

# APPENDIX K

FLUID MINERAL LEASING STIPULATIONS

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The fluid mineral leasing stipulations discussed herein would apply to oil and gas leasing under Alternative A, which is the No Action or the Continuation of Existing Management Alternative; development of existing oil and gas leases; and geothermal leasing and development under all Alternatives. Under Alternatives B, C, and D, no new oil and gas leasing would occur in the short-term.; Under the *TriCounty RMP*, areas within the *Planning Area* would be closed to leasing, either discretionarily or non-discretionarily, based on decisions made in previous resource management plans and resource management plan amendments (White Sands RMP, 1986; *Mimbres RMP*, 1993; Otero County Areas of Critical Environmental Concern RMP Amendment, 1997) and the remainder of the *Planning Area* would be deferred from new oil and gas leasing until the BLM Las Cruces District Office prepares a programmatic fluid leasing RMP Amendment and EIS. That programmatic document would be initiated shortly after the Record of Decision for the *TriCounty RMP* is released. During the preparation of that document, areas would be identified for closure to leasing and areas open to leasing with stipulations and terms and conditions. These stipulations and terms and conditions would be newly developed at that time or modified from existing ones.

Geothermal leasing and development would continue as described under the various alternatives of the *TriCounty RMP*. The following stipulations would apply to geothermal leasing, exploration, drilling, development and utilization as appropriate and necessary.

Federal fluid minerals are made available for leasing through the Minerals Leasing Act of 1920, as amended, and the Geothermal Steam Act of 1970. The Minerals Leasing Act of 1920, as amended, provides the Secretary of the Interior with the authority to issue leases on land where the mineral rights are held by the Federal government. This authority has been delegated to the BLM State Director. The BLM is required to determine (1) which land is suitable and available for leasing and subsequent development and (2) how the leased land will be managed. On land administered or owned by an entity other than the BLM (referred to as “*split estate*”), the BLM’s environmental objectives and constraints apply equally to these areas; however, such constraints are developed at the permit stage in consultation with the other surface-managing agency or surface land owner.

Public land that is not suitable may be closed to fluid mineral leasing through decisions that are either nondiscretionary (i.e., beyond the discretion of the BLM) or discretionary (i.e., at the discretion of the BLM). Whether a nondiscretionary or discretionary closure, these areas are determined to be unsuitable for leasing and development because of unique, highly valued, complex, or legally protected resources; conflicting land uses; or because they pose substantial hazards to exploration, development, and production. Nondiscretionary closures include land that is precluded from fluid minerals leasing by law, regulations, Secretarial or Executive Order, or that have been otherwise formally closed by decisions reached beyond the discretion of the BLM. Within BLM’s *Decision Area*, other examples of nondiscretionary closures include public water reserves and wilderness study areas. Discretionary closures include land where the BLM has determined that fluid mineral leasing and development, even with the most restrictive stipulations, would not adequately protect other resources, values, or land uses. Examples of discretionary closures in the BLM’s *Decision Area* are the areas of critical environmental concern.

Areas that are suitable may be leased. A lease is a contract that conveys to an operator the right to develop and produce fluid minerals for a specific period under certain agreed-upon terms and conditions.

The issuance of a lease grants to the lessee exclusive rights to as much of the leased land as is needed to conduct exploratory drilling and development operations in the leasehold subject to stipulations attached to the lease, restrictions derived from specific nondiscretionary statutes, and reasonable measures may be required by the surface management agency to minimize adverse impacts on other resource values, land uses, or users.

Before consent can be given for leases to be issued by the BLM, regulations require (1) verifying that leasing on specific land is consistent with the land use plan; (2) ensuring that conditions of surface occupancy are properly included (as stipulations) in resulting leases; and (3) determining that operations and development could be allowed somewhere on each proposed lease except where a stipulation would prohibit all surface occupancy.

Land open to leasing is open with standard lease terms and conditions or open with stipulations, as described below. In addition, a lease notice may be applied to a lease to (1) provide more detailed information concerning limitations that already exist in law, lease terms, regulations, and operational orders; or (2) address special items the lessee would consider when planning operation, but does not impose new or additional restrictions. Lease notices for the *Planning Area* follow the discussion of stipulations.

## **OPEN WITH STANDARD LEASE TERMS AND CONDITIONS**

Areas may be open to leasing with no specific management decisions defined in a resource management plan. However, these areas are subject to the lease terms and conditions as defined on the appropriate lease form (Form 3100-11: Offer to Lease and Lease for Oil and Gas and Form 3200-24: Offer to Lease and Lease for Geothermal Resources). The forms include lease terms and conditions that address subjects such as bonding, rentals, royalties, inspections, and safety. Of particular interest is Section 6, “*Conduct of Operations*” of the lease form, which establishes the general and reasonable requirements for the protection of surface resources and is referred to as “*standard lease terms and conditions*.” The authorized officer has the right to relocate proposed facilities, control timing of operations, and impose other mitigation in accordance with Sections 2 and 6 of the standard oil and gas lease terms. Each proposed site would be investigated and, if site-specific conditions warrant more restrictive protection, such protective measures could be imposed through conditions of approval at the time of an application for permit to drill.

