operations (36 CFR 228.104).</p> <p>Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820).</p>
<p>In order to protect sage grouse strutting grounds, exploration, drilling, and other development activity will not be allowed during the period from March 1 through May 15. This limitation does not</p>	<p>Exception: Exceptions to this limitation in any year may be specifically approved in writing by the authorized officer of the BLM.</p> <p>Modification: None</p> <p>Waiver: None</p>

Table K.1
Draft RMP Oil and Gas Stipulations and Exception, Modification, and Waiver Criteria

Alternative A – Stipulations	
Stipulation	Stipulation Description
<p>apply to maintenance and operation of producing wells.</p> <p>Cedar City Field Office</p>	<p>Exception: Exceptions to this limitation in any year may be specifically approved in writing by the authorized officer of the BLM.</p> <p>Modification: None</p> <p>Waiver: None</p>
<p>In order to protect sage grouse strutting grounds, exploration, drilling, and other development activity will not be allowed during the period from April 1 through June 15. This limitation does not apply to maintenance and operation of producing wells.</p> <p>Salt Lake Field Office</p>	<p>Exception: Exceptions to this limitation in any year may be specifically approved in writing by the authorized officer of the BLM.</p> <p>Modification: None</p> <p>Waiver: None</p>
<p>In order to protect sage grouse strutting grounds, exploration, drilling, and other development activity will not be allowed during the period from March 1 through May 15. This limitation does not apply to maintenance and operation of producing wells.</p> <p>Salt Lake Field Office</p>	<p>Exception: Exceptions to this limitation in any year may be specifically approved in writing by the authorized officer of the BLM.</p> <p>Modification: None</p> <p>Waiver: None</p>
<p>In order to protect crucial sage grouse breeding complexes, exploration, and drilling and other development activity within 0.5 mile radius of the complexes will be allowed from June 16 to March 14. This limitation does not apply to maintenance and operation of producing wells.</p> <p>Salt Lake Field Office</p>	<p>Exception: Specific exceptions may be granted by the BLM if the proposed activity will not seriously disturb wildlife habitat values being protected. This determination will be made by a BLM wildlife biologist in coordination with the Utah Division of Wildlife Resources (UDWR) and, if appropriate, the USF&WS. Such a determination may result if the sage grouse complex has remained inactive over a period of years and it is determined by the BLM and UDWR that the population no longer used the complex and no longer requires protection from disturbing activities for fluid mineral leasing and exploration.</p> <p>Modification: None</p> <p>Waiver: None</p>
<p>In order to protect important seasonal sage grouse breeding areas, exploration, drilling, and other development activity will be allowed during the period from May 1 through March 14. This imitation does not apply to maintenance and operation of</p>	<p>Exception: Exceptions to this imitation in any year may be specifically authorized in writing by the authorized officer of the BLM.</p> <p>Modification: None</p> <p>Waiver: None</p>

Table K.1
Draft RMP Oil and Gas Stipulations and Exception, Modification, and Waiver Criteria

Alternative A – Stipulations	
Stipulation	Stipulation Description
producing wells. Cedar City Field Office	
Within 5 km (3.1 miles) of known active leks use the best available technology such as installation of multi-cylinder pumps, hospital sound reducing mufflers, and placement of exhaust systems to reduce noise. Uinta National Forest	<p>For the Purpose Of: Protecting breeding and brood-rearing sage grouse from disturbance.</p> <p>Exception: None</p> <p>Modification: None</p> <p>Waiver: None</p>
No permanent (i.e., lasting more than 1 year) structures or facilities within 4 miles of an active sage grouse lek in breeding or brood-rearing habitat. Uinta National Forest	<p>For the Purpose Of: Protecting breeding and brood-rearing sage grouse from predation, habitat fragmentation, and disturbance.</p> <p>Exception: An exception may be granted if the authorized officer, in consultation with the U.S. Fish and Wildlife Service and coordination with the Utah Division of Wildlife Resources, determines through analysis that the nature of the actions, as proposed or conditioned, could be fully mitigated. This might occur if topography and/or vegetation is present that would effectively screen the structure or facility from the breeding habitat.</p> <p>Modification: A modification may be granted if the authorizing official determines through consultation with the U.S. Fish and Wildlife Service and coordination with the Utah Division of Wildlife Resources, that new habitat studies demonstrate a portion of the lease area affected by this stipulation no longer contains breeding or brood-rearing habitat.</p> <p>Waiver: A waiver may be granted if the authorizing official determines through consultation with the U.S. Fish and Wildlife Service and coordination with the Utah Division of Wildlife Resources, that new habitat studies demonstrate the entire lease area affected by this stipulation no longer contains breeding or brood-rearing habitat.</p>
No surface disturbing or otherwise disruptive activities within 2 miles of a known greater sage-grouse lek from March 15 to July 15. Price Field Office	<p>Exception: The authorized officer may grant an exception if an environmental analysis demonstrates that the action would not impair the function or utility of the habitat for nesting or early brood-rearing activities.</p> <p>Modification: Season may be adjusted depending on climatic and habitat conditions. Disturbance could occur if the activity were proposed to occur within the buffer, but would occur in non-sagebrush habitat, i.e., the activity could be allowed if it was not in sage-grouse habitat and did not in some other way disturb nesting or brood-rearing activity.</p>

Table K.1
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Alternative A – Stipulations	
Stipulation	Stipulation Description
	<p>Waiver: This stipulation may be waived if, in cooperation with UDWR, it is determined that the site has been permanently abandoned or unoccupied for a minimum of 5 years.</p>
<p>No surface disturbing or otherwise disruptive activities within 2 miles of a greater sage-grouse lek from March 15 to July 15 to protect sage grouse breeding and brood-rearing habitat.</p> <p>Richfield Field Office</p>	<p>Exception: An exception could be granted if surveys determine that the Greater sage-grouse lek in nesting and brood-rearing habitat is not occupied. An exception may also be granted by the authorized officer if the operator submits a plan that demonstrates that impacts from the proposed action can be adequately mitigated or it is determined the lek sites are not active.</p> <p>Modification: The authorized officer may modify the boundaries of the stipulation area if portions of the area do not include habitat or are outside the current defined area, as determined by the BLM.</p> <p>Waiver: A waiver may be granted if it is determined the habitat no longer exists or has been destroyed.</p>
<p>No surface-disturbing activities within 2 miles of active sage grouse leks in mapped brood rearing and nesting habitat from March 1 - June 15.</p> <p>Vernal Field Office</p>	<p>Exception: None</p> <p>Modification: None</p> <p>Waiver: None</p>
<p>Within 1/2 mile of known active leks use the best available technology such as installation of multi-cylinder pumps, hospital sound reducing mufflers, and placement of exhaust systems to reduce noise.</p> <p>Vernal Field Office</p>	<p>Exception: None</p> <p>Modification: None</p> <p>Waiver: None</p>
<p>No permanent facilities or structures would be allowed within 2 miles sage grouse leks when possible.</p> <p>Vernal Field Office</p>	<p>Exception: None</p> <p>Modification: None</p> <p>Waiver: None</p>
<p>In order to protect important sage grouse breeding and nesting habitat, exploration, drilling, and other development activity within two miles of any strutting ground will be allowed only during the period from June 16 to February 28. This limitation does not apply</p>	<p>Exception: None</p> <p>Modification: None</p> <p>Waiver: None</p>

