



United States Department of the Interior
Bureau of Land Management
Eastern States
7450 Boston Boulevard
Springfield, Virginia 22153
<http://www.es.blm.gov>



May 5, 2008

NOTICE OF COMPETITIVE LEASE SALE OIL AND GAS

In accordance with 43 CFR Part 3120, the Eastern States Office is offering for competitive oil and gas lease sale, certain Federal lands in Alabama (ES-001), Arkansas (ES-002 thru ES-019), Kentucky (ES-020 thru ES-021), Louisiana (ES-022 thru ES-070), Mississippi (ES-071 thru ES-083).

This notice provides:

- the time and place of the sale;
- how to register and participate in the bidding process,
- the sale process;
- the conditions of the sale,
- how to file a noncompetitive offer after the sale;
- how to file a presale noncompetitive offer; and
- how to file a protest to our offering the lands in this Notice.

When and where will the sale take place?

When: The competitive oral auction will begin at **10:00 a.m. on June 19, 2008.**
The sale room will open at 9:00 a.m. to allow you to register and obtain your bid number.

Where: The sale will be held at the Bureau of Land Management, Eastern States Office, 7450 Boston Boulevard, Springfield, VA 22153. Parking is available.

Access: The sale room is accessible to persons with disabilities. If assistance is needed for the hearing or visually impaired, contact the Minerals Adjudication Team on (703) 440-1727, or at the mailing address on the letterhead of this notice by May 29, 2008.

How do I participate in the bidding process?

To participate in the bidding process, you must register to obtain a bid number. We will begin registering bidders at 9:00 a.m. on the day of the sale. Bidders must register in order to bid on a parcel.

What is the sale process?

Starting at 10:00 a.m. on the day of the sale:

- the auctioneer will offer the parcels in the order they are shown in the attached notice;
- all bids are on a per-acre basis, rounded up to whole acres, for the entire acreage in the parcel;
- the winning bid is the highest oral bid equal to or exceeding the minimum acceptable bid; and
- the decision of the auctioneer is final.

The minimum acceptable bid is \$2 per acre or fraction thereof. If a parcel contains fractional acreage, round it up to the next whole acre. For example, a parcel of 100.501 acres requires a minimum bid of \$202 (\$2 x 101 acres). After all parcels have been offered, you may ask the auctioneer to re-offer any unsold parcel.

What conditions apply to the lease sale?

- **Parcel withdrawal or sale cancellation:** We reserve the right to withdraw any or all parcels before the sale begins. If we withdraw a parcel, we will post a notice in Eastern States' Public Room. You may also get the number(s) of withdrawn parcels by contacting the Minerals Adjudication Team on (703) 440-1727. If we cancel the sale, we will try to notify all interested parties in advance.
1. **Payment due:** You cannot withdraw a bid. Your bid is a legally binding commitment to sign the bid form; accept the lease; and pay all monies due. For each parcel you win, the **money due on the day of the sale** is the total of the bonus bid deposit (at least \$2 per acre), the first year's rent (\$1.50 per acre), and the administrative fee (\$140). **Any unpaid balance of the bonus bid must be submitted to the BLM-Eastern States Office by 4:30 p.m., July 3, 2008**, which is the tenth working day following the sale. If you do not pay the balance due by this date, you forfeit the right to the lease and all money paid on the day of the sale. If you forfeit a parcel, we may offer it at a later sale.
 2. **Form of payment:** You can pay by personal check, certified check, money order, or credit card (Visa, MasterCard, American Express, and Discover cards only). If you plan to make your payment using a credit card, you should contact your bank prior to the sale and let them know you will be making a substantial charge

against your account. **Please note, we will not accept credit or debit card payments for an amount equal to or greater than \$100,000.** We also will not accept aggregated smaller amounts to bypass this requirement. If you pay by check, please make checks payable to: **Department of the Interior - BLM.** We cannot accept cash. If a check you have sent to us in the past has been returned for insufficient funds. The minimum acceptable bid is \$2 per acre or fraction thereof. If the parcel has fractional acreage, round it up to the next whole acre. For example, a parcel of 100.50 acres requires a minimum bid of \$202.00 (\$2 x 101 acres). After the auctioneer has offered all parcels, you may request that any unsold parcel be re-offered.

What are the terms and conditions of a lease issued as a result of this sale?

- **Term of the lease:** A lease is issued for a primary term of 10 years. It continues beyond that if it has production in paying quantities. We charge a royalty of 12.5 percent of the value of oil or gas removed or sold from a lease. You will find other lease terms on our standard lease form (Form 3100-11, July 2006).
- **Stipulations:** Some parcels are subject to surface use stipulations. They are requirements or restrictions on how you conduct operations. These stipulations are included in the parcel descriptions on the attached list. They become part of the lease and supersede any inconsistent provisions in the lease form.

What are the terms of the sale?

- **Withdrawal:** We reserve the right to withdraw any or all parcels from the sale before the auction begins. If we withdraw any parcels, we will post a notice in the Public Room at the Eastern States Office. You may also get the numbers of withdrawn parcels by contacting the Minerals Adjudication Team on (703) 440-1727. If we cancel the sale, we will try to notify all interested parties in advance.
- **Payment:** You cannot withdraw your bid; it is a legally binding commitment to sign the lease bid form; accept the lease; and pay on the day of the auction the bonus bid, the first year's rent, and an administrative fee. The bonus bid is a deposit of at least \$2.00 per acre or fraction thereof. The first year's rent is \$1.50 per acre or fraction thereof. The administrative fee is \$140 per parcel. You must pay minimum bonus, first year's rental and administrative fee by 4:30 p.m., at the Eastern States' Accounting Office. You may pay the entire amount of your bid on the day of the auction, but if you do not, **you must pay the balance by**
- **July 3, 2008,** which is the 10th working day following the auction. If you do not pay in full by this date, you forfeit the right to the lease and all money you have paid us. If you forfeit a parcel, we may offer it for sale at a later auction.
- **Form of payment:** You can pay by personal check, certified check, money order, or credit card (VISA, MASTERCARD, AMERICAN EXPRESS, or

DISCOVER). Make a check payable to: **Department of the Interior–BLM**. We don't accept cash. If a check you have sent us in the past has been returned for insufficient funds, we will require that you give us a guaranteed payment, such as a certified check. **Effective February 1, 2005, BLM will not accept credit card or debit card payments to the Bureau for any amount equal to or greater than \$100,000 for any purpose. We also will not accept aggregate smaller amounts to bypass this requirement. We encourage you to make any payments of \$100,000 or more by Automated Clearing House (ACH) or Fed Wire Transfer.**

- **Bid form:** Successful bidders must submit a signed competitive lease bid form (Form 3000-2, January 2007) with their payment on the day of the auction. This form is a legally binding offer by a prospective lessee to accept a lease and all applicable terms and conditions. We recommend you get the form and complete part of it before the auction, leaving part to be filled out at the auction. Your completed bid form certifies that you are qualified to be a lessee under our regulations at 43 CFR Part 12 and Subpart 3102.5-2. It also certifies that you comply with 18 U.S.C. 1860, a law prohibiting unlawful combinations, intimidation of or collusion among bidders.
- **Issuance of a lease:** We (the BLM) will issue your lease within 60 days of the sale date by signing the lease form provided you have paid your fees and rent. The effective date of a lease is the first day of the month following the month in which we sign the lease. We can make it effective the first day of the month in which we sign it, if we receive your written request before we sign the lease.

How do I file a noncompetitive pre-sale offer?

Under our regulations at 43 CFR 3110.1(a), you can file a noncompetitive pre-sale offer for lands that –

- are available,
- have not been under lease during the previous one-year period; or
- have not been included in a competitive lease sale within the previous two-year period.

If no bid is received on them, your pre-sale offer gives you priority over any offer filed after the auction. In the list of parcels attached to this notice, we have used an asterisk to mark any parcel that has a pending pre-sale offer. By filing a pre-sale offer, you are consenting to all terms and conditions of the lease, including any stipulations for listed on the attachment to this notice.

To file a pre-sale offer, you must send us --:

- A standard lease form (Form 3100-11, July 2006), which is properly filled out, as required by the regulations under 43 CFR 3110;
- the first year's advance rent in the amount of Rental \$1.50 per acre or fraction thereof; and

- a nonrefundable administrative fee in the amount of \$360.00.

NOTE: You cannot file a pre-sale offer for any lands included in the parcel list attached to this notice.

How do I file a noncompetitive offer after the auction?

You may be able to get a noncompetitive lease for a parcel we offered if –

- we did not withdraw it from the sale;
- it did not receive a bid; and
- it does not have a noncompetitive pre-sale offer pending.

Parcels that meet all these criteria are available on a first-come, first-served basis for two years from the date of the auction. If you want to file a noncompetitive offer for an unsold parcel immediately after the sale or on the next business day, give us the items listed above under pre-sale offers in a sealed envelope marked “Noncompetitive Offer.” We consider all noncompetitive offers that we receive on the day of the sale and the first business day after the sale as filed at the same time (simultaneously). Where an unsold parcel receives more than one simultaneous filing, we will hold a public drawing to determine who will get the lease.

Can I protest BLM’s decision to offer the lands in this Notice for lease?