In addition, the standard lease terms and conditions specifically require that the lessee contact the lessor prior to disturbing the surface. They also specify that the lessee may be required to complete inventories or special studies in accordance with the Endangered Species Act of 1973, National Historic Preservation Act (NHPA) of 1966, and other applicable laws.

## **OPEN WITH STIPULATIONS**

Constraints in the form of stipulations are conditions included in a lease when environmental and planning analyses have demonstrated that additional and more stringent environmental protection is needed. Stipulations are provisions that modify the standard lease rights and are made part of the lease.

The operator would be expected to comply with the stipulations that are attached to a lease. Lands currently under lease would not be affected by the stipulations identified in the *TriCounty RMP/EIS*. New leases would be required to adhere to the stipulations as identified in the *RMP/EIS* upon their completion.

Two types of stipulations are applied in this document—no surface occupancy and controlled surface use. A stipulation of no surface occupancy is intended, as implied, for a surface area determined to be unsuitable for use and cannot be occupied. A stipulation of controlled surface use is intended when lease occupancy and use generally are allowed on all portions of the lease, but because of special values or resource concerns, specific lease activities require strict control.

Table K-1 is a list of the areas currently open for leasing and development with stipulations within the *Planning Area*. The table is followed by descriptions of each area open for leasing with stipulations and areas where lease notices would apply. Areas where stipulations apply would change across the alternatives. Stipulations would be applied according the selection of the *Final RMP and RMP Amendment*.

<b>TABLE K-1 AREAS OPEN TO OIL, GAS, AND GEOTHERMAL LEASING WITH STIPULATIONS OR LEASE NOTICES</b>
<p><b>NO SURFACE OCCUPANCY</b></p> <ul style="list-style-type: none"> <li>• Protected cultural resource areas</li> <li>• Recreation and public purpose act patents and leases (R&amp;PPs)</li> <li>• Community Pit 1 (Doña Ana County)</li> <li>• Community Pit 7 (Otero County)</li> <li>• Riparian/other wetlands/playas</li> <li>• Ecological study plots</li> <li>• Tularosa River Recreation Area (Otero County)</li> <li>• Lake Valley Historic Townsite (Sierra County)</li> <li>• Lake Valley Backcountry Byway (Sierra County)</li> <li>• Rincon ACEC (Dona (Doña Ana County)</li> <li>• Los Tules ACEC (Doña Ana County)</li> <li>• Butterfield Trail (Doña Ana County)</li> </ul> <p><b>CONTROLLED SURFACE USE</b></p> <ul style="list-style-type: none"> <li>• Berrendo Administrative Campsite (Otero County)</li> <li>• Highly erosive and fragile soils</li> <li>• Historic trails (Mormon Battalion, Butterfield, and Camino Real de Tierra Adentro National Historic Trail)</li> <li>• Endangered Species Act Section 7 Consultation</li> <li>• Special status species habitats</li> <li>• Special cultural lease stipulation</li> <li>• Jornada Experimental Range</li> <li>• NMSU Rangeland Research Center</li> <li>• Lease notices <ul style="list-style-type: none"> <li>➤ White Sands Missile Range Safety Evacuation Zone (Sierra and Doña Ana counties)</li> <li>➤ Cuchillo Mountains piñon nut collection area (Sierra County)</li> <li>➤ Red Sands off-road vehicle area (Otero County)</li> <li>➤ Special recreation management areas</li> <li>➤ Reasonable foreseeable development limitation (Sierra and Otero counties) (pages 6 and 7 from the <i>Record of Decision /RMP Amendment for Federal Fluid Minerals Leasing and Development in Sierra and Otero Counties</i>).</li> </ul> </li> </ul>

## **STIPULATION OF NO SURFACE OCCUPANCY**

### **PROTECTED CULTURAL RESOURCE AREAS**

*Stipulation:* No surface occupancy

- **Rattlesnake Hill**  
**Location:** Parts or all of secs. 21, 22, 26, 27, 28, 33, 34, 35, T. 22 S., R. 8 East, NMPM (3,365 acres).
- **Lone Butte**  
**Location:** sec. 6, T. 19 S., R. 9 E., NMPM (352 acres)
- **Jarilla Mountains**  
**Location:** T. 20 S., R. 8 E., NMPM (803 acres)
- **Los Tules ACEC**  
**Location:** Parts of secs. 10 and 11, T. 24 S., R. 1 E., NMPM (23 acres)
- **Rincon ACEC**  
**Location:** secs. 4, 5, 6, T. 19 S., R. 2 W., NMPM (860 acres)

*Objective:* To protect cultural resources.

