

## **CONTROLLED SURFACE USE STIPULATION**

### **CULTURAL OR PALEONTOLOGICAL LOCALITIES INVENTORY**

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

Prior to surface disturbance, an inventory of the leased lands may be required to determine if cultural resources or paleontological localities are present and to identify needed mitigation measures. Prior to undertaking any surface-disturbing activities on the lands covered by this lease, the lessee or operator shall:

1. Contact the surface management agency (SMA) to determine if a cultural or paleontological resource inventory is required. If an inventory is required, then:
2. The SMA will complete the required inventory; or the lessee or operator, at their option may engage the services of a cultural resource consultant acceptable to the SMA to conduct a cultural resource inventory of the area of proposed surface disturbance. The operator may elect to inventory an area larger than the planned disturbance to cover possible site relocation or for planning purposes.
3. Implement mitigation measures required by the SMA. Mitigation may include relocation of proposed lease-related activities or other protective measures such as data recovery and/or extensive recordation.
4. The SMA will consult with Native American tribes per IM 2005-003.

The lessee or operator is required to bring to the attention of the field office manager any cultural resources or other objects of scientific interest discovered as a result of approved operations under the lease and shall leave all discoveries intact and undisturbed until directed to proceed by the field office manager (16 U.S.C. 470).

On the lands described below:

For the purpose of:

Ensure compliance with Section 106 of the National Historic Preservation Act required for all actions which may affect cultural properties eligible to the National Register of Historic Places. Section 6 of the oil and gas lease terms (Form 3100-11) requires that operations be conducted in a manner that minimizes adverse impacts to cultural and other resources.

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

Exception: NONE

Modification: NONE

Waiver: NONE