Yes, under regulation 43 CFR 3120.1-3, you may protest the inclusion of a parcel listed in this sale notice. All protests must meet the following requirements:

- We must receive a protest no later than close of business on the 15th calendar day prior to the date of the sale. If our office is not open on the 15th day prior to the date of the sale, a protest received on the next day our office is open to the public will be considered timely filed. The protest must also include any statement of reasons to support the protest. We will dismiss a late-filed protest or a protest filed without a statement of reasons.
- A protest must state the interest of the protesting party in the matter.
- You may file a protest either by mail in hardcopy form or by fax. You may not file a protest by electronic mail. A protest filed by fax must be sent to (703) 440-1551. A protest sent to a fax number other than the fax number identified or a protest filed by electronic mail will be dismissed;
- If the party signing the protest is doing so on behalf of an association, partnership or corporation, the signing party must reveal the relationship between them. For example, unless an environmental group authorizes an individual member of its group to act for it, the individual cannot make a protest in the group’s name.

If BLM receives a timely protest of a parcel advertised on this Sale Notice, how does it affect bidding on the parcel?

We will announce receipt of any protests at the beginning of the sale. We will also announce a decision to either withdraw the parcel or proceed with offering it at the sale.

If I am the high bidder at the sale for a protested parcel, when will BLM issue my lease?

We will make every effort to decide the protest within 60 days after the sale. We will issue no lease for a protested parcel until the State Director makes a decision on the protest. If the State Director denies the protest, we will issue your lease concurrently with that decision.

If I am the successful bidder of a protested parcel, may I withdraw my bid and receive a refund of my first year's rental and bonus bid?

No. In accordance with BLM regulations (43 CFR 3120.5-3) you may not withdraw your bid.

If BLM upholds the protest, how does that affect my competitive bid?

If we uphold a protest and withdraw the parcel from leasing, we will refund your first year's rental, bonus bid and administrative fee. If the decision upholding the protest results in additional stipulations, we will offer you an opportunity to accept or reject the lease with the additional stipulations prior to lease issuance. If you do not accept the additional stipulations, we will reject your bid and we will refund your first year's rental, bonus bid and administrative fee.

If BLM's decision to uphold the protest results in additional stipulations, may I appeal that decision?

Yes, you may. Note, an appeal from the State Director's decision must meet the requirements of Title 43 CFR §4.411 and Part 1840.

Can I appeal BLM's decision to deny my protest?

Yes, you may. Note, an appeal from the State Director's decision must meet the requirements of Title 43 CFR §4.411 and Part 1840.

Can I withdraw my bid if the protestor files an appeal?

No. If the protestor appeals our decision to deny the protest, you may not withdraw your bid. We will issue your lease concurrently with the decision to deny the protest. If resolution of the appeal results in lease cancellation, we will authorize refund of the bonus bid, rentals and administrative fee if—

- there is no evidence that the lessee(s) derived any benefit from possession of the lease during the time they held it, and;
- There is no indication of bad faith or other reasons not to refund the rental, bonus bid and administrative fee.

Where can I get copies of BLM forms?

Form 3100-11, Offer to Lease and Lease for Oil and Gas and Form 3000-2 Competitive Oil and Gas or Geothermal Resources Lease Bid - electronic versions of these forms (PDF format) are available upon request. You may contact Ms. Cindy Kahn at (703) 440-1727 to request that they be e-mailed to you.

When is the next sale scheduled?

The next sale is tentatively scheduled for September 18, 2008.

Who should I contact if I have questions?

For more information, contact the Minerals Adjudication Team on (703) 440-1727.

/s/ Sherlena Clark
Land Law Examiner
Division of Natural Resources

REGISTRATION FORM

BIDDER NO. _____
(Leave Blank)

NAME: _____

BUSINESS PHONE: _____

BUSINESS ADDRESS: _____

**THE LESSEE MUST BE QUALIFIED TO HOLD
A FEDERAL OIL AND GAS LEASE.**

SIGNATURE

DATE

A COPY OF THE LEASE AND ALL BILLING NOTICES WILL BE SENT TO THE NAME AND ADDRESS OF THE LESSEE AS SHOWN ON FORM 3000-2 (BID FORM).

HOTEL INFORMATION

Springfield Hilton
6550 Loisdale Court
Springfield, Virginia
(703) 971-8900

Holiday Inn
6401 Brandon Avenue
Springfield, Virginia
(703) 644-5555

Hampton Inn
6560 Loisdale Court
Springfield, Virginia
(703) 922-9000

Best Western
6721 Commerce Street
Springfield, Virginia
(703) 922-6100

Ramada Plaza Hotel
4641 Kenmore Avenue
Alexandria, Virginia
(703) 751-4510
Hotel shuttle to National Airport and Metro Subway

Directions to Bureau of Land Management – Eastern States:

From Washington, DC: take I-395 South through the Springfield Interchange to where I-395 becomes I-95. Continue on I-95 to Backlick/Fullerton Road Exit 167. At the light turn right onto Fullerton Road. At the third light, turn left onto Boston Boulevard (COSTCO to the left). Eastern States is approximately 0.3 miles on the right.

From Maryland: Take I-95/I-495, Capital Beltway's Inner Loop, across the Wilson Bridge to Alexandria, VA. Continue on I-95/I-495 to the I-395 Interchange; FOLLOW I-95, SOUTH, towards Richmond, VA. Take Exit 167, Backlick Road/Fullerton Road - the second exit south of the Beltway. At the FIRST Stoplight, Turn RIGHT onto Fullerton Road. At the THIRD Stoplight, Turn LEFT onto Boston Boulevard. Eastern States office (7450 Boston Boulevard) is about 0.3 miles on your right. Take either the sixth or seventh driveway to the right. Public parking is behind the building.

Traveling North I-95 in Virginia: Take I-95 NORTH, to Exit 166-B, Backlick Road/Fullerton Road, just past the fuel tank farm. Take Exit 167, to Fullerton Road - the second exit. At the FIRST Stoplight, Turn LEFT onto Fullerton Road. At the SECOND Stoplight, Turn LEFT onto Boston Boulevard. Eastern States office (7450 Boston Boulevard) is about 0.3 miles on your right. Take either the sixth or seventh driveway to the right. Public parking is behind the building.

CONECUH NATIONAL FOREST – ALABAMA

ES-001-06/08 ALES 55311 ACQ

Alabama, Escambia County, Conecuh N.F.

T2N, R13E, St. Stephens Meridian

Sec. 22, NWNENE, S2NENE, SENE, W2NE, E2NW, S2.

550.48 Acres

\$826.50 Rental

Subject to F.S. Notice to Lessee No. 3 and No. 4

NOTICE TO LESSEE NO. 3

NATIONAL FORESTS IN ALABAMA

All or part of the leased lands may contain animal or plant species classified under the Endangered Species Act of 1973, as amended. Other species may have been identified as sensitive in accordance with Forest Service Manual 2670 and be listed on the current Regional Forester's List of Sensitive Plant and Animal Species. Further information concerning the classification of these species may be obtained from the authorized Forest Officer.

Exploration and development proposals may be limited or modifications required if activity is planned within the boundaries of a threatened, endangered or sensitive plant or animal species location as it then exists. All activities within these areas must be conducted in accordance with existing laws, regulations and the Forest Land and Resource Management Plan guidelines.

NOTICE TO LESSEE NO. 4
NATIONAL FORESTS IN ALABAMA

All or part of the leased lands may be classified as wetlands in accordance with Executive Order 11990, "Protection of "Wetlands" or a floodplain in accordance with Executive Order No. 11988, "Floodplain Management." Additional management requirement for the protection of riparian areas are contained in 36 CFR 219.27 (e) and the National Forest Management Act of 1976.

All activities within these areas may require special measure to mitigate adverse impacts to the resource values. They must comply with the above referenced executive orders, regulations, laws and be in accordance with the Forest Land and Resource Management Plan guidelines.

Further information concerning the classification and management of these lands may be obtained from the authorized Forest Officer.

OZARK NATIONAL FOREST – ARKANSAS

Future Interest Minerals

(Reservation expires January 1, 2011)

ES-002-06/08 ARES 55312 ACQ

Arkansas, Logan County, Ozark N.F.

T7N, R24W, 5th Principal Meridian

Sec. 14, NWNE, NENW;

Sec. 16, SWSW.

120.00 Acres

\$180.00 Rental

Future Interest Minerals

(Reservation expires January 1, 2011)

ES-003-06/08 ARES 55313 ACQ

Arkansas, Logan County, Ozark N.F.

T7N, R24W, 5th Principal Meridian

Sec. 17, SWNE less 2.00 acres described as beginning
at the NE corner of SWNE of Section 17; thence
S 4 chains, W 5 chains, N 4 chains, E 5 chains, to
the point of beginning.; E2NENW.

58.00 Acres

\$87.00 Rental

Future Interest Minerals

(Reservation expires January 1, 2013)

ES-004-06/08 ARES 55314 ACQ

T7N,R24W, 5th Principal Meridian

Arkansas, Logan County, Ozark N.F.

Sec. 23, SESE;

40.00 Acres

\$60.00 Rental

ES-005-06/08 ARES 55315 ACQ

Arkansas, Crawford County, Ozark N.F.

T12N, R33W, 5th Principal Meridian

Sec. 1, NENE, E2NW, SWSW, S2SE;

Sec. 2, SENE, S2SE.

401.13 Acres

\$603.00 Rental

Subject to F.S. Controlled Surface Use Stipulations #1, #1A and #1B

ES-006-06/08 ARES 55316 ACQ *ARES 54904

Arkansas, Crawford County, Ozark N.F.

T12N, R33W, 5th Principal Meridian

Sec. 10, SENE, Frl. SE;
Sec. 11, N2NE, SENE, NENW, S2NW, NESW, NESE, W2SE.
590.54 Acres
\$886.50 Rental
Subject to F.S. Controlled Surface Use Stipulations #1, #1A and #1B

ES-007-06/08 ARES 55317 ACQ *ARES 54904

Arkansas, Crawford County, Ozark N.F.
T12N, R33W, 5th Principal Meridian
Sec. 12, NE, NENW, S2NW, SW, N2SE, SESE.
Subject to F.S. Controlled Surface Use Stipulation #1
560.00 Acres
\$840.00 Rental

ES-008-06/08 ARES 55318 ACQ *ARES 54904

Arkansas, Crawford County, Ozark N.F.
T12N, R33W, 5th Principal Meridian
Sec. 13, N2, SW, NWSE.
520.00 Acres
\$780.00 Rental
Subject to F.S. Controlled Surface Use Stipulations #1 and #1A

ES-009-06/08 ARES 55319 ACQ

Arkansas, Crawford County, Ozark N.F.
T12N, R33W, 5th Principal Meridian
Sec. 14, E2, E2SW;
Sec. 15, Frl. N2.
524.00 Acres
\$786.00 Rental
Subject to F.S. Controlled Surface Use Stipulations #1 and #1A

ES-010-06/08 ARES 55320 ACQ

Arkansas, Crawford County, Ozark N.F.
T12N, R33W, 5th Principal Meridian
Sec. 23, All.
640.00 Acres
\$960.00 Rental
Subject to F.S. Controlled Surface Use Stipulations #1 and #1A

ES-011-06/08 ARES 55321 ACQ *ARES 54904

Arkansas, Crawford County, Ozark N.F.
T12N, R33W, 5th Principal Meridian
Sec. 24, SENE, NW, S2.
520.00 Acres
\$780.00 Rental
Subject to F.S. Controlled Surface Use Stipulations #1 and #1B

ES-012-06/08 ARES 55322 ACQ *ARES 54904

Arkansas, Crawford County, Ozark N.F.

T12N, R33W, 5th Principal Meridian

Sec. 25, NWNE, S2NE, NW, NESE, S2SE.

400.00 Acres

\$600.00 Rental

Subject to F.S. Controlled Surface Use Stipulations #1, #1A and #1B

ES-013-06/08 ARES 55323 ACQ *ARES 54904

Arkansas, Crawford County, Ozark N.F.

T12N, R33W, 5th Principal Meridian

Sec. 26, E2NE, SWNE, SENW except 3.21 acres described as

beginning at the Southeast corner of said Southeast

Quarter of the Northwest Quarter, thence North 648

feet, thence West 216 feet, thence South 648 feet,

thence East 216 feet to place of beginning.; Frl. SW, N2SE.

387.79 Acres

\$582.00 Rental

Subject to F.S. Controlled Surface Use Stipulations #1 and #1A

ES-014-06/08 ARES 55324 ACQ *ARES 54904

Arkansas, Crawford County, Ozark N.F.

T12N, R33W, 5th Principal Meridian

Sec. 35, S2NE, NWNE, Frl. NW, SESW, SE.

442.03 Acres

\$664.50 Rental

Subject to F.S. Controlled Surface Use Stipulation #1

ES-015-06/08 ARES 55325 ACQ *ARES 54904

Arkansas, Crawford County, Ozark N.F.

T12N, R33W, 5th Principal Meridian

Sec. 36, *N2N2SENE.

*50% U.S. Mineral Interests

10.00 Acres

\$15.00 Rental

Subject to F.S. Controlled Surface Use Stipulation #1

ES-016-06/08 ARES 55326 ACQ *ARES 54904

Arkansas, Crawford County, Ozark N.F.

T12N, R33W, 5th Principal Meridian

Sec. 36, SWNE except a parcel of land described as follows:

Beginning 35 rods South of the Northeast corner of

said Southwest Quarter of the Northeast Quarter,

thence west 8 rods, thence South 15 rods, thence East

4 rods, thence South 30 rods, thence East 4 rods, thence

North 45 rods to the POB.; NWNW, S2NW, S2.
489.00 Acres
\$733.50 Rental
Subject to F.S. Controlled Surface Use Stipulations #1 and #1A

ES-017-06/08 ARES 55327 PD

Arkansas, Crawford County, Ozark N.F.
T12N, R33W, 5th Principal Meridian
Sec. 1, SENE, W2NW, NESE;
Sec. 2, NENE, W2SW;
Sec. 3, W2NE, Fr1 E2NW.
428.64 Acres
\$643.50 Rental
Subject to F.S. Controlled Surface Use Stipulations #1C and #1D

ES-018-06/08 ARES 55328 PD

Arkansas, Crawford County, Ozark N.F.
T12N, R33W, 5th Principal Meridian
Sec. 11, NWNW, NWSW;
Sec. 12, SWSE.
120.00 Acres
\$180.00 Rental
Subject to F.S. Controlled Surface Use Stipulation #1D

ES-019-06/08 ARES 55329 PD

Arkansas, Crawford County, Ozark N.F.
T12N, R33W, 5th Principal Meridian
Sec. 26, SWSE;
Sec. 36, NENW.
80.00 Acres
\$120.00 Rental
Subject to F.S. Controlled Surface Use Stipulation #1D

CONTROLLED SURFACE USE STIPULATION #1

OZARK (AR)

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

Activities must be conducted in such a manner as to protect Oak Savannah/Woodland Management Areas.

On the acquired lands described below:

T12N, R33W, Fifth PM

Section 1: N2NE, E2NW, SWSW, S2SE
Section 2: SENE, S2SE
Section 10: SENE, FRL. SE
Section 11: N2NE, SENE, NENW, S2NW, NESW, W2SE, NESE
Section 12: NE, NENW, S2NW, SW, SESE, N2SE
Section 13: NE, NW, SW, NWSE
Section 14: E2, E2SW
Section 15: FRL. N2
Section 23: All
Section 24: SENE, NW, SW, SE
Section 25: NWNE, S2NE, NW, NESE, S2SE
Section 26: E2NE, SWNE, SENW, FRL. SW, N2SE
Section 35: S2NE, NWNE, FRL. NW, SE, SESW
Section 36: N2N2SENE, Pt of the SWNE, S2NW, NWNW, S2

For the purpose of:

Meeting the Forest Management Direction of Chapter 2, pages 30-31 of the Ozark-St. Francis National Forests Land & Resource Management Plan effective January 2006.

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 #1A

OZARK (AR)

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

Activities must be conducted in such a manner as to protect the inherent ecological processes and functions of the associated aquatic, riparian, and upland components within riparian corridors.

On the acquired lands described below:

T12N, R33W, Fifth PM

Section 1: SENENE
Section 2: SWSE
Section 11: NWNWNE, E2NW, NESW
Section 13: W2SWNE, SENW, W2SW, N2NESW
Section 14: SESESE
Section 23: E2NE, W2NWNW, S2SWSW, E2SE
Section 25: S2S2NW
Section 26: E2NE, SENW, N2SE
Section 36: NWNW, E2SWNW, SENW, S2SWNE, N2N2SE

For the purpose of:

Meeting the Forest Management Direction of Chapter 2, pages 30-31 of the Ozark-St. Francis National Forests Land & Resource Management Plan effective January 2006.

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 #1B

OZARK (AR)

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

Activities must be conducted in such a manner as to protect forage and cover in large wildlife openings and range and foraging opportunities within improved pastures on managed allotments.

On the acquired lands described below:

T12N, R33W, Fifth PM

Section 2: W2SWSE
Section 11: W2NWNE, E2NENW
Section 24: SENE, NESE, SWSE, W2SESE
Section 25: N2NWNE

For the purpose of:

Meeting the Forest Management Direction of Chapter 2, pages 30-31 of the Ozark-St. Francis National Forests Land & Resource Management Plan effective January 2006.

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 #1C

OZARK (AR)

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

Activities must be conducted in such a manner as to protect the inherent ecological processes and functions of the associated aquatic, riparian, and upland components within riparian corridors.

On the public domain lands described below:

T12N, R33W, Fifth PM

Section 1: E2SENE
Section 3: S2NWNE, N2SWNE, S2NENW, N2SENE

For the purpose of:

Meeting the Forest Management Direction of Chapter 2, pages 30-31 of the Ozark-St. Francis National Forests Land & Resource Management Plan effective January 2006.

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 #1D

OZARK (AR)

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

Activities must be conducted in such a manner as to protect Oak Savannah/Woodland Management Areas.

On the public domain lands described below:

T12N, R33W, Fifth PM

Section 1:	SENE, W2NW, NESE
Section 2:	NENE, W2SW
Section 3:	W2NE, FRL. E2NW
Section 11:	NWNW, NWSW
Section 12:	SWSE
Section 26:	SWSE
Section 36:	NENW

For the purpose of:

Meeting the Forest Management Direction of Chapter 2, pages 30-31 of the Ozark-St. Francis National Forests Land & Resource Management Plan effective January 2006.

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

DANIEL BOONE NATIONAL FOREST – KENTUCKY

ES-020-06/08 KY 55330 ACQ

Kentucky, Pulaski County, Daniel Boone N.F.

Tract C-1042c.

451.97 Acres

\$678.00 Rental

Subject to F.S. Controlled Surface Use Stipulations

Subject to F.S. No Surface Occupancy Stipulation

Subject to F.S. Lease Notice No. 3 and No. 4

ES-021-06/08 KY 055331 ACQ

Kentucky, Estill and Lee Counties, Daniel Boone N.F.

Tract C-1670 (73.50 acres);

Tract C-1703 (88.40 acres);

Tract C-1703a (24.60 acres);

Tract C-4022 (286.42 acres).

472.92 Acres

\$709.50 Rental

Subject to F.S. Controlled Surface Use Stipulations

Subject to F.S. No Surface Occupancy

Subject to F.S. Lease Notice No. 3 and No. 4

Daniel Boone National Forest - Kentucky

CONTROLLED SURFACE USE STIPULATION

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

The Prescription Area for:

Cliffline Community - Existing Acres – 11,205.00 (Forest-wide)
Acres in Nominated Tract – **69.00**

In the area below the cliffline (200 ft zone), surface occupancy is authorized only when these activities will not negatively impact PETS species, habitat for Conservation species, or heritage resources listed or potentially eligible for listing on the National Register of Historic Places; in addition, development of federally owned oil and gas is subject to the Controlled Surface Use (CSU) stipulation.

For the Purpose of:

The protection and maintenance of the cliffline community within the buffer zone and below the cliffline during construction and administration of mineral development activities. Microclimate conditions, primarily temperature and humidity associated with this landscape, are key components for this habitat.

Access in this area will be limited and mitigated based upon field analysis and the condition of the Cliffline Community.

Daniel Boone National Forest - Kentucky

CONTROLLED SURFACE USE STIPULATION

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

Access for Federal mineral development will be limited in this area. Development must be located in areas where sedimentation from erosion and the potential for pollution is reduced, and can keep the watersheds in this analysis meeting the purpose listed below.

The Prescription Area for:

Riparian Corridor – Existing Acres – 155,379.00 (Forest-wide)
Acres in Nominated Tract – **111.00**

All federal mineral activity will be implemented in accordance with the Desired Future Condition and Standards of this Prescription Area; and, depending on site-specific determination, the Forest Service may specify that the surface is not to be disturbed during mineral exploration or development.

For the Purpose of:

Retaining, restoring, and/or enhancing the inherent ecological processes and functions of the associated aquatic, riparian, and upland components for this area.

Access in this area will be limited and mitigated based upon field analysis and condition of the Riparian Corridor within the project area.

Daniel Boone National Forest - Kentucky

NO SURFACE OCCUPANCY STIPULATION

No surface occupancy or use is allowed on the lands described below (legal subdivision or other description).

The Prescription Area for:

Cliffline Community ---- Existing Acres – 11,205 (Forest-Wide)
Acres in Nominated Tract – **30.00**

In the area above the cliffline (100ft zone), the surface is not to be disturbed during any federal mineral exploration or development activity; development of federally owned oil and gas is subject to the No-Surface-Occupancy (NSO) stipulation.

For the Purpose of:

The protection and maintenance of the cliffline community within the buffer zone and below the cliffline during construction and administration of mineral development activities. Microclimate conditions, primarily temperature and humidity associated with this landscape, are key components for this habitat.

Access in this area will be limited and mitigated based upon field analysis and the condition of the Cliffline Community.

Daniel Boone National Forest - Kentucky

CONTROLLED SURFACE USE STIPULATION

Controlled surface use is allowed on the lands described below (legal subdivision or other description).

The Prescription Area for:

Rockcastle River Corridor (Nominated for National consideration)	---	Existing Acres – 5,600 Acres in Nominated Tract – <u>30.00</u>
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Maintain and enhance the natural character of these rivers and their corridors by reducing adverse impacts from private development and use. To protect and enhance the Outstandingly Remarkable Values that qualified these as Wild & Scenic Rivers. These are: scenic, recreational, geological and heritage values. Maintain and enhance the recreational opportunities associated with the area, particularly dispersed recreational activities such as fishing, canoeing, kayaking, scenic viewing, hiking, camping and backpacking.

For the Purpose of:

All other federal mineral activity will be implemented in accordance with the Desired Future Condition and standards of this prescription area. Natural ecological processes and conditions dominate, but some human influence exists. The free flowing condition, water quality, and Outstandingly Remarkable Values that qualified these stream segments as a National Wild and Scenic River are protected and enhanced.

Daniel Boone National Forest - Kentucky

LEASE NOTICE NO. 3

All or part of the leased lands may contain animal or plant species classified under the Endangered Species Act of 1973, as amended. Other species may have been identified as sensitive in accordance with Forest Service Manual 2670 and be listed on the correct Regional Forester's List of Sensitive Plant and Animal Species. Further information concerning the classification of these species may be obtained from the authorized Forest Officer.

Exploration and development proposals may be limited or modifications required if activity is planned within the boundaries of a threatened, endangered or sensitive plant or animal species location as it thence exists. All activities within these areas must be conducted in accordance with existing laws, regulations and the Forest Land and Resource Management Plan guidelines.

LEASE NOTICE NO. 4

All or part of the leased lands may be classified as wetlands in accordance with Executive Order 11990. "Protection of Wetlands" or a floodplain in accordance with Executive Order No. 11988, "Floodplain Management." Further information concerning the classification of these lands may be obtained from the authorized Forest office.

All activities within these areas may require special measures to mitigate adverse impacts to the resource values. They must comply with the above reference executive orders, regulations, laws and be in accordance with the Forest Land and Resource Management Plan guidelines.

Any changes to this stipulation will be made in accordance with the Daniel Boone National Forest Land and Resource Management Plan, as amended, and/or the regulatory provisions for such changes.

KISATCHIE NATIONAL FOREST – LOUISIANA

ES-022-06/08 LAES 55332 ACQ

Louisiana, Rapides Parish, Kisatchie N.F.

T1N, R2W, Louisiana Meridian

Sec. 1, W2NE, NW, NWSW, S2SW, W2NESE, W2SE.

480.94 Acres

\$721.50 Rental

Subject to F.S. Controlled Surface Use Stipulations #1 and #2

Subject to F.S. Lease Notice No. 3

ES-023-06/08 LAES 55333 ACQ

Louisiana, Rapides Parish, Kisatchie N.F.

T1N, R2W, Louisiana Meridian

Sec. 1, *NESW.

*50% U.S. Mineral Interests

40.00 Acres

\$60.00 Rental

Subject to F.S. Controlled Surface Use Stipulations #1 and #2

Subject to F.S. Lease Notice No. 3

ES-024-06/08 LAES 55334 ACQ

Louisiana, Rapides Parish, Kisatchie N.F.

T1N, R2W, Louisiana Meridian

Sec. 2, N2NE, SENE, W2, S2SE, NWSE.

585.41 Acres

\$879.00 Rental

Subject to F.S. Controlled Surface Use Stipulations #1 and #2

Subject to F.S. Lease Notice No. 3

ES-025-06/08 LAES 55335 ACQ

Louisiana, Rapides Parish, Kisatchie N.F.

T1N, R2W, Louisiana Meridian

Sec. 3, All.

650.48 Acres

976.50 Rental

Subject to F.S. No Surface Occupancy Stipulation (NSO) #1

Subject to F.S. Controlled Surface Use Stipulation #1

Subject to F.S. Lease Notice No. 3

ES-026-06/08 LAES 55336 ACQ

Louisiana, Rapides Parish, Kisatchie N.F.

T1N, R2W, Louisiana Meridian

Sec. 4, All.

648.88 Acres

\$973.50 Rental

Subject to F.S. No Surface Occupancy Stipulation (NSO) #1

Subject to F.S. Controlled Surface Use Stipulations #1 and #2

Subject to F.S. Lease Notice No. 3

ES-027-06/08 LAES 55337 ACQ

Louisiana, Rapides Parish, Kisatchie N.F.

T1N, R2W, Louisiana Meridian

Sec. 5, S2NE, W2NWNE, NENW, N2NWNW, E2SW, SE.

394.48 Acres

\$592.50 Rental

Subject to F.S. Controlled Surface Use Stipulations #1 and #2

Subject to F.S. Lease Notice No. 3

ES-028-06/08 LAES 55338 ACQ

Louisiana, Rapides Parish, Kisatchie N.F.

T1N, R2W, Louisiana Meridian

Sec. 6, N2NE, SWNE, NWSE;

Sec. 7, SENE, E2NW, N2S2N2SW, N2N2SW, SE.

540.19 Acres

\$811.50 Rental

Subject to F.S. Controlled Surface Use Stipulations #1 and #2

Subject to F.S. Lease Notice No. 3

ES-029-06/08 LAES 55339 ACQ

Louisiana, Rapides Parish, Kisatchie N.F.

T1N, R2W, Louisiana Meridian

Sec. 8, All.

623.84 Acres

\$936.00 Rental

Subject to F.S. Controlled Surface Use Stipulations #1 and #2

Subject to F.S. Lease Notice No. 3

ES-030-06/08 LAES 55340 ACQ

Louisiana, Rapides Parish, Kisatchie N.F.

T1N, R2W, Louisiana Meridian

Sec. 9, All.

687.34 Acres

\$1,032.00 Rental

Subject to F.S. No Surface Occupancy Stipulation (NSO) #1

Subject to F.S. Controlled Surface Use Stipulations #1 and #2

Subject to F.S. Lease Notice No. 3

ES-031-06/08 LAES 55341 ACQ

Louisiana, Rapides Parish, Kisatchie N.F.

T1N, R2W, Louisiana Meridian

Sec. 10, All.

638.92 Acres

\$958.50 Rental

Subject to F.S. Controlled Surface Use Stipulations #1 and #2

Subject to F.S. Lease Notice No. 3

ES-032-06/08 LAES 55342 ACQ

Louisiana, Rapides Parish, Kisatchie N.F.

T1N, R2W, Louisiana Meridian

Sec. 11, All.

690.54 Acres

\$1,036.50 Rental

Subject to F.S. Controlled Surface Use Stipulation #1

Subject to F.S. Lease Notice No. 3

ES-033-06/08 LAES 55343 ACQ

Louisiana, Rapides Parish, Kisatchie N.F.

T1N, R2W, Louisiana Meridian

Sec. 12, W2, That part of Tr. E-200-WD-L12 lying in the
SE containing 81.98 acres.

413.66 Acres

\$621.00 Rental

Subject to F.S. Controlled Surface Use Stipulations #1 and #2

Subject to F.S. Lease Notice No. 3

ES-034-06/08 LAES 55344 ACQ

Louisiana, Rapides Parish, Kisatchie N.F.

T1N, R2W, Louisiana Meridian

Sec. 13, N2S2NWNW, N2NWNW, Tr. E-200-WD-37 lying in the

N2NENW and the N2NWNW containing 17 acres;

Sec. 14, N2, N2SE, less 3 acres in the NESE lying E of State Road 497,
SW, SWSE.

687.67 Acres

\$1,032.00 Rental

Subject to F.S. No Surface Occupancy Stipulation (NSO) #1

Subject to F.S. Controlled Surface Use Stipulations #1 and #2

Subject to F.S. Lease Notice No. 3

ES-035-06/08 LAES 55345 ACQ

Louisiana, Rapides Parish, Kisatchie N.F.

T1N, R2W, Louisiana Meridian

Sec. 15, All.
635.04 Acres
\$954.00 Rental
Subject to F.S. Controlled Surface Use Stipulations #1 and #2
Subject to F.S. Lease Notice No. 3

ES-036-06/08 LAES 55346 ACQ

Louisiana, Rapides Parish, Kisatchie N.F.
T1N, R2W, Louisiana Meridian
Sec. 16, All.
664.24 Acres
\$997.50 Rental
Subject to F.S. Controlled Surface Use Stipulations #1 and #2
Subject to F.S. Lease Notice No. 3

ES-037-06/08 LAES 55347 PD

Louisiana, Rapides Parish, Kisatchie National Forest
T2N, R2W, Louisiana Meridian
Sec. 6, NWNW;
Sec, 8, NESW.
81.21 Acres
\$123.00 Rental
Subject to F.S. Controlled Surface Use Stipulations #1 and #2
Subject to F.S. Lease Notices Nos. 3 and 4

ES-038-06/08 LAES 55348 PD

Louisiana, Rapides Parish, Kisatchie National Forest
T2N, R2W, Louisiana Meridian
Sec. 29. N2SW.
80.97 Acres
\$121.50 Rental
Subject to F.S. Controlled Surface Use Stipulations #1 and #2
Subject to F.S. Lease Notices Nos. 3 and 4

ES-039-06/08 LAES 55349 ACQ

Louisiana, Rapides Parish, Kisatchie N.F.
T2N, R2W, Louisiana Meridian
Sec. 1, All, except 2 ac. in the NENE (Tr. E-08).
630.32 Acres
\$946.50 Rental
Subject to F.S. Controlled Surface Use Stipulations #1 and #2
Subject to F.S. Lease Notice Nos. 3 and 4

ES-040-06/08 LAES 55350 ACQ

Louisiana, Rapides Parish, Kisatchie N.F.
T2N, R2W, Louisiana Meridian

Sec. 2, All.
632.89 Acres
\$949.50 Rental
Subject to F.S. Controlled Surface Use Stipulation #1
Subject to F.S. Lease Notice Nos. 3 and 4

ES-041-06/08 LAES 55351 ACQ

Louisiana, Rapides Parish, Kisatchie N.F.
T2N, R2W, Louisiana Meridian
Sec. 3, All.
646.22 Acres
\$970.50 Rental
Subject to F.S. Controlled Surface Use Stipulation #1
Subject to F.S. Lease Notice Nos. 3 and 4

ES-042-06/08 LAES 55352 ACQ

Louisiana, Rapides Parish, Kisatchie N.F.
T2N, R2W, Louisiana Meridian
Sec. 4, All.
643.44 Acres
\$966.00 Rental
Subject to F.S. Controlled Surface Use Stipulation #1
Subject to F.S. Lease Notice Nos. 3 and 4

ES-043-06/08 LAES 55353 ACQ

Louisiana, Rapides Parish, Kisatchie N.F.
T2N, R2W, Louisiana Meridian
Sec. 5, All.
645.28 Acres
\$969.00 Rental
Subject to F.S. Controlled Surface Use Stipulations #1 and #2
Subject to F.S. Lease Notice Nos. 3 and 4

ES-044-06/08 LAES 55354 ACQ

Louisiana, Rapides Parish, Kisatchie N.F.
T2N, R2W, Louisiana Meridian
Sec. 6, NE, E2NW, SWNW, S2.
606.29 Acres
\$910.50 Rental
Subject to F.S. Controlled Surface Use Stipulations #1, #2 and #3
Subject to F.S. Lease Notice Nos. 3 and 4

ES-045-06/08 LAES 55355 ACQ

Louisiana, Rapides Parish, Kisatchie N.F.
T2N, R2W, Louisiana Meridian
Sec. 7, All.

647.22 Acres
\$972.00 Rental
Subject to F.S. Controlled Surface Use Stipulations #1, #2 and #3
Subject to F.S. Lease Notices Nos. 3 and 4

ES-046-06/08 LAES 55356 ACQ

Louisiana, Rapides Parish, Kisatchie National Forest
T2N, R2W, Louisiana Meridian
Sec. 8, NENE, NW, NESW, S2S2.
489.30 Acres
\$735.00 Rental
Subject to F.S. Controlled Surface Use Stipulations #1, #2 and #3
Subject to F.S. Lease Notices Nos. 3 and 4

ES-047-06/08 LAES 55357 ACQ

Louisiana, Rapides Parish, Kisatchie National Forest
T2N, R2W, Louisiana Meridian
Sec. 9, All.
644.72 Acres
\$967.50 Rental
Subject to F.S. Controlled Surface Use Stipulation #1
Subject to F.S. Lease Notices Nos. 3 and 4

ES-048-06/08 LAES 55358 ACQ

Louisiana, Rapides Parish, Kisatchie National Forest
T2N, R2W, Louisiana Meridian
Sec. 10, All.
648.96 Acres
\$973.50 Rental
Subject to F.S. Controlled Surface Use Stipulation #1
Subject to F.S. Lease Notices Nos. 3 and 4

ES-049-06/08 LAES 55359 ACQ

Louisiana, Rapides Parish, Kisatchie National Forest
T2N, R2W, Louisiana Meridian
Sec. 11, All.
641.12 Acres
\$963.00 Rental
Subject to F.S. Controlled Surface Use Stipulation #1
Subject to F.S. Lease Notices Nos. 3 and 4

ES-050-06/08 LAES 55360 ACQ

Louisiana, Rapides Parish, Kisatchie National Forest
T2N, R2W, Louisiana Meridian
Sec. 12, All.
646.00 Acres

\$969.00 Rental
Subject to F.S. Controlled Surface Use Stipulation #1
Subject to F.S. Lease Notices Nos. 3 and 4

ES-051-06/08 LAES 55361 ACQ

Louisiana, Rapides Parish, Kisatchie National Forest
T2N, R2W, Louisiana Meridian
Sec. 13, NW, S2.
482.34 Acres
\$724.50 Rental
Subject to F.S. Controlled Surface Use Stipulation #1
Subject to F.S. Lease Notices Nos. 3 and 4

ES-052-06/08 LAES 55362 ACQ

Louisiana, Rapides Parish, Kisatchie National Forest
T2N, R2W, Louisiana Meridian
Sec. 14, All.
641.44 Acres
\$963.00 Rental
Subject to F.S. Controlled Surface Use Stipulation #1
Subject to F.S. Lease Notices Nos. 3 and 4

ES-053-06/08 LAES 55363 ACQ

Louisiana, Rapides Parish, Kisatchie National Forest
T2N, R2W, Louisiana Meridian
Sec. 15, All.
649.76 Acres
\$975.00 Rental
Subject to F.S. Controlled Surface Use Stipulation #1
Subject to F.S. Lease Notices Nos. 3 and 4

ES-054-06/08 LAES 55364 ACQ

Louisiana, Rapides Parish, Kisatchie National Forest
T2N, R2W, Louisiana Meridian
Sec. 16, All.
642.64 Acres
\$964.50 Rental
Subject to F.S. Controlled Surface Use Stipulation #1
Subject to F.S. Lease Notices Nos. 3 and 4

ES-055-06/08 LAES 55365 ACQ

Louisiana, Rapides Parish, Kisatchie National Forest
T2N, R2W, Louisiana Meridian
Sec. 17, All.
643.52 Acres
\$966.00 Rental

Subject to F.S. Controlled Surface Use Stipulations #1, #2 and #3
Subject to F.S. Lease Notices Nos. 3 and 4

ES-056-06/08 LAES 55366 ACQ

Louisiana, Rapides Parish, Kisatchie National Forest
T2N, R2W, Louisiana Meridian
Sec. 18, NE, N2SE, SWSE, W2.
601.12 Acres
\$903.00 Rental
Subject to F.S. Controlled Surface Use Stipulations #1, #2 and #3
Subject to F.S. Lease Notices Nos. 3 and 4

ES-057-06/08 LAES 55367 ACQ

Louisiana, Rapides Parish, Kisatchie National Forest
T2N, R2W, Louisiana Meridian
Sec. 19, All.
639.60 Acres
\$960.00 Rental
Subject to F.S. Controlled Surface Use Stipulations #1 and #2
Subject to F.S. Lease Notices Nos. 3 and 4

ES-058-06/08 LAES 55368 ACQ

Louisiana, Rapides Parish, Kisatchie National Forest
T2N, R2W, Louisiana Meridian
Sec. 20, All.
641.34 Acres
\$963.00 Rental
Subject to F.S. Controlled Surface Use Stipulations #1 and #2
Subject to F.S. Lease Notices Nos. 3 and 4

ES-059-06/08 LAES 55369 ACQ

Louisiana, Rapides Parish, Kisatchie National Forest
T2N, R2W, Louisiana Meridian
Sec. 21, All.
642.78 Acres
\$964.50 Rental
Subject to F.S. Controlled Surface Use Stipulations #1 and #2
Subject to F.S. Lease Notices Nos. 3 and 4

ES-060-06/08 LAES 55370 ACQ

Louisiana, Rapides Parish, Kisatchie National Forest
T2N, R2W, Louisiana Meridian
Sec. 22, NE, N2NW, SW.
407.22 Acres
\$964.50 Rental
Subject to F.S. Controlled Surface Use Stipulation #1

Subject to F.S. Lease Notices Nos. 3 and 4

ES-061-06/08 LAES 55371 ACQ

Louisiana, Rapides Parish, Kisatchie National Forest

T2N, R2W, Louisiana Meridian

Sec. 23, N2NE, W2SENE, SWNE, NW, NESW.

465.01 Acres

\$699.00 Rental

Subject to F.S. Controlled Surface Use Stipulation #1

Subject to F.S. Lease Notices Nos. 3 and 4

ES-062-06/08 LAES 55372 ACQ

Louisiana, Rapides Parish, Kisatchie National Forest

T2N, R2W, Louisiana Meridian

Sec. 24, NENE, N2NWNE, N2NW, E2SWNW, W2SENW.

181.10 Acres

\$273.00 Rental

Subject to F.S. Controlled Surface Use Stipulation #1

Subject to F.S. No Surface Occupancy Stipulation (NSO) #1

Subject to F.S. Lease Notices Nos. 3 and 4

ES-063-06/08 LAES 55373 ACQ

Louisiana, Rapides Parish, Kisatchie National Forest

T2N, R2W, Louisiana Meridian

Sec. 27, All.

649.20 Acres

\$975.00 Rental

Subject to F.S. Lease Notices Nos. 3 and 4

ES-064-06/08 LAES 55374 ACQ

Louisiana, Rapides Parish, Kisatchie National Forest

T2N, R2W, Louisiana Meridian

Sec. 28, All.

648.34 Acres

\$973.50 Rental

Subject to F.S. Lease Notices Nos. 3 and 4

ES-065-06/08 LAES 55375 ACQ

Louisiana, Rapides Parish, Kisatchie National Forest

T2N, R2W, Louisiana Meridian

Sec. 29, N2, S2SW, SE.

567.77 Acres

\$852.00 Rental

Subject to F.S. Lease Notices Nos. 3 and 4

ES-066-06/08 LAES 55376 ACQ

Louisiana, Rapides Parish, Kisatchie National Forest

T2N, R2W, Louisiana Meridian

Sec. 30, All.

644.08 Acres

\$967.50 Rental

Subject to F.S. Controlled Surface Use Stipulations #1 and #2

Subject to F.S. Lease Notices Nos. 3 and 4

ES-067-06/08 LAES 55377 ACQ

Louisiana, Rapides Parish, Kisatchie National Forest

T2N, R2W, Louisiana Meridian

Sec. 32, N2, E2SW, N2SW, W 12 acres in W2SW, SE.

634.57 Acres

\$952.50 Rental

Subject to F.S. Controlled Surface Use Stipulations #1 and #2

Subject to F.S. Lease Notices Nos. 3 and 4

ES-068-06/08 LAES 55378 ACQ

Louisiana, Rapides Parish, Kisatchie National Forest

T2N, R2W, Louisiana Meridian

Sec. 33, All.

640.46 Acres

\$952.50 Rental

Subject to F.S. Controlled Surface Use Stipulations #1 and #2

Subject to F.S. No Surface Occupancy Stipulation (NSO) #1

Subject to F.S. Lease Notices Nos. 3 and 4

ES-069-06/08 LAES 55379 ACQ

Louisiana, Rapides Parish, Kisatchie National Forest

T2N, R2W, Louisiana Meridian

Sec. 34, All.

641.82 Acres

\$963.50 Rental

Subject to F.S. Controlled Surface Use Stipulation #1

Subject to F.S. No Surface Occupancy Stipulation (NSO) #1

Subject to F.S. Lease Notices Nos. 3 and 4

ES-070-06/08 LAES 55380 ACQ

Louisiana, Rapides Parish, Kisatchie National Forest

T2N, R2W, Louisiana Meridian

Sec. 35, S2NE, NWNE, NW, S2.

613.97 Acres

\$921.00 Rental

Subject to F.S. Controlled Surface Use Stipulation #1

Subject to F.S. Lease Notices Nos. 3 and 4

KISATCHIE NATIONAL FOREST, Louisiana

NO SURFACE OCCUPANCY STIPULATION NSO#1

No surface occupancy or use is allowed on the lands described below (legal subdivision or other description).

T1N, R2W, Louisiana Meridian

<u>SECTION</u>	<u>ACRES</u>	<u>LEGAL DESCRIPTION</u>
3	31.5	105 acre tract centered about the intersection of Sections
4	12.8	33 & 34 in T2N,R2W and 3 and 4 in T1N, R2W
4*	12.0	Part of a 49 acre tract, this portion in SESW sect 4
9	37.0	and shared with this portion in N2NW section 9.
13	1.8	Tract in NWNW
28	20.8	Tract in the NWNE
29	4.7	Tract in the N2SESE

* another parcel in the same section

For the purpose of: Developed Recreation Areas

Any changes in this stipulation will be made in accordance with land use plan and/or the regulatory provision for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

KISATCHIE NATIONAL FOREST, Louisiana

CONTROLLED SURFACE USE STIPULATION #1

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

Placement of mineral extraction equipment, buildings, roads, ponds, and wellpads and the clearing of pipeline right-of-way vegetation are prohibited.

T1N, R2W, Louisiana Meridian

<u>SECTION</u>	<u>ACRES</u>
1	119.3
2	175.0
3	139.5
4	147.4
5	106.8
6	24.8
7	42.2
8	91.8
9	179.0
10	133.9
11	99.7
12	125.0
14	92.6
15	127.6
16	139.8
17	70.1
20	130.5
21	153.3
22	127.5
23	54.4
27	41.4
28	129.2
29	40.4
31	122.4
33	63.2

For the purpose of:

Streamside Zones

Any changes to this stipulation will be made in accordance with the land use plan and/or 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).

KISATCHIE NATIONAL FOREST, Louisiana

CONTROLLED SURFACE USE STIPULATION #2

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

Roads and clearing of right-of-way vegetation may occur if a site-specific environmental analysis determines that the mitigated environment effects would not be significant.

T1N, R2W, Louisiana Meridian

<u>SECTION</u>	<u>ACRES</u>
1	28.3
2	6.0
4	5.0
5	30.0
6	6.2
7	50.1
8	20.4
9	21.9
10	5.0
12	18.0
14	37.0
15	0.6
16	5.7
17	0.1
20	1.9
22	8.6
23	2.4
28	2.0
29	1.9
31	489.2
33	59.5

For the purpose of:

Riparian Zones

Any changes to this stipulation will be made in accordance with the land use plan and/or 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).

KISATCHIE NATIONAL FOREST, LOUISIANA

LEASE NOTICE #3

All or part of the leased lands may contain animal or plant species classified under the Endangered Species Act of 1973, as amended. Other species may have been identified as sensitive in accordance with Forest Service Manual 2670 and be listed on the current Regional Forester's list of sensitive plant and animal species. Further information concerning the classification of these species may be obtained from the authorized Forest officer.

Exploration and development proposals may be limited or modifications required if activity is planned within the boundaries of a threatened, endangered or sensitive plant or animal species location as it then exists. All activities within these areas must be conducted in accordance with existing laws, regulations and the Forest Land and Resource Management Plan guidelines.

All available land in **T1N, R2W, Louisiana Meridian**

KISATCHIE NATIONAL FOREST, Louisiana

NO SURFACE OCCUPANCY STIPULATION NSO#1

No surface occupancy or use is allowed on the lands described below (legal subdivision or other description).

T2N, R2W, Louisiana Meridian

<u>Section</u>	<u>Acres</u>	<u>Legal Description</u>
24	2.0	Pond in E2NWNW
33	10.8	105 acre tract centered about the intersection of Sections
34	48.0	33 & 34 in T2N,R2W and 3 and 4 in T1N, R2W

For the purpose of: Developed Recreation area and pond as noted

Any changes in this stipulation will be made in accordance with land use plan and/or the regulatory provision for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

KISATCHIE NATIONAL FOREST, Louisiana

CONTROLLED SURFACE USE STIPULATION #1

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

Placement of mineral extraction equipment, buildings, roads, ponds, and wellpads and the clearing of pipeline right-of-way vegetation are prohibited.

T2N, R2W, Louisiana Meridian

<u>Section</u>	<u>Acres</u>
1	176.9
2	191.2
3	236.7
4	210.1
5	254.3
6	215.0
7	213.3
8	157.1
9	231.7
10	227.5
11	258.3
12	211.2
13	150.6
14	180.5
15	188.4
16	176.7
17	242.9
18	162.2
19	152.1
20	156.4
21	162.3
22	135.2
23	89.8
24	53.2
27	33.8
28	46.9
29	96.3
30	146.4
32	46.9
33	134.1
34	197.8
35	172.6

For the purpose of:

Streamside Zones

Any changes to this stipulation will be made in accordance with the land use plan and/or 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).

KISATCHIE NATIONAL FOREST, Louisiana

CONTROLLED SURFACE USE STIPULATION #2

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

Roads and clearing of right-of-way vegetation may occur if a site-specific environmental analysis determines that the mitigated environment effects would not be significant.

T2N, R2W, Louisiana Meridian

<u>Section</u>	<u>Acres</u>
1	4.8
5	120.7
6	240.6
7	396.8
8	190.5
17	23.0
18	308.2
19	4.5
20	1.6
21	1.9
28	26.9
29	3.9
30	19.1
32	6.79
33	10.31

For the purpose of:

Riparian Zones

Any changes to this stipulation will be made in accordance with the land use plan and/or 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).

KISATCHIE NATIONAL FOREST, Louisiana

CONTROLLED SURFACE USE STIPULATION #3

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

Mineral exploration and development on the following lands must be coordinated with the Claiborne Bombing Range. There will be periods when the area will be closed to occupancy.

T2N, R2W, Louisiana Meridian

<u>SEC.</u>	<u>LEGAL DESCRIPTION</u>	<u>ACRES</u>
5	W/2SE, SW	240.74
6	S/2S/2NE, S/2, S/2NW,	404.19
7	All	647.22
8	W/2NE, NWSE, NWSWSW, W/2SW, NW,	387.36
17	W/2NW	80.50
18	N/2, N/2S/2, N/2S/2SW	521.13

For the purpose of:

Claiborne Range Safety Fan

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.

KISATCHIE NATIONAL FOREST, Louisiana

LEASE NOTICE #3

All or part of the leased lands may contain animal or plant species classified under the Endangered Species Act of 1973, as amended. Other species may have been identified as sensitive in accordance with Forest Service Manual 2670 and be listed on the current Regional Forester's list of sensitive plant and animal species. Further information concerning the classification of these species may be obtained from the authorized Forest officer.

Exploration and development proposals may be limited or modifications required if activity is planned within the boundaries of a threatened, endangered or sensitive plant or animal species location as it then exists. All activities within these areas must be conducted in accordance with existing laws, regulations and the Forest Land and Resource Management Plan guidelines.

All available land in **T2N, R2W, Louisiana Meridian**

LEASE NOTICE #4

All or part of the leased lands may be classified as wetlands in accordance with Executive Order 11990, "Protection of Wetlands" or a floodplain in accordance with Executive Order No. 11988, "Floodplain Management". Additional management requirements for the protection of riparian areas are contained in 36 CFR 219.27(e) and the National Forest Management of 1976.

All activities within these areas may require special measures to mitigate adverse impacts to the resource values. They must comply with the above reference executive orders, regulations, laws and be in accordance with the Forest Land and Resource Management Plan guidelines.

Further information concerning the classification and management of these lands may be obtained from the authorized Forest officer.

Lands in **T2N, R2W, Louisiana Meridian**

PRIVATE SURFACE PARCELS IN MISSISSIPPI:

ES-071-06/08 MSES 55381 ACQ

Mississippi, Smith County, BLM
T1N, R9E, Choctaw Meridian
Sec. 1, W2NE, SENE, N2SE;
Sec. 4, SESW;
Sec. 6, pt of NESW.
200.00 Acres
\$300.00 Rental
50% U.S. Mineral Interest
Subject to BLM Controlled Surface Use Stipulations and Lease Notices

ES-072-06/08 MSES 55382 ACQ

Mississippi, Marion County, BLM
T1N, R13E, Washington Meridian
Sec. 3, S2NE, E2NESE.
100.00 Acres
\$150.00 Rental
50% U.S. Mineral Interests
Subject to BLM Controlled Surface Use Stipulations and Lease Notices

ES-073-06/08 MSES 55383 ACQ

Mississippi, Smith County, Bienville N.F.
T3N, R6E, Choctaw Meridian
Sec. 1, Tract B-37 in S2SW.
(tract is within boundaries of Bienville N.F.)
U.S. Mineral Ownership Only
3.00 Acres
\$4.50 Rental
Subject to BLM Controlled Surface Use Stipulations and Lease Notices

ES-074-06/08 MSES 55384 ACQ

Mississippi, Smith County, BLM
T3N, R7E, Choctaw Meridian
Sec. 36, NESE, N2W2SESE.
50.00 Acres
\$75.00 Rental
Subject to BLM Controlled Surface Use Stipulations and Lease Notices

ES-075-06/08 MSES 55385 ACQ

Mississippi, Smith County, BLM
T4N, R6E, Choctaw Meridian
Sec. 15, N2SE.
80.00 Acres

\$120.00 Rental

Subject to BLM Controlled Surface Use Stipulations and Lease Notices

ES-076-06/08 MSES 55386 ACQ

Mississippi, Smith County, Bienville N.F.

T4N, R7E, Choctaw Meridian

Sec. 23, The West 25 acres of NWNW, more particularly described as: Beginning at the corner common to Secs. 14, 15, 22, and 23, run thence S 00 deg 32' W 20.17 chains, thence S 89 deg 55' E 12.45 chains, thence N 00 deg 26' E 20.15 chains, thence N 89 deg 58' W 12.42 chains to the point of beginning containing 24.96 acres.

24.96 Acres

\$37.50 Rental

(within boundaries of Bienville N.F.)

U.S.A. Mineral Ownership Only

Subject to BLM Controlled Surface Use Stipulations and Lease Notices

ES-077-06/08 MSES 55387 ACQ

Mississippi, Smith County, BLM

T4N, R9E, Choctaw Meridian

Sec. 31, NENE.

39.98 Acres

\$60.00 Rental

Subject to BLM Controlled Surface Use Stipulations and Lease Notices

ES-078-06/08 MSES 55388 ACQ

Mississippi, Marion County, BLM

T4N, R17W, St. Stephens Meridian

Sec. 4, SENW, part of NENW.

64.30 Acres

\$97.50 Rental

50% U.S. Mineral Interests

Subject to BLM Controlled Surface Use Stipulations and Lease Notices

ES-079-06/08 MSES 55389 ACQ

Mississippi, Covington County, BLM

T7N, R15W, St. Stephens Meridian

Sec. 12, SESW, SWSE;

Sec. 13, NENW.

120.00 Acres

\$180.00 Rental

50% U.S. Mineral Interests

Subject to BLM Controlled Surface Use Stipulations and Lease Notices

ES-080-06/08 MSES 55390 ACQ

Mississippi, Lawrence County, BLM

T7N, R20W, St. Stephens Meridian
Sec. 11, NESW, SWNE.
80.00 Acres
\$120.00 Rental
50% U.S. Mineral Interests
Subject to BLM Controlled Surface Use Stipulations and Lease Notices

ES-081-06/08 MSES 55391 ACQ

Mississippi, Forrest County, BLM
T1S, R12W, St. Stephens Meridian
Sec. 21, SESW.
40.00 Acres
\$60.00 Rental
U.S. Mineral Ownership Only
Subject to BLM Controlled Surface Use Stipulations and Lease Notices

ES-082-06/08 MSES 55392 ACQ

Mississippi, Forrest County, BLM
T1S, R13W, St. Stephens Meridian
Sec. 9, E2NW.
80.00 Acres
\$120.00 Rental
U.S. Mineral Ownership Only
Subject to BLM Controlled Surface Use Stipulations and Lease Notices

ES-083-06/08 MSES 55393 ACQ

Mississippi, Forrest County, DeSoto N.F.
T1S, R13W, St. Stephens Meridian
Sec. 10, NESE.
40.24 Acres
\$61.50 Rental
(within boundaries of DeSoto N.F.)
U.S. Mineral Ownership Only
Subject to BLM Controlled Surface Use Stipulations and Lease Notices

Proposed BLM Lease Stipulations and Lease Notices for private surface parcels:

BLM CONTROLLED SURFACE USE STIPULATIONS

Recommended For All Private Surface Parcels in MS

Description:

1. This lease may be found to contain historic properties and/or resources protected under the National Historic Preservation Act (NHPA), American Indian Religious

Freedom Act, Native American Graves Protection and Repatriation Act, E.O. 13007, or other statutes and executive orders. The BLM will not approve any ground disturbing activities that may affect any such properties or resources until it completes its obligations under applicable requirements of the NHPA and other authorities. *These obligations may include a requirement that you provide a cultural resources survey conducted by a professional archaeologist.* The BLM may require modification to exploration or development proposals to protect such properties, or disapprove any activity that is likely to result in adverse effects that cannot be successfully avoided, minimized or mitigated.

Modification: None

Waiver: This stipulation may be waived by the Authorized Officer if it is documented that a cultural resources survey, which meets professional standards, has been conducted and significant sites, including sites of concern to Native Americans, will not be impacted by development of this lease, or if it is documented that a cultural resources survey is not otherwise required.

Exemptions: An exemption may be granted for a specific development proposal if it is documented that a cultural resources survey, which meets professional standards, has been conducted on the area of proposed development and significant sites, including sites of concern to Native Americans, will not be impacted by development of this lease, or if it is documented that a cultural resources survey is not otherwise required.

2. No surface disturbing activities are permitted within 250 feet of the perennial or ephemeral surface waters.

Modification:

Waiver: None

Exception: An exception may be granted if the lessee can demonstrate that oil and gas operations would not cause unacceptable impacts to water quality, floodplains or riparian areas.

3. The lease area may now or hereafter contain plants, animals, or their habitats determined to be threatened, endangered, or other special status species. BLM may recommend modifications to exploration and development proposals to further its conservation and management objective to avoid BLM-approved activity that will contribute to a need to list such a species or their habitat. BLM may require modifications to or disapprove proposed activity that is likely to result in jeopardy to the continued existence of a proposed or listed threatened or endangered species or result in the destruction or adverse modification of a designated or proposed critical habitat. BLM will not approve any ground-disturbing activity that may affect any such species or critical

habitat until it completes its obligations under applicable requirements of the Endangered Species Act as amended, 16 U.S.C. 1531 et seq., including completion of any required procedure for conference or consultation.

Modification: None

Exception: None

Waiver: None

4. Freshwater Aquatic Habitat

Stipulation (NSO): No surface occupancy or disturbance, including discharges, are permitted within 250 feet of a river, stream, wetland spring, headwaters, wet meadows, wet pine savannas, pond, tributary, lake, coastal slough, sand bars, vernal pools on granite outcrops, calcareous seepage marshes or small, marshy calcareous streams. If the slope exceeds 10%, the buffer may be extended up to 600 feet to provide adequate protection for aquatic habitats and associated species.

Objective: To protect water quality of watersheds and natural stream substrate and morphology and to avoid potential impacts to federal and state-listed aquatic species.

Exception: An exception may be granted if the operator agrees to 1) span creeks and floodplains by attaching pipelines to bridges or 2) directionally drill under creeks, rivers, and other waters supporting listed species, 3) implement other measures developed in consultation with USFWS and coordination with state agencies.

Modification: The buffer may be reduced if the adjacent waterway has been surveyed for 100 yards upstream and 300 yards downstream of the site, and results document the lack of suitable/occupied habitat for special status species within the mixing zone downstream of the project, as determined by BLM and USFWS.

Waiver: The stipulations may be waived if it is determined that the lease area has no hydrological connection to habitat of sensitive aquatic species.

5. Sensitive Plant Species

Stipulation (Controlled Surface Use): All suitable special status plant species habitat will be identified during environmental review of any proposed surface use activity. If field examination indicates that habitat of one or more of these species is present, BLM will require a survey by a qualified botanist for special status plants during time periods appropriate to each species. Operations will not be allowed in areas where sensitive plants would be affected.

Objective: To protect threatened, endangered, candidate, proposed, and BLM Sensitive Plant Species.

Exception: An exception may be granted if the operator agrees to implement measures developed in consultation with USFWS and coordination with state agencies.

Modification: The stipulation may be modified if it is determined that a portion of the lease area does not support sensitive plant species.

Waiver: The stipulation may be waived if it is determined that the lease area does not support sensitive plant species.

Recommended For All Private Surface Parcels (except ES-075-06/08 and ES-080-06/08):

6. Gopher tortoise/Black pine snake/Eastern Indigo snake

Stipulation (Controlled Surface Use): BLM-approved surveys will be required in all suitable gopher tortoise habitat where the tortoise is listed, including: Choctaw, Washington, Sumter, and Mobile counties in Alabama; and Clarke, Covington, Forrest, George, Greene, Hancock, Harrison, Jackson, Jones, Lamar, Marion, Pearl River, Perry, Stone, Walthall, and Wayne Counties in Mississippi. No surface disturbance or activity is permitted within 600 feet of a gopher tortoise burrow.

Suitable habitat includes areas with deep, well-drained sandy soils, especially the following USDA-NRCS soil series and 10% or more open pine forests (historically longleaf pine) or savannas with an open understory with grass and forb groundcover open areas. Suitable soils include Alaga, Bigbee, Eustis, Lakeland, Waldley or Troup, McLaurin, Benndale, Heidel, Bama, Smithdale, Ruston, Lucedale, Lucy, Shuguta, Baxterville, Malbis, Poarch, Saucier, Susquehanna, Boswell, Lorman, Freestone, Freest, Prentis, Savannah, Basin, and Petal.

Objective: To protect gopher tortoise habitat.

Exception: Exceptions may be granted if the proponent agrees to implement measures developed in consultation with USFWS and coordination with state agencies.

Modification: This stipulation may be modified if suitable gopher tortoise habitat does not exist on the stipulated area and that area does not provide forage habitat for adjacent tortoise populations. Survey requirements may be modified if current tortoise surveys of the tract are approved by BLM and USFWS.

Waiver: This stipulation may be waived if suitable gopher tortoise habitat does not exist on the tract and the tract does not provide forage habitat for gopher tortoises in adjacent areas.

Recommended For Private Surface Parcel Nos. ES-071-06/08, ES-074-06/08 thru ES -077-06/08:

7. Red-cockaded Woodpecker

Stipulation (NSO): No surface occupancy or disturbance within one-half mile of a red-cockaded woodpecker cluster, defined as the area containing all active and inactive cavity trees, plus a 200-foot buffer zone surrounding that area. Vehicle use is prohibited within a cluster except for through-travel on existing, maintained, paved roads.

Objective: To protect red-cockaded woodpecker nest sites from disturbance and habitat degradation.

Exception: An exception may be granted to allow surface occupancy within one-half mile of a cluster if the operator agrees to measures developed in consultation with USFWS and in coordination with state agencies.

Modification: This stipulation may be modified if a portion of the stipulated area no longer within the one-half mile buffer zone.

Waiver: This stipulation may be waived if no cluster can be identified within one-half mile of the leased tract.

Recommended For Private Surface Parcel No. ES-081-06/08:

8. Bald Eagle

Stipulation: No surface occupancy shall be permitted within 660 of an active or alternate Bald Eagle nest.

Objective: To avoid impacts to nesting eagles, including courtship and nesting behavior, egg laying and incubation, and feeding and fledging activity.

Exception: An exception may be granted for disturbance outside of the nesting season if the operator agrees to implement measures developed in consultation with the USFWS and in coordination with state agencies.

Exception: An exception may be granted if the nest has not been used for at least 5 years.

Modification: The distance may be reduced to 330 feet, or as close as the existing tolerated activity of similar scope for activities outside of the nesting season if there is similar activity within a mile of the proposed well site and the activity will not be visible from the nest site.

Waiver: The stipulation may be waived if no nest sites are identified on or within 660 feet of the leased tract.

Recommended for All Private Surface Parcels in MS:

Lease Notices

1. To avoid or minimize the possibility of the unintentional take of migratory birds during periods of concentrated nesting activity and to provide long-term benefits and improved vegetation community condition:

- BLM or other qualified personnel should identify suitable migratory bird nesting habitat within the project site. Opportunities should be evaluated to shift disturbance away from high value migratory bird nesting or foraging habitats, or to replace habitat on or off site.

- A Timing Limitation may be imposed on use authorizations to mitigate large-scale vegetative disturbing activities during the primary portion of the nesting season. Dates could be adjusted for the species and environmental conditions.

2. To prevent birds and bats from entering or nesting in or on open vent stack equipment, open vent stack equipment, such as heater-treaters, separators, and dehydrator units, will be designed and constructed to prevent birds and bats from entering or nesting in or on such units, and to the extent practical, to discourage birds from perching on the stacks. Installing cone-shaped mesh covers on all open vents is one suggested method. Flat mesh covers are not expected to discourage perching and will not be acceptable.

3. To protect perch and roosting sites and terrestrial habitats for and to avoid potential impacts to migratory birds and federally listed wildlife:

Any reserve pit not closed within 10 days after a well is completed and which contains water must be netted, covered with floating balls, or use other methods to exclude migratory birds.

Maximum design speed on all operator-constructed and maintained (non-public) roads shall not exceed 25 miles per hour to minimize the chance of a collision with migratory birds or other listed wildlife species.

All power lines would be built to protect raptors and other migratory birds, including Bald Eagles, from accidental electrocution using methods detailed by the Avian Power Line Interaction Committee (1996).

4. If development is proposed in suitable Red-cockaded Woodpecker foraging habitat (cover at least 50% pine trees over 10 inches in diameter and at least 30 years old) or nesting habitat (pines at least 60 years old and 10 inches in diameter), the applicant will conduct a survey of suitable habitat within ½ mile of the project according to protocols described in the updated Red-cockaded Woodpecker Recovery Plan completed by U.S. Fish and Wildlife Service in 2003. If red-cockaded woodpeckers are found a biological

assessment will be completed and the project modified as needed to ensure that there is “no adverse affect” with concurrence from the Jackson Ecological Services Office of the U.S. Fish and Wildlife Service.

5. To protect the water quality of watersheds and natural stream substrate and morphology supporting special status species and their host species, any ground application of herbicides or other pesticides, sterilants, or adjuvants within 150’ of listed species or habitat, will require site specific control measures developed in coordination or formal consultation with the USFWS. No aerial application of herbicides or pesticides will be permitted.

6. To discourage the spread of invasive, non-native plants, use of native and/or non-invasive cover plants in seeding mixtures will be encouraged to stabilize disturbed areas and during restoration activities. In the case of split-estate land, final seed mixtures will be formulated in consultation with the private landowner.