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Alternative A – Stipulations	
Stipulation	Stipulation Description
<p>to maintenance and operation of producing wells.</p> <p>Salt Lake Field Office</p>	<p>For the Purpose Of: Protecting sage grouse during the critical breeding and brood-rearing season.</p> <p>Exception: An exception may be granted if the proposed activity is at least 4 miles from any lek, there are no practical alternatives, and the authorized officer determines through analysis and in consultation with the U.S. Fish and Wildlife Service and coordination with the Utah Division of Wildlife Resources that the nature of the actions, as proposed or conditioned, could be fully mitigated.</p> <p>Modification: A modification may be granted if the authorized officer determines thru new habitat studies, coordinated with the U.S. Fish and Wildlife Service and Utah Division of Wildlife Resources, that a portion of the leasehold affected by this stipulation does not contain sage grouse breeding or brood-rearing habitat.</p> <p>Waiver: A waiver may be granted if the authorized officer determines thru new habitat studies, coordinated with the U.S. Fish and Wildlife Service and Utah Division of Wildlife Resources, that the entire lease area affected by this stipulation does not contain any sage grouse breeding or brood-rearing habitat.</p>
<p>Protecting sage grouse during the critical breeding and brood-rearing season by precluding activities which could cause increased stress, displacement, and or breeding failures during the critical time period (March 1st to June 1st in the Vernon Management Area; March 1st to June 15th in the Strawberry Reservoir and Currant Creek Management Areas).</p> <p>Uinta NF</p>	<p>For the Purpose Of: To avoid a substantial loss of sage grouse brooding habitat and to ensure brood rearing success and to avoid a loss of viability to sage grouse populations on the Dixie National Forest.</p> <p>A request for a waiver, exception, or modification (WEM) to the above lease stipulation may be requested along with the submission of a Surface Use Plan of Operations (36 CFR 228.104).</p> <p>Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820).</p>
<p>Surface occupancy or use is subject to the following special operating constraints:</p> <p>No activities would be allowed from May 1 to July 15. Outside these dates, surface disturbance for oil and gas operations is limited to no more than 1 percent of total habitat (1% = 130 acres), including the areas of avoidance due to human activity (i.e., roads and well pads) with radius/buffer to be determined by the Dixie National Forest.</p> <p>Reclaimed oil and gas disturbance which has met reclamation requirements is not included in the disturbed/avoidance area calculation.</p>	<p>For the Purpose Of: To avoid a substantial loss of sage grouse brooding habitat and to ensure brood rearing success and to avoid a loss of viability to sage grouse populations on the Dixie National Forest.</p> <p>A request for a waiver, exception, or modification (WEM) to the above lease stipulation may be requested along with the submission of a Surface Use Plan of Operations (36 CFR 228.104).</p> <p>Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820).</p>

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Alternative A – Stipulations	
Stipulation	Stipulation Description
<p>No surface disturbing or otherwise disruptive activities (e.g., construction and maintenance) nesting and brood-rearing habitat from March 15 to July 15 within 2 miles of a greater sage-grouse lek.</p> <p>Kanab Field Office</p>	<p>Exception: An exception could be granted if surveys determine that the greater sage-grouse lek in nesting and brood-rearing habitat is not occupied. An exception may also be granted by the authorized officer if the operator submits a plan that demonstrates that impacts from the proposed action can be adequately mitigated or it is determined the lek sites are not active.</p> <p>Modification: The authorized officer may modify the boundaries of the stipulation area if portions of the area do not include habitat or are outside the current defined area, as determined by the BLM.</p> <p>Waiver: A waiver may be granted if it is determined the habitat no longer exists or has been destroyed.</p>
<p>No permanent structures or facilities (i.e., lasting more than 1 year) in winter habitat.</p> <p>Uinta NF</p>	<p>For the Purpose Of: Protecting wintering sage grouse from predation, habitat fragmentation, and disturbance.</p> <p>Exception: An exception may be granted if the authorized officer, in consultation with the U.S. Fish and Wildlife Service and coordination with the Utah Division of Wildlife Resources, determines through analysis that the nature of the actions, as proposed or conditioned, could be fully mitigated.</p> <p>Modification: A modification may be granted if the authorizing official determines through consultation with the U.S. Fish and Wildlife Service and coordination with the Utah Division of Wildlife Resources, that new habitat studies demonstrate a portion of the lease area affected by this stipulation no longer contains winter habitat.</p> <p>Waiver: A waiver may be granted if the authorizing official determines through consultation with the U.S. Fish and Wildlife Service and coordination with the Utah Division of Wildlife Resources, that new habitat studies demonstrate the entire lease area affected by this stipulation no longer contains winter habitat.</p>
<p>Protecting sage grouse during the critical winter season by precluding activities which could cause increased stress, displacement, and or breeding failures during the critical time period (November 15th to March 1st in the Vernon Management Area; November 1st to March 15th in the Strawberry Reservoir and Upper Provo Management Areas).</p>	<p>For the Purpose Of: Protecting sage grouse during the critical winter season.</p> <p>Exception: An exception may be granted if there are no practical alternatives, and the authorized officer determines through analysis and in consultation with the U.S. Fish and Wildlife Service and coordination with the Utah Division of Wildlife Resources that the nature of the actions, as proposed or conditioned, could be fully mitigated.</p> <p>Modification: A modification may be granted if the authorized officer determines thru new habitat studies, coordinated with the U.S. Fish and Wildlife Service and Utah Division of Wildlife Resources, that a portion of the leasehold affected by this</p>

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Alternative A – Stipulations	
Stipulation	Stipulation Description
<p>Uinta National Forest</p>	<p>stipulation does not contain sage grouse winter habitat.</p> <p>Waiver: A waiver may be granted if the authorized officer determines thru new habitat studies, coordinated with the U.S. Fish and Wildlife Service and Utah Division of Wildlife Resources, that the entire lease area affected by this stipulation does not contain any sage grouse winter habitat.</p>
<p>No surface disturbing or otherwise disruptive activities in greater sage-grouse winter habitat from December 1 to March 14.</p> <p>Kanab Field Office</p>	<p>Exception: An exception could be granted if surveys determine that the greater sage-grouse winter habitat is not occupied, and that snow depths in the area allow continued sage-grouse use. An exception may also be granted by the authorized officer if the operator submits a plan that demonstrates that impacts from the proposed action can be avoided, sufficiently minimized, or adequately mitigated.</p> <p>Modification: The authorized officer may modify the boundaries of the stipulation area if portions of the area do not include habitat or are outside the current defined area, as determined by the BLM.</p> <p>Waiver: A waiver may be granted if it is determined the habitat no longer exists or has been destroyed.</p>
<p>No surface disturbing or otherwise disruptive activities within Greater sage-grouse winter habitat areas seasonally from December 1 to March 14.</p> <p>Price Field Office</p>	<p>Exception: Upon review and monitoring, the Authorized Officer may grant exceptions because of climatic and/or habitat conditions if certain criteria are met and if activities would not cause undue stress to wintering greater sage-grouse.</p> <p>Modification: Season may be adjusted depending on climatic and habitat conditions.</p> <p>Waiver: This stipulation may be waived if, in cooperation with the State wildlife agency, it is determined that the site has been permanently abandoned or unoccupied for a minimum of 5 years.</p>
<p>No surface disturbing or otherwise disruptive activities in greater sage-grouse winter habitat from December 15 through March 14.</p> <p>Richfield Field Office</p>	<p>Exception: An exception could be granted if surveys determine that the Greater sage-grouse winter habitat is not occupied, and that snow depths in the area allow continued sage-grouse use. An exception may also be granted by the authorized officer if the operator submits a plan that demonstrates that impacts from the proposed action can be avoided, sufficiently minimized, or adequately mitigated.</p> <p>Modification: The authorized officer may modify the boundaries of the stipulation area if portions of the area do not include habitat or are outside the current defined area, as determined by the BLM.</p> <p>Waiver: A waiver may be granted if it is determined the habitat no longer exists or has been destroyed.</p>

Table K.1
Draft RMP Oil and Gas Stipulations and Exception, Modification, and Waiver Criteria

Alternative A – Stipulations	
Stipulation	Stipulation Description
<p>In order to protect important sage grouse winter habitat, exploration, drilling, and other development activity will be allowed only during the period from March 1 to November 30. This limitation does not apply to maintenance and operation of producing wells.</p> <p>Salt Lake Field Office</p>	<p>Exception: Exceptions to this limitation in any year may be specifically approved in writing by the authorized officer of the BLM.</p> <p>Modification: None</p> <p>Waiver: None</p>

Table K.1
Draft RMP Oil and Gas Stipulations and Exception, Modification, and Waiver Criteria

Priority Habitat – Alternative D	
Stipulation	Stipulation Description
<p>No surface occupancy in areas outside of GRSG habitat but within one mile of an occupied lek, when the lek is located within PPMAs.</p>	<p>Purpose: To protect occupied GRSG leks and the life-history needs of GRSG in proximity of the lek from habitat loss and GRSG populations from disturbance inside and out of priority habitat areas.</p> <p>Exception: Exceptions to the NSO could be granted by the Authorized Officer if the following conditions are met:</p> <p>access through GRSG habitat to the activity in the non-habitat area occurs only on existing routes, and no new roads, maintenance, or improvements to roads would be required within GRSG habitat;</p> <p>no activity would be permitted or authorized if it would establish a valid existing right that would subsequently require construction of new routes within GRSG habitat for access;</p> <p>access to the activity for construction, maintenance, etc. would be required to avoid applicable GRSG sensitive seasons (i.e., breeding, brood-rearing, winter) and time periods (2-hours before sunrise to 2-hours after sunrise near leks during breeding season);</p> <p>the non-habitat does not provide important connectivity between habitats;</p> <p>impacts to areas adjacent to PPMAs can be reduced or eliminated (e.g., sound, tall structures).</p> <p>Modification: None</p> <p>Waiver: A waiver may be granted if the lek is determined to be unoccupied as determined by DWR.</p>
<p>No surface occupancy occupied habitat within 4 miles of a lek located within PPMAs.</p>	<p>Purpose: To protect occupied GRSG leks and associated seasonal habitat, life-history, or behavioral needs of GRSG in proximity to leks, from habitat fragmentation and loss and GRSG populations from disturbance inside priority habitat areas and connectivity habitat areas.</p> <p>Exception: Exceptions to the NSO could be granted by the Authorized Officer if the following conditions are met:</p> <p>access through GRSG habitat to the activity in the non-habitat area occurs only on existing routes, and no new roads, maintenance, or improvements to roads would be required within GRSG habitat;</p> <p>no activity would be permitted or authorized if it would establish a valid existing right that would subsequently require construction of new routes within GRSG habitat for access;</p> <p>access to the activity for construction, maintenance, etc. would be required to avoid applicable GRSG sensitive seasons (i.e., breeding,</p>

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Draft RMP Oil and Gas Stipulations and Exception, Modification, and Waiver Criteria

Priority Habitat – Alternative D	
Stipulation	Stipulation Description
	<p>brood-rearing, winter) and time periods (2-hours before sunrise to 2-hours after sunrise near leks during breeding season);</p> <p>the non-habitat does not provide important connectivity between habitats;</p> <p>impacts to areas adjacent to PPMAs can be reduced or eliminated (e.g., sound, tall structures).</p> <p>Modification: None</p> <p>Waiver: A waiver may be granted if the lek is determined to be completely abandoned, destroyed or occur outside the initial identified area, as determined by the BLM and DWR.</p>
No surface disturbance allowed between November 15 – March 14, in winter habitat.	<p>Purpose: To seasonally protect GRSG winter habitat areas from disruptive activities within priority habitat areas.</p> <p>Exception: Exceptions to the seasonal restrictions could be granted by the Authorized Officer under the following conditions:</p> <p>if the project plan and NEPA document demonstrate the project would not impair the function of seasonal habitat, life-history, or behavioral needs of GRSG;</p> <p>if the potential short-term impacts from vegetation treatment are off-set by long-term improvement to the quantity or quality of habitat (e.g., seedings, juniper reduction).</p> <p>Modification: The Authorized Officer may modify the seasonal restrictions and use restrictions under the following conditions:</p> <p>if portions of the area do not include winter habitat (lacking the principle habitat components of winter GRSG habitat) or are outside the current defined winter GRSG areas, as determined by the BLM/FS in discussion with the UDWR, and indirect impacts would be mitigated;</p> <p>if documented local variations (e.g., higher/lower elevations) or annual climactic fluctuations (e.g., early/late spring, long and/or heavy winter) reflect a need to change the given dates in order to better protect when GRSG use a given area, and the proposed activity will not take place beyond the season being excepted.</p> <p>Waiver: None</p>
No surface disturbance allowed between April 15 – July 15, in GRSG brood-rearing habitat.	<p>Purpose: To seasonally protect brood-rearing GRSG habitat from disruptive activity.</p> <p>Exception: Exceptions to the seasonal restrictions could be granted by the Authorized Officer under the following conditions:</p>

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Priority Habitat – Alternative D	
Stipulation	Stipulation Description
	<p>if surveys determine that the lek is not active that year (based on UDWR lek survey protocol), and the proposed activity will not result in a permanent disturbance and will not take place beyond the season being excepted;</p> <p>if surveys determine that the lek is no longer occupied, and the proposed activity will not take place beyond the season being excepted;</p> <p>if the project plan and NEPA document demonstrate the project would not impair the function of seasonal habitat, life-history, or behavioral needs of GRSG;</p> <p>if the potential short-term impacts from vegetation treatment are off-set by long-term improvement to the quantity or quality of habitat (e.g., seedings, juniper reduction).</p> <p>Modification: The Authorized Officer may modify the seasonal restrictions under the following conditions:</p> <p>if portions of the area do not include habitat (lacking the principle habitat components of GRSG habitat) or are outside the defined area, as determined by the BLM/ Forest Service in discussion with the State of Utah, and indirect impacts would be mitigated;</p> <p>if documented local variations (e.g., higher/lower elevations) or annual climactic fluctuations (e.g., early/late spring, long and/or heavy winter) reflect a need to change the given dates in order to better protect when GRSG use a given area, and the proposed activity will not take place beyond the season being excepted.</p> <p>Waiver: None</p>
<p>No surface disturbance allowed between Feb. 15 – June 15, within breeding and nesting habitat (4-miles of a lek).</p>	<p>Purpose: To seasonally protect breeding and nesting GRSG habitat from disruptive activity in priority habitat areas.</p> <p>Exception: Exceptions to the seasonal restrictions could be granted by the Authorized Officer under the following conditions:</p> <p>if surveys determine that the lek is not active that year (based on UDWR lek survey protocol), and the proposed activity will not result in a permanent disturbance and will not take place beyond the season being excepted;</p> <p>if surveys determine that the lek is no longer occupied, and the proposed activity will not take place beyond the season being excepted;</p> <p>if the project plan and NEPA document demonstrate the project would not impair the function of seasonal habitat, life-history, or behavioral needs of GRSG;</p>

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Priority Habitat – Alternative D	
Stipulation	Stipulation Description
	<p>if the potential short-term impacts from vegetation treatment are off-set by long-term improvement to the quantity or quality of habitat (e.g., seedings, juniper reduction).</p> <p>Modification: The Authorized Officer may modify the seasonal restrictions under the following conditions:</p> <p>if portions of the area do not include habitat (lacking the principle habitat components of GRSG habitat) or are outside the defined area, as determined by the BLM/ Forest Service in discussion with the State of Utah, and indirect impacts would be mitigated;</p> <p>if documented local variations (e.g., higher/lower elevations) or annual climactic fluctuations (e.g., early/late spring, long and/or heavy winter) reflect a need to change the given dates in order to better protect when GRSG use a given area, and the proposed activity will not take place beyond the season being excepted.</p> <p>Waiver: None</p>
<p>Surface occupancy or use within the 4-mile buffer of a lek outside of PPMAs is subject to the following operating constraints:</p> <p>the development meets noise restrictions (noise at occupied leks does not exceed 10 decibels above ambient sound levels from two hours before to two hours after sunrise and sunset during breeding season) and the development meets tall structure restrictions (a tall structure is any man-made structure that has the potential to disrupt lekking or nesting birds by creating new perching/nesting opportunities and/or decrease the use of an area; a determination as to whether something is considered a tall structure would be determined based on local conditions such as vegetation or topography).</p>	<p>Purpose: To protect occupied GRSG leks and the life-history needs of GRSG of the lek from habitat loss and populations from disturbance outside of PPMAs.</p> <p>Exception: None</p> <p>Modification: None</p> <p>Waiver: A waiver may be granted if the lek is determined to be unoccupied as determined by DWR.</p>
<p>Surface occupancy or use in occupied habitat is subject to the following operating constraints:</p>	<p>Purpose: To protect occupied GRSG leks and the life-history needs of GRSG from habitat loss and GRSG populations from disturbance in PPMAs.</p>

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Priority Habitat – Alternative D	
Stipulation	Stipulation Description
<p>the development meets noise restrictions (noise at occupied leks does not exceed 10 decibels above ambient sound levels from two hours before to two hours after sunrise and sunset during breeding season)</p> <p>the development meets tall structure restrictions (a tall structure is any man-made structure that has the potential to disrupt lekking or nesting birds by creating new perching/nesting opportunities and/or decrease the use of an area; a determination as to whether something is considered a tall structure would be determined based on local conditions such as vegetation or topography)</p>	<p>Exception: None</p> <p>Modification: None</p> <p>Waiver: None</p>
<p>Operators must submit a site-specific plan of development for roads, wells, pipelines and other infrastructure prior to any development being authorized; this plan should outline how development on the lease will limit habitat fragmentation before surface occupancy or use is allowed in habitat.</p>	<p>Purpose: To protect PPMAs and the life-history needs of GRSG from habitat loss and GRSG populations from disturbance and limit fragmentation in PPMAs.</p> <p>Exception: None</p> <p>Modification: None</p> <p>Waiver: None</p>
<p>Surface occupancy or use is not allowed within PPMAs unless the area has not exceeded the 5% disturbance limit.</p>	<p>Purpose: To protect PPMAs and the life-history needs of GRSG from habitat loss and GRSG populations from disturbance and limit fragmentation in PPMAs.</p> <p>Exception: Small localized disturbance may exceed 5% if discrete disturbances are consolidated and localized and it is shown through an environmental compliance document that the total areas with discrete disturbances does not exceed 5% in the identified disturbance calculation area and that the consolidation of the disturbance in the area would be beneficial to the GRSG population. This could result in small areas where existing and proposed disturbances exceed 5% if total disturbances in the identified disturbance calculation area equals or is less than 5%.</p> <p>Modification: None</p>

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Priority Habitat – Alternative D	
Stipulation	Stipulation Description
	Waiver: None
Surface occupancy or use is subject to the following special operating constraints: Development is required to incorporate all design features identified in Appendix D (of the NTT Report).	<p>Purpose: To protect occupied GRSG habitat and the life-history needs of GRSG from habitat loss, fragmentation and to limit GRSG habitat disturbance.</p> <p>Exception: An exception to this stipulation could be granted by the Authorized Officer unless one of the following is demonstrated through an environmental compliance document associated with the specific project:</p> <p>A specific design feature is documented to not be applicable to the site-specific conditions of the project/activity;</p> <p>A proposed design feature or best management practice is determined to provide equal or better protection for GRSG or its habitat;</p> <p>Analyses conclude that following a specific feature will provide no more protection to GRSG or its habitat than not following it, for the specific project being proposed.</p> <p>Modification: None</p> <p>Waiver: None</p>
General Habitat – Alternative D	
Stipulation	Stipulation Description
No surface disturbance within one mile of an occupied lek located within PGMAs.	Purpose: To protect occupied GRSG leks and the life-history needs of GRSG in proximity of the lek from habitat loss and GRSG populations from disturbance inside and out of PGMAs.
This stipulation applies whether or not the area is within GRSG habitat.	Exception: The authorized officer may grant an exception in coordination with UDWR during project implementation and if best management practices (e.g., anti-perch devices for raptors, etc.) are implemented.
	Modification: None
	Waiver: This stipulation within PGMAs could be waived, except for within the seasonal stipulations, if off-site mitigation coordinated with the Authorized Officer and the State of Utah is successfully completed in PPMAs.
No surface disturbance allowed between November 15 – March 14.	Purpose: To seasonally protect winter GRSG habitat from disruptive activity in PGMAs.
	Exception: Exceptions to the seasonal restrictions could be granted Authorized Officer under the following conditions: if the project plan and NEPA document demonstrate the project would not impair the function of seasonal habitat, life-history, or

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General Habitat – Alternative D	
Stipulation	Stipulation Description
	<p>behavioral needs of GRSG;</p> <p>if the potential short-term impacts from the action are off-set by long-term improvement to the quantity or quality of habitat (e.g., seedings, juniper reduction)</p> <p>Modification: the Authorized Officer may modify the seasonal restrictions under the following conditions:</p> <p>if portions of the area do not include habitat (lacking the principle habitat components of GRSG habitat) or are outside the current defined area, as determined by the BLM/Forest Service in discussion with the State of Utah, and indirect impacts would be mitigated;</p> <p>if documented local variations (e.g., higher/lower elevations) or annual climactic fluctuations (e.g., early/late spring, long and/or heavy winter) reflect a need to change the given dates in order to better protect when GRSG use a given area, and the proposed activity will not take place beyond the season being excepted.</p> <p>Waiver: The Authorized Officer may waive the timing limitation if off-site mitigation is successfully completed in PPMAs, following discussion with BLM/Forest Service and the State of Utah. Even in situations where use restrictions are waived in PGMAs, to avoid direct disturbance and/or mortality of birds, disturbances would not be approved during the sensitive seasons.</p>
No surface disturbance allowed between April 15 – July 15, in brood-rearing habitat.	<p>Purpose: To seasonally protect brood-rearing GRSG habitat from disruptive activity in PGMAs.</p> <p>Exception: Exceptions to the seasonal restrictions and use restrictions could be granted Field Manager/Forest Supervisor under the following conditions:</p> <p>if surveys determine that the lek is not active that year (based on DWR lek survey protocol), and the proposed activity will not take place beyond the season being excepted;</p> <p>if surveys determine that the lek is no longer occupied, and the proposed activity will not take place beyond the season being excepted;</p> <p>if the project plan and NEPA document demonstrate that impacts from the proposed action can be adequately mitigated;</p> <p>Modification: Additionally, the Field Manager/Forest Supervisor may modify the seasonal restrictions and use restrictions under the following conditions:</p> <p>if portions of the area do not include habitat (lacking the principle habitat components of brood-rearing GRSG habitat) or are outside</p>

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General Habitat – Alternative D	
Stipulation	Stipulation Description
	<p>the current defined brood-rearing area, as determined by the BLM/FS in discussion with the UDWR, and indirect impacts would be mitigated;</p> <p>if documented local variations (e.g., higher/lower elevations) or annual climactic fluctuations (e.g., early/late spring, long and/or heavy winter) reflect a need to change the given dates in order to better protect when GRSG use a given area, and the proposed activity will not take place beyond the season being excepted.</p> <p>Waiver: None.</p>
No surface disturbance allowed between Feb. 15 – June 15.	<p>Purpose: To seasonally protect breeding and nesting GRSG habitat from disruptive activity in PGMA.</p> <p>Exception: Exceptions to the seasonal restrictions and use restrictions could be granted Field Manager/Forest Supervisor under the following conditions:</p> <p>if surveys determine that the lek is not active that year (based on DWR lek survey protocol), and the proposed activity will not take place beyond the season being excepted;</p> <p>if surveys determine that the lek is no longer occupied, and the proposed activity will not take place beyond the season being excepted;</p> <p>if the project plan and NEPA document demonstrate that impacts from the proposed action can be adequately mitigated;</p> <p>Modification: Additionally, the Field Manager/Forest Supervisor may modify the seasonal restrictions and use restrictions under the following conditions:</p> <p>if portions of the area do not include habitat (lacking the principle habitat components of GRSG habitat) or are outside the current defined breeding and nesting habitat area, as determined by the BLM/FS in discussion with the UDWR, and indirect impacts would be mitigated;</p> <p>if documented local variations (e.g., higher/lower elevations) or annual climactic fluctuations (e.g., early/late spring, long and/or heavy winter) reflect a need to change the given dates in order to better protect when GRSG use a given area, and the proposed activity will not take place beyond the season being excepted.</p> <p>Waiver: None</p>
Surface occupancy or use in occupied habitat is subject to the following operating constraints:	<p>Purpose: To protect occupied GRSG leks and the life-history needs of GRSG of the lek from habitat loss and GRSG populations from disturbance outside of PGMA.</p>

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General Habitat – Alternative D	
Stipulation	Stipulation Description
<p>the activity meets noise restrictions (noise at occupied leks does not exceed 10 decibels above ambient sound levels from two hours before to two hours after sunrise and sunset during breeding season);</p> <p>the activity meets permanent (structure persists through subsequent breeding season) tall structure restrictions (a tall structure is any man-made structure that has the potential to disrupt lekking or nesting birds by creating new perching/nesting opportunities and/or decrease the use of an area; a determination as to whether something is considered a tall structure would be determined based on local conditions such as vegetation or topography);</p>	<p>Exception: None</p> <p>Modification: None</p> <p>Waiver: Application of the above use restrictions and meeting objectives within PGMA's may be waived by the Field Manager/Forest Supervisor if off-site mitigation is successfully completed in PPMAs or opportunity areas, following discussion with BLM/FS and UDWR. Even in situations where use restrictions are waived in general habitat, to avoid direct disturbance and/or mortality of birds, disturbances will not be approved during the sensitive seasons.</p>
<p>Surface disturbing activities within GRSG would require coordination with UDWR during project implementation and implementation of best management practices (e.g., anti-perch devices for raptors, etc.)</p>	<p>Purpose: To minimize disturbance to GRSG within PGMA's.</p> <p>Exception: None</p> <p>Modification: None</p> <p>Waiver: Application of the above use restrictions and meeting objectives within general habitat may be waived by the Field Manager/Forest Supervisor if off-site mitigation is successfully completed in priority habitat or opportunity areas, following discussion with BLM/FS and UDWR. Even in situations where use restrictions are waived in general habitat, to avoid direct disturbance and/or mortality of birds, disturbances will not be approved during the sensitive seasons.</p>

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Draft RMP Oil and Gas Stipulations and Exception, Modification, and Waiver Criteria

Alternative E-1	
Stipulation	Stipulation Description
No surface occupancy within 1 mile of an occupied lek if the lek is located within a SGMA	<p>Purpose: To minimize disturbance to breeding and nesting GRSG.</p> <p>Exception: If the Authorized Officer may grant an exception if the disturbance or activity is not visible to the GRSG using the lek or if there is no other feasible placement for that activity. While the NSO stipulation may be excepted, minimization and/or mitigation would be required for development in these areas.</p> <p>Modification: None</p> <p>Waiver: None</p>
<p>Surface occupancy or use in occupied habitat is subject to the following operating constraints:</p> <p>Under certain circumstances, a general limit on new permanent disturbance of 5% of habitat on state or federally managed lands within any particular State of Utah SGMA..</p>	<p>Purpose: The fundamental purpose of this provision is to limit the effects of a large amount of disturbance to the existing habitat or activities of the GRSG</p> <p>Exception: If the SGMA crosses a county line then the 5% limitation would be apportioned to each county in proportion to the total amount of GRSG within the larger area.</p> <p>Modification: If it should become sufficiently apparent through an interagency review effort coordinated by the PLPCO to insure consistency in interpretation throughout the state that an accurate determination of the base for the limitation calculation is not feasible, then the interagency coordination effort may propose and seek approval for an alternative measurement of, or technique to measure, the cumulative effects of disturbance.</p> <p>Waiver: None</p>
<p>Surface occupancy or use in winter habitat is subject to the following operating constraints:</p> <p>Avoid activities (construction, vehicle noise, etc.) that will disturb GRSG use of the seasonal area from November 15 – March 15.</p>	<p>Purpose: The purpose of this stipulation is to limit disturbance to the seasonal use of GRSG winter habitat.</p> <p>Exception: The specific time and distance determinations for the winter seasonal stipulation would be based on site-specific conditions, in coordination with the local UDWR biologist.</p> <p>Modification: None.</p> <p>Waiver: None</p>
<p>Surface occupancy or use in nesting and brood-rearing areas are subject to the following operating constraints:</p> <p>Avoid activities (construction, vehicle noise, etc.) that will disturb GRSG use of the seasonal area from April 1 – Aug. 15.</p>	<p>Purpose: The purpose of this stipulation is to limit disturbance to the seasonal use of GRSG nesting and brood-rearing areas.</p> <p>Exception: The specific time and distance determinations for the nesting and brood-rearing seasonal stipulation would be based on site-specific conditions, in coordination with the local UDWR biologist.</p> <p>Modification: None.</p> <p>Waiver: None</p>

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Alternative E-1	
Stipulation	Stipulation Description
<p>Surface occupancy or use in the area of the lek is subject to the following operating constraints:</p> <p>Avoid activities (construction, vehicle noise, etc.) that will disturb GRSG use of the seasonal area from Feb. 15 – May 15.</p>	<p>Purpose: The purpose of this stipulation is to limit disturbance to the seasonal use of GRSG lek.</p> <p>Exception: The specific time and distance determinations for the seasonal stipulation for the GRSG lek would be based on site-specific conditions, in coordination with the local UDWR biologist.</p> <p>Modification: None.</p> <p>Waiver: None</p>
<p>Surface occupancy or use in winter habitat is subject to the following operating constraints:</p> <p>Avoid disturbance within the area, if possible. Project proponents must demonstrate why avoidance is not possible.</p> <p>If avoidance is not possible, minimize as appropriate to the area. Minimization provisions include, for example, the location of development in habitat of least importance, or by locating development to take advantage of topographic screening.</p> <p>If minimization is not sufficient, mitigation is required (see mitigation section below).</p>	<p>Purpose: The purpose of this stipulation is to limit disturbance to GRSG winter habitat.</p> <p>Exception: None</p> <p>Modification: None</p> <p>Waiver: None</p>
<p>Surface occupancy or use in nesting and brood-rearing areas are subject to the following operating constraints:</p> <p>Avoid disturbance within these areas, if possible. Project proponents must demonstrate why avoidance is not possible.</p> <p>If avoidance is not possible, use minimization as appropriate to the area (e.g., try to minimize effects by locating development in habitat of the least importance, take advantage of topographic features to screen the disturbance, or maintaining and enhancing wet</p>	<p>Purpose: The purpose of this stipulation is to limit disturbance GRSG nesting and brood-rearing areas.</p> <p>Exception: None</p> <p>Modification: None</p> <p>Waiver: None</p>

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Alternative E-1	
Stipulation	Stipulation Description
<p>meadow and riparian vegetation to provide food and shelter).</p> <p>If minimization is not sufficient, mitigation is required (see mitigation section below).</p> <p>Employ noise stipulations which allow no more than 10 db rise above ambient noise levels at the edge of the lek.</p>	
<p>Surface occupancy or use in the area of a lek is subject to the following operating constraints:</p> <p>Avoid disturbance within this area, if possible. Project proponents must demonstrate why avoidance is not possible.</p> <p>If avoidance is not possible, use minimization as appropriate to the area.</p> <p>If minimization is not sufficient, mitigation is required (see mitigation section below).</p> <p>New permanent disturbance, including structures, fences, and buildings, should not be located within the lek itself.</p> <p>No permanent disturbance within one mile of the lek, unless it is not visible to the sage-grouse using the lek.</p> <p>Fences should not be located on or adjacent to leks where bird collisions would be expected to occur. If required, the construction of any fences near the lek should follow the standards identified in the NRCS fence collision risk tool (NRCS/CEAP Conservation Insight Publication “Applying the Sage Grouse Fence Collision Risk Tool to Reduce Bird Strikes”).</p>	<p>Purpose: The purpose of this stipulation is to limit disturbance to the seasonal use of GRSG leks.</p> <p>Exception: None</p> <p>Modification: None</p> <p>Waiver: None</p>

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Alternative E-1	
Stipulation	Stipulation Description
<p>A disturbance outside the lek should not produce noise which rises more than 10 db above the background level at the edge of the lek during breeding season.</p> <p>Implement time-of-day stipulations during the season when the lek is occupied (e.g., no activity from 2-hours before sunrise to 2-hours after sunrise).</p>	
<p>Surface occupancy or use in the other GRSG habitats are subject to the following operating constraints:</p> <p>Avoid disturbance in the area if possible. Project proponents must demonstrate why avoidance is not possible.</p> <p>If avoidance is not possible, minimize as appropriate to the area. Minimization provisions include, for example, the location of development in habitat of least importance, or by locating development to take advantage of topographic screening.</p> <p>If minimization is not sufficient, mitigation is required (see mitigation section below).</p> <p>Mitigation must produce lands capable of supporting GRSG as habitat before the proposed disturbance occurs, though birds do not need to be using the mitigated area. The proponent of the disturbance must demonstrate that the mitigation conditions have been met.</p> <p>Manage the lands to avoid barriers to migration, if applicable.</p>	<p>Purpose: The purpose of this stipulation is to limit disturbance to the GRSG habitat within SGMAs but which is not part of the lek, nesting or wintering areas.</p> <p>Exception: None</p> <p>Modification: None</p> <p>Waiver: None</p>

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Alternative E-1	
Stipulation	Stipulation Description
<p>Surface occupancy or use in GRSB habitats are subject to the following operating constraints:</p> <p>New permanent disturbance, including structures, fences, and buildings, should not be located within the occupied lek itself.</p> <p>No permanent disturbance within 1 mile of an occupied lek, unless it is not visible to the sage-grouse using the lek.</p> <p>New permanent tall structures should not be located within one mile of the lek, if visible by the birds within the lek.</p> <p>A disturbance outside the lek should not produce noise which rises more than 10 db above the ambient (background) level at the edge of the lek during breeding season.</p> <p>Apply time-of-day stipulations when the lek is active (e.g., no activity from 2-hours before sunrise to 2-hours after sunrise)</p>	<p>Purpose: The purpose of this stipulation is to limit disturbance to the GRSB habitat within SGMAs but which is not part of the lek, nesting or wintering areas.</p> <p>Exception: None</p> <p>Modification: None</p> <p>Waiver: None</p>

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Alternative E-2	
Stipulation	Stipulation Description
<p>Occupied sage-grouse leks inside priority habitat areas and connectivity habitat areas. This area encompasses occupied sage-grouse leks inside priority habitat areas and connectivity habitat areas. No surface occupancy or use is allowed within a six-tenths (0.6) mile radius of the perimeter of occupied sage-grouse leks inside priority habitat areas and connectivity habitat areas</p>	<p>Purpose: To protect occupied sage-grouse leks and associated seasonal habitat, life-history, or behavioral needs of Greater sage-grouse in proximity to leks, from habitat fragmentation and loss and Greater sage-grouse populations from disturbance inside priority habitat areas and connectivity habitat areas.</p> <p>Exception: The authorized officer may grant an exception if an environmental record of review determines that the action, as proposed or conditioned, would not impair the function or utility of the site for the current or subsequent seasonal habitat, life-history, or behavioral needs of Greater sage-grouse. The Forest Service can and does grant exceptions if the Forest Service, in consultation with the WGFD, feels that granting an exception would not adversely impact the population being protected. Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see Forest Service Manuals 1950 and 2820.)</p> <p>Modification: The authorized officer may modify the area subject to the stipulation or the NSO criteria if an environmental record of review finds that a portion of the NSO area is nonessential, or it is identified through scientific research or monitoring that the existing criteria are inadequate or overly protective for maintaining the function or utility of the site for the seasonal habitat, life-history, or behavioral needs of the Greater sage-grouse, including (but not limited to) reproductive display, daytime loafing/staging activities, and nesting. Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see Forest Service Manuals 1950 and 2820.)</p> <p>Waiver: This stipulation may be waived over the entire lease if, in consultation with the State wildlife agency, it is determined that the site is no longer considered in the land use plan to be Greater sage-grouse priority or connectivity habitat or sage-grouse are no longer a Forest Service sensitive or special status species and are not listed by the USFWS as threatened or endangered 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. (For guidance on the use of this stipulation, see Forest Service Manuals 1950 and 2820.)</p>
<p>Greater sage-grouse priority habitat areas. This area encompasses Greater sage-grouse priority habitat areas. Surface occupancy or use will be</p>	<p>Purpose: To protect Greater sage-grouse connectivity areas from habitat fragmentation and loss.</p> <p>Exception: The authorized officer may grant an exception if an environmental record of review determines that the action, as</p>

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Alternative E-2	
Stipulation	Stipulation Description
<p>restricted to no more than an average of one disturbance location per 640 acres, and the cumulative value of all applicable surface disturbances, existing or future, must not exceed 5 percent of the DDCT area, as described in the Disturbance Density Calculation Tool (DDCT) Manual.</p> <p>This lease does not guarantee the lessee the right to occupy the surface of the lease for the purpose of producing oil and natural gas within Greater sage-grouse priority habitat. The surface occupancy restriction criteria identified in this stipulation may preclude surface occupancy and may be beyond the ability of the lessee to meet due to existing surface disturbance on Federal, State, or private lands within the priority habitat or surface disturbance created by other land users. The BLM may require the lessee or operator to enter into a unit agreement or drilling easement to facilitate the equitable development of this and surrounding leases.</p>	<p>proposed or conditioned, would not impair the function or utility of the site for the current or subsequent seasonal habitat, life-history, or behavioral needs of Greater sage-grouse. An exception to the stated limits may be granted when offsite mitigation is determined to provide an overall beneficial effect to sage-grouse habitat and populations. The Forest Service can and does grant exceptions if the Forest Service, in consultation with the WGFD, feels that granting an exception would not adversely impact the population being protected. Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see Forest Service Manuals 1950 and 2820.)</p> <p>Modification: The authorized officer may modify the area subject to the stipulation or surface occupancy criteria if an environmental record of review finds that a portion of the CSU area is nonessential, or it is identified through scientific research or monitoring that the existing criteria are inadequate or overly protective for maintaining the function or utility of the site for the seasonal habitat, life-history, or behavioral needs of the Greater sage-grouse, including (but not limited to) reproductive display, daytime loafing/staging activities, and nesting. Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see Forest Service Manuals 1950 and 2820.)</p> <p>Waiver: This stipulation may be waived over the entire lease if, in consultation with the State wildlife agency, it is determined that the site is no longer considered in the land use plan to be Greater sage-grouse connectivity habitat or sage-grouse are no longer a Forest Service sensitive or special status species and are not listed by the USFWS as threatened or endangered 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. (For guidance on the use of this stipulation, see Forest Service Manuals 1950 and 2820.)</p>
<p>Greater sage-grouse connectivity areas. This area encompasses Greater sage-grouse connectivity areas. The cumulative value of all applicable surface disturbances (existing or future, and not limited to fluid mineral disturbances) must not exceed an average of 5 percent of the sagebrush habitat</p>	<p>Purpose: To protect Greater sage-grouse connectivity areas from habitat fragmentation and loss.</p> <p>Exception: The authorized officer may grant an exception if an environmental record of review determines that the action, as proposed or conditioned, would not impair the function or utility of the site for the current or subsequent seasonal habitat, life-history, or behavioral needs of Greater sage-grouse. An exception to the stated limits may be granted when offsite mitigation is determined to provide an overall beneficial effect to sage-grouse</p>

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Alternative E-2	
Stipulation	Stipulation Description
<p>mapped within each Forest GIS database per 640 acres, as described in the Disturbance Density Calculation Tool (DDCT) Manual.</p> <p>This lease does not guarantee the lessee the right to occupy the surface of the lease for the purpose of producing oil and natural gas within Greater sage-grouse priority habitat. The surface occupancy restriction criteria identified in this stipulation may preclude surface occupancy and may be beyond the ability of the lessee to meet due to existing surface disturbance on Federal, State, or private lands within the priority habitat or surface disturbance created by other land users. The Forest Service may require the lessee or operator to enter into a unit agreement or drilling easement to facilitate the equitable development of this and surrounding leases.</p>	<p>habitat and populations. The Forest Service can and does grant exceptions if the Forest Service, in consultation with the WGFD, feels that granting an exception would not adversely impact the population being protected. Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see Forest Service Manuals 1950 and 2820.)</p> <p>Modification: The authorized officer may modify the area subject to the stipulation or surface occupancy criteria if an environmental record of review finds that a portion of the CSU area is nonessential, or it is identified through scientific research or monitoring that the existing criteria are inadequate or overly protective for maintaining the function or utility of the site for the seasonal habitat, life-history, or behavioral needs of the Greater sage-grouse, including (but not limited to) reproductive display, daytime loafing/staging activities, and nesting. Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see Forest Service Manuals 1950 and 2820.)</p> <p>Waiver: This stipulation may be waived over the entire lease if, in consultation with the State wildlife agency, it is determined that the site is no longer considered in the land use plan to be Greater sage-grouse connectivity habitat or sage-grouse are no longer a Forest Service sensitive or special status species and are not listed by the USFWS as threatened or endangered 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. (For guidance on the use of this stipulation, see Forest Service Manuals 1950 and 2820.)</p>
<p>Occupied Greater sage-grouse leks in priority habitat areas or connectivity habitat areas. This area encompasses occupied Greater sage-grouse leks in priority habitat areas or connectivity habitat areas. No disruptive activity is allowed during 6:00 p.m. – 8:00 a.m., March 1 – May 15, within a six tenths (0.6) mile radius of the perimeter of occupied sage-grouse leks in priority habitat areas or connectivity habitat areas.</p>	<p>Purpose: To seasonally protect occupied Greater sage-grouse leks from disruptive activity in priority habitat areas or connectivity habitat areas.</p> <p>Exception: The authorized officer may grant an exception if an environmental record of review determines that the action, as proposed or conditioned, will not affect reproductive displays, nest attendance, egg or chick survival, or early brood-rearing success. Actions designed to enhance the long-term utility or availability of suitable sage-grouse habitat may be exempted from this timing limitation. The Forest Service can and does grant exceptions to seasonal restrictions if the Forest Service, in consultation with the WGFD, feels that granting an exception would not adversely impact the population being protected. Any changes to this stipulation will be made in accordance with the land use plan</p>

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	<p>and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see Forest Service Manuals 1950 and 2820.)</p> <p>Modification: The authorized officer may modify the size and shape of the TLS area or the TLS criteria if an environmental record of review indicates the actual habitat suitability for seasonal Greater sage-grouse activities is greater or less than the stipulated area, or it is identified through scientific research or monitoring that the existing criteria are inadequate or overly protective for maintaining the function or utility of the site for the seasonal habitat, life-history, or behavioral needs of the Greater sage-grouse, including (but not limited to) reproductive display, daytime loafing/staging activities, and nesting. Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see Forest Service Manuals 1950 and 2820.)</p> <p>Waiver: This stipulation may be waived over the entire lease if, in consultation with the State wildlife agency, it is determined that the described lands are no longer considered in the land use plan to be Greater sage-grouse priority or connectivity habitat or are incapable of serving the long-term requirements of sage-grouse nesting habitat and that these ranges no longer warrant consideration as components of sage-grouse nesting habitat. Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see Forest Service Manuals 1950 and 2820.)</p>
<p>Occupied Greater sage-grouse leks in priority habitat areas or connectivity habitat areas. This area encompasses occupied Greater sage-grouse leks in priority habitat areas or connectivity habitat areas. Noise levels may not exceed 10 dBA above ambient noise during 6:00 p.m. – 8:00 a.m., March 1 – May 15, within a six tenths (0.6) mile radius of the perimeter of occupied sage-grouse leks in priority habitat areas or connectivity habitat areas.</p>	<p>Purpose: To seasonally protect occupied Greater sage-grouse leks from disruptive activity in priority habitat areas or connectivity habitat areas.</p> <p>Exception: The authorized officer may grant an exception if an environmental record of review determines that the action, as proposed or conditioned, will not affect reproductive displays, nest attendance, egg or chick survival, or early brood-rearing success. Actions designed to enhance the long-term utility or availability of suitable sage-grouse habitat may be exempted from this timing limitation. The Forest Service can and does grant exceptions to seasonal restrictions if the Forest Service, in consultation with the WGFD, feels that granting an exception would not adversely impact the population being protected. Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see Forest Service Manuals 1950 and</p>

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	<p>2820.)</p> <p>Modification: The authorized officer may modify the size and shape of the TLS area or the TLS criteria if an environmental record of review indicates the actual habitat suitability for seasonal Greater sage-grouse activities is greater or less than the stipulated area, or it is identified through scientific research or monitoring that the existing criteria are inadequate or overly protective for maintaining the function or utility of the site for the seasonal habitat, life-history, or behavioral needs of the Greater sage-grouse, including (but not limited to) reproductive display, daytime loafing/staging activities, and nesting. Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see Forest Service Manuals 1950 and 2820.)</p> <p>Waiver: This stipulation may be waived over the entire lease if, in consultation with the State wildlife agency, it is determined that the described lands are no longer considered in the land use plan to be Greater sage-grouse priority or connectivity habitat or are incapable of serving the long-term requirements of sage-grouse nesting habitat and that these ranges no longer warrant consideration as components of sage-grouse nesting habitat. Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see Forest Service Manuals 1950 and 2820.)</p>
<p>Greater sage-grouse nesting and early brood-rearing habitats inside priority habitat areas. This area encompasses Greater sage-grouse nesting and early brood-rearing habitats inside priority habitat areas. No surface use is allowed during March 15 – June 30, within Greater sage-grouse nesting and early brood-rearing habitats inside priority habitat areas, regardless of distance from the lek and independent of habitat suitability. This stipulation does not apply to operation and maintenance of production facilities.</p>	<p>Purpose: To seasonally protect Greater sage-grouse nesting and early brood-rearing habitats from disruptive activities inside priority habitat areas.</p> <p>Exception: The authorized officer may grant an exception if an environmental record of review determines that the action, as proposed or conditioned, will not affect reproductive displays, nest attendance, egg or chick survival, or early brood-rearing success. Actions designed to enhance the long-term utility or availability of suitable sage-grouse habitat may be exempted from this timing limitation. The Forest Service can and does grant exceptions to seasonal restrictions if the Forest Service, in consultation with the WGFD, feels that granting an exception would not adversely impact the population being protected. Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see Forest Service Manuals 1950 and 2820.)</p> <p>Modification: The authorized officer may modify the size and</p>