*Waiver:* None

*Exception:* None

*Modification:* A modification of this stipulation of no surface occupancy may be granted if the leaseholder opts to conduct a full cultural survey of the parcel and particular locations can be found that lack cultural resources.

*Justification:* The areas that are stipulated for no surface occupancy are subject to existing cultural resource regulations due to their listing in the State Register of Cultural Properties and/or eligibility for listing in the National Register of Historic Places.

### **RECREATION AND PUBLIC PURPOSE PATENTS OR LEASES**

*Stipulation:* No surface occupancy

*Location:* Various throughout the *Planning Area*

*Objective:* To ensure compatibility with the existing land uses in R&PP lease or patent areas.

*Waiver:* May be granted if fluid mineral development is considered compatible with the land use in a specific R&PP area.

*Exception:* Same as waiver

*Modification:* None

*Justification:* The more restrictive stipulation of no surface occupancy was determined to be appropriate in order to address the possibility for land use conflicts (i.e., R&PP). The ability to grant waivers provides flexibility for less significant land use conflicts. Under standard lease terms and conditions, the management of these areas would be the same.

### **COMMUNITY PIT 1 (ROBLEDO MOUNTAINS)**

*Location:* sec. 20, T. 22 S., R. 1 E., NMPM

### **COMMUNITY PIT 7 (ESCONDIDO)**

*Location:* sec.9, T. 20 S., R. 9 E., NMPM (approximately 30 acres)

*Stipulation:* No surface occupancy

*Objective:* To complete reclamation of Community Pit 1.

To permit the continued use of Community Pit 7 by the public for mineral material extraction.

**Waiver:** None

**Exception:** May be granted if BLM determines that surface lease operations would not cause unnecessary effects on the use of the area.

**Modification:** None

**Justification:** Stipulating no surface occupancy is needed to protect the mineral materials that are extracted by the public, and regulate the area in order to minimize unnecessary degradation. At Community Pit 1, no surface occupancy is necessary to preclude interference with reclamation of the site. Under standard lease terms and conditions, the requirements described above would be similar; however, the no surface occupancy stipulation informs the lessee of the resource concern at the time the lease is acquired.

## **RIPARIAN/OTHER WETLANDS/PLAYAS**

**Stipulation:** No surface occupancy within 0.25 mile

**Location:** Various (approximately 22,066 acres)

- BLM Las Cruces Field Office riparian database: 16 miles of riparian area (5,120 acres) and 12springs (1,920 acres)
- Mapped playas: 3,457 acres

**Objective:** To minimize impacts on wetlands in compliance with Section 404 of the Clean Water Act and on riparian habitats in accordance with BLM guidelines.

**Waiver:** May be granted if an onsite inspection reveals that the area does not qualify as a riparian area or a wetland.

**Exception:** None

**Modification:** May be granted to allow some activities within 0.25 mile if BLM analysis indicates that there would be no adverse effect and that the area may be reclaimed effectively.

**Justification:** Stipulating no surface occupancy is deemed necessary for areas that could not be avoided or protected under standard lease terms and conditions in compliance with the Clean Water Act. Closing such areas to leasing is deemed overly restrictive.

## **ECOLOGICAL STUDY PLOTS**

**Stipulation:** No surface occupancy

- **Engle Ecological Study Plot**--Location: sec. 35, T.13 S., R. 2 W., NMPM (approximately 40 acres)
- **Cuchillo Ecological Study Plot**--Location: secs.10, 11, 14; T. 12 S., R. 5 W., NMPM (approximately 1,471 acres)
- **Nordstrom Ecological Study Plot**--Location: secs. 27, 28, 33, 34; T. 16 S., R. 5 W., NMPM (approximately 1,391 acres)
- **Trujillo Ecological Study Plot**--Location: sec. 3, T. 12 S., R. 6 W., NMPM (approximately 39 acres)
- **Danley Ecological Study Plot** --Location: sec. 18, T. 13 S., R. 9 E., NMPM (approximately 179 acres)
- **Lee Ecological Study Plot** --Location: sec. 21, T. 23 S., R.13 E., NMPM (approximately 40 acres)

## **ECOLOGICAL AND SOIL STUDY PLOTS IN DOÑA ANA COUNTY**

**Location:** Various locations throughout the county, one or two acres in size.

**Objective:** To protect the existing ecological resources in these areas for research and scientific purposes.

**Waiver:** May be granted if the withdrawal is dropped and the study plot will no longer require this level of protection.

**Exception:** May be granted if it is determined that proposed development will not affect the resources that are being studied at the plots.

**Modification:** None

**Justification:** Stipulating no surface occupancy is deemed necessary to protect the existing ecological resources. Under standard terms and conditions, the requirements for protecting these areas would be the same.

#### **TULAROSA RIