

STIPULATIONS

NOTICE FOR LANDS OF THE NATIONAL FOREST SYSTEM
UNDER JURISDICTION OF
DEPARTMENT OF AGRICULTURE

In conducting operations associated with this lease, the lessee/operator must comply with all the rules and regulations of the Secretary of Agriculture set forth at Title 36, Chapter II, of the Code of Federal Regulations governing the use, occupancy, and management of National Forest System (NFS) lands when not inconsistent with existing lease rights granted by the Secretary of Interior.

All matters related to this notice are to be addressed to:

Forest Supervisor
Santa Fe National Forest
11 Forest Lane
Santa Fe, NM 87508
Telephone: (505) 438-7840

Who is the authorized representative of the Secretary of Agriculture.

CULTURAL RESOURCES (National Historic Preservation Act of 1966 (NHPA), P.L. 89-665 as amended by P.L. 94-422, P.L. 94-458, and P.L. 96-515):

The Forest Service authorized officer is responsible for ensuring that the leased lands are examined prior to the undertaking of any ground-disturbing activities to determine whether or not cultural resources are present, and to specify mitigation measures for effects on cultural resources that are found to be present.

The lessee or operator shall contact the Forest Service to determine if a site-specific cultural resource inventory is required prior to undertaking any surface-disturbing activities on Forest Service lands covered by this lease.

The lessee or operator may engage the services of a cultural resource specialist acceptable to the Forest Service to conduct any necessary cultural resource inventory of the area of proposed surface disturbance. In consultation with the Forest Service authorized officer, the lessee or operator may elect to conduct an inventory of a larger area to allow for a alternative or additional areas of disturbance that may be needed to accommodate other resource needs or operations.

The lessee or operator shall implement mitigation measures required by the Forest Service to preserve or avoid destruction of cultural resource values. Mitigation may include relocation of proposed facilities, testing, salvage, and recordation or other protective measures.

During the course of actual surface operations on Forest Service lands associated with this lease, the lessee or operator shall immediately bring to the attention of the Forest Service the discovery of any cultural or paleontological resources. The lessee or operator shall leave such discoveries intact until directed to proceed by Forest Service.

THREATENED OR ENDANGERED SPECIES (The Endangered Species Act. (ESA), P.L. 93-205 (1973), P.L. 94-359 (1974), P.L. 95-212 (1977), P.L. 95-632 (1978), P.L. 96-159 (1979), P.L. 97-304 (1982), P.L. 100-653 (1988)).

The Forest Service authorized officer is responsible for compliance with the Endangered Species Act. This includes meeting ESA Section 7 consultation requirements with the U.S. Fish and Wildlife Service prior to any surface disturbing activities associated with this lease with potential effects to species and/or habitats protected by the ESA. The results of consultation may indicate a need for modification of or restrictions on proposed surface disturbing activities.

The lessee or operator may choose to conduct the examination at their cost. Results of the examination will be used in any necessary ESA consultation procedures. This examination and any associated reports, including Biological Assessments, must be done by or under the supervision of a qualified resource specialist approved by the Forest Service. Any reports must also be formally approved by the USDA Forest Service biologist or responsible official.

NO SURFACE OCCUPANCY STIPULATION
Steep Slopes

No Surface Occupancy or use is allowed on the lands described below:

For the purpose of:

To preclude surface activities on steep slopes (40 percent or more) because these slopes on the Forest tend to have high erosion and mass wasting hazard. Without this protection there would be a high risk of impairing long-term soil productivity and watershed conditions.

Any changes to this stipulation will be made in accordance with the land use Plan and/or the regulatory provisions for such changes.

NO SURFACE OCCUANCY STIPULATION
ROADLESS RECREATION, MANAGEMENT AREA L

No Surface occupancy or use is allowed on the lands described below:

For the purpose of:

To keep surface disturbance activities outside the designated roadless recreation area is needed to protect and maintain the roadless, semi-primitive, and non-motorized character within these special areas, which include such elements as natural integrity, natural appearance, and opportunity for quiet and solitude, manageability of boundaries and special features (ecological, geological, scenic, cultural features).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes.

CONTROLLED SURFACE USE STIPULATION
RIPARIAN AREAS AND WETLANDS

Surface occupancy or use is subject to the following special operating constraints:

Controlled Surface Use: avoid well pads and attendant facilities within riparian areas and wetlands. Access roads and pipelines would be allowed if there are not practical alternative locations and they are located and designed to minimize adverse impacts to riparian or wetland resources.

On the lands described below:

Narrow areas ranging in size from less than 1.01 to 350 acres, where the Forest's terrestrial ecosystem survey and vegetation data indicates riparian or wetland conditions (hydrology, hydrophytic plants, hydric soil), including active flood plains. Some overlap other proposed CSU and NSO areas.

For the purpose of:

To avoid adverse impacts to riparian and wetland resources, consistent with law, regulation, and policy.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes.

CONTROLLED SURFACE USE STIPULATION
RETENTION VISUAL QUALITY OBJECTIVE

Controlled Surface Use: locate and design surface disturbance activities to be consistent with the visual quality objective of “retention” (or the scenic integrity of “high”), or to reclaim disturbed areas to meet the visual quality objective within 1 to 3 years from project startup. Generally, this can be met by following industry’s best management practices for minimizing impacts to visual quality, along with visual quality guidelines in the Forest Plan and Forest Service Scenery Management System Handbook (Agriculture Handbook 701).

On the lands described below:

Currently, Management Area D, addition to a few narrow road or tail corridors, comprises Forest Plan designated areas to be managed for the “Retention” visual quality objective (VQO). The visual foreground along whose designated roads and trails must be managed to meet “Retention” VQO standards. The foreground “Retention” corridors are mapped at one-half mile on each side of the road or trail, but may be less, based on site-specific conditions. They range in size from less than 1 acre to 5,200 acres and may overlap other CSU or NSO areas. Would apply wherever “Retention” or high scenic integrity is the visual quality objective, including the following areas:

- NM Highway 112 within Management Area R (Forest Plan pg. 167)
- NM Highway 44 (US Highway 550) through Cuba Mesa Management Area E (Forest Plan pg. 118) and the Cuba Ranger District Administrative site North of Cuba
- Continental Divide Trail sections along Cecilia Creek and a portion of Forest Road 95 within Management Area # (Forest Plan pg. 118).
- Management Area D, including the small portions just north of and adjacent to the Village of Gallina, as well as along NM Highway 126/Scenic Byway corridor just west of and adjacent to San Pedro Parks Wilderness (Forest Plan pg. 113)

For the purpose of:

Needed to protect the long-term scenic values in areas of high scenic integrity consistent with Agency directives and the Forest Plan. The Continental Divide Trail is a designated National Scenic Trail and Highway 126 as designated Scenic Byway.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes.

CONTROLLED SURFACE USE STIPULATION
HERITAGE RESOURCES

Surface occupancy or use is subject to the following special operating constraints.

Controlled Surface Use: avoid or minimize well pads, roads, or other surface disturbance activities within existing and proposed Management Area I boundaries.

On the lands described below:

There are two existing Management Area I designations and six other proposed areas that qualify for heritage resource protection, based on Forest Plan criteria. The proposed new heritage resource areas with CSU lease stipulations range from 100 to 750 acres each and may overlap other CSU areas.

For the purpose of:

Need to avoid adverse impacts or an irreversible loss of heritage resources within localized areas containing a high density of highly significant heritage resource sites. These sites are eligible for inclusion to the National Register of Historic Places and meet the management emphasis for Forest Plan Management Area I. These areas represent the major cultures that once lived in the Santa Fe National Forest.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes.

TIMING LIMITATION STIPULATION
DEER AND ELK WINTER RANGE

No surface use is allowed during the following time period(s). This stipulation does not apply to operation and maintenance of production facilities.

Timing limitation on drilling operations and construction activities:

December 15 to March 1

On the lands described below:

Two areas along the northwest edge of the oil-gas study area have been identified as winter range for deer and elk totaling 22,390 acres.

For the purpose of:

To protect and limit disturbance from drilling and construction activities within prime deer and elk winter range to minimize risks to health during a critical period, consistent with recommendations from New Mexico Department of Game and Fish (NMDGF) and summarized under Issue 1 in Chapter 1. This stipulation would not apply to daily operations and maintenance of producing wells.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes.

We're On-Line!!

**BLM, New Mexico
Oklahoma
Kansas
Texas**

blm.gov/nm



Oil & Gas Information includes:

- Sale Notice
- Sale Results
- Sale Schedule
- Forms
- FAQs
- Contacts
- Leasing Instructions & Guidelines
- NTLs, Onshore Orders

Email links are provided at the site
for your comments and suggestions