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Stipulation	Stipulation Description
	<p>shape of the TLS area or the TLS criteria if an environmental record of review indicates the actual habitat suitability for seasonal Greater sage-grouse activities is greater or less than the stipulated area, or it is identified through scientific research or monitoring that the existing criteria are inadequate or overly protective for maintaining the function or utility of the site for the seasonal habitat, life-history, or behavioral needs of the Greater sage-grouse, including (but not limited to) reproductive display, daytime loafing/staging activities, and nesting. Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see Forest Service Manuals 1950 and 2820.)</p> <p>Waiver: This stipulation may be waived over the entire lease if, in consultation with the State wildlife agency, it is determined that the described lands are no longer considered in the land use plan to be Greater sage-grouse priority habitat or are incapable of serving the long-term requirements of sage-grouse nesting habitat and that these ranges no longer warrant consideration as components of sage-grouse nesting habitat. Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see Forest Service Manuals 1950 and 2820.)</p>
<p>Greater sage-grouse nesting and early brood-rearing habitat within connectivity habitat areas. This area encompasses Greater sage-grouse nesting and early brood-rearing habitat within connectivity habitat areas. No surface use is allowed during March 15 – June 30, in nesting and early brood-rearing habitats (independent of habitat suitability) inside connectivity habitat areas, within four miles of an occupied lek. This stipulation does not apply to operation and maintenance of production facilities.</p>	<p>Purpose: To seasonally protect Greater sage-grouse nesting and early brood-rearing habitats (independent of habitat suitability) inside connectivity habitat areas from disruptive activities, within four miles of an occupied lek.</p> <p>Exception: The authorized officer may grant an exception if an environmental record of review determines that the action, as proposed or conditioned, will not affect reproductive displays, nest attendance, egg or chick survival, or early brood-rearing success. Actions designed to enhance the long-term utility or availability of suitable sage-grouse habitat may be exempted from this timing limitation. The Forest Service can and does grant exceptions to seasonal restrictions if the Forest Service, in consultation with the WGFD, feels that granting an exception would not adversely impact the population being protected. Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see Forest Service Manuals 1950 and 2820.)</p> <p>Modification: The authorized officer may modify the size and shape of the TLS area or the TLS criteria if an environmental record of review indicates the actual habitat suitability for seasonal Greater sage-grouse activities is greater or less than the stipulated</p>

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Stipulation	Stipulation Description
	<p>area, or it is identified through scientific research or monitoring that the existing criteria are inadequate or overly protective for maintaining the function or utility of the site for the seasonal habitat, life-history, or behavioral needs of the Greater sage-grouse, including (but not limited to) reproductive display, daytime loafing/staging activities, and nesting. Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see Forest Service Manuals 1950 and 2820.)</p> <p>Waiver: This stipulation may be waived over the entire lease if, in consultation with the State wildlife agency, it is determined that the described lands are no longer considered in the land use plan to be Greater sage-grouse connectivity habitat or are incapable of serving the long-term requirements of sage-grouse nesting habitat and that these ranges no longer warrant consideration as components of sage-grouse nesting habitat. Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see Forest Service Manuals 1950 and 2820.)</p>
<p>Greater sage-grouse nesting and early brood-rearing habitat outside priority habitat areas and connectivity habitat areas. This area encompasses Greater sage-grouse nesting and early brood-rearing habitat outside priority habitat areas and connectivity habitat areas. No surface use is allowed during March 15 – June 30, in Greater sage-grouse nesting and early brood-rearing habitats outside priority habitat areas and connectivity habitat areas, within two miles of an occupied lek. This stipulation does not apply to operation and maintenance of production facilities.</p>	<p>Purpose: To seasonally protect Greater sage-grouse nesting and early brood-rearing habitats from disruptive activities outside priority habitat areas and connectivity habitat areas, within two miles of an occupied lek.</p> <p>Exception: The authorized officer may grant an exception if an environmental record of review determines that the action, as proposed or conditioned, will not affect reproductive displays, nest attendance, egg or chick survival, or early brood-rearing success. Actions designed to enhance the long-term utility or availability of suitable sage-grouse habitat may be exempted from this timing limitation. The Forest Service can and does grant exceptions to seasonal restrictions if the Forest Service, in consultation with the WGFD, feels that granting an exception would not adversely impact the population being protected. Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see Forest Service Manuals 1950 and 2820.)</p> <p>Modification: The authorized officer may modify the size and shape of the TLS area or the TLS criteria if an environmental record of review indicates the actual habitat suitability for seasonal Greater sage-grouse activities is greater or less than the stipulated area, or it is identified through scientific research or monitoring that the existing criteria are inadequate or overly protective for</p>

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	<p>maintaining the function or utility of the site for the seasonal habitat, life-history, or behavioral needs of the Greater sage-grouse, including (but not limited to) reproductive display, daytime loafing/staging activities, and nesting. Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see Forest Service Manuals 1950 and 2820.)</p> <p>Waiver: This stipulation may be waived over the entire lease if, in consultation with the State wildlife agency, it is determined that the described lands are incapable of serving the long-term requirements of sage-grouse nesting habitat and that these ranges no longer warrant consideration as components of sage-grouse nesting habitat. Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see Forest Service Manuals 1950 and 2820.)</p>
<p>Greater sage-grouse winter concentration areas. This area encompasses Greater sage-grouse winter concentration areas. No surface use is allowed during December 1 – March 14, within Greater sage-grouse winter concentration areas in priority habitat, and outside priority habitat when supporting wintering sage-grouse that attend leks within priority habitat. This stipulation does not apply to operation and maintenance of production facilities.</p>	<p>Purpose: To seasonally protect Greater sage-grouse winter concentration areas from disruptive activities.</p> <p>Exception: The authorized officer may grant an exception if an environmental record of review determines that the action, as proposed or conditioned, will not impair the function and suitability of the winter concentration area, or it is determined that the winter concentration area is not occupied by concentrated populations of Greater sage-grouse during the period of concern. Actions designed to enhance the long-term utility or availability of suitable sage-grouse habitat may be exempted from this timing limitation. The Forest Service can and does grant exceptions to seasonal restrictions if the Forest Service, in consultation with the WGFD, feels that granting an exception would not adversely impact the population being protected. Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see Forest Service Manuals 1950 and 2820.)</p> <p>Modification: The authorized officer may modify the size and shape of the TLS area or the TLS criteria if an environmental record of review indicates the actual habitat suitability for seasonal Greater sage-grouse activities is greater or less than the stipulated area, or it is identified through scientific research or monitoring that the existing criteria are inadequate or overly protective for maintaining the function or utility of the site for the seasonal habitat, life-history, or behavioral needs of the Greater sage-grouse, including (but not limited to) reproductive display, daytime loafing/staging activities, and nesting. Any changes to this stipulation</p>

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	<p>will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see Forest Service Manuals 1950 and 2820.)</p> <p>Waiver: This stipulation may be waived over the entire lease if, in consultation with the State wildlife agency, it is determined that the described lands are incapable of serving the long-term requirements of sage-grouse winter habitat and that these ranges no longer warrant consideration as components of sage-grouse winter habitat. Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see Forest Service Manuals 1950 and 2820.)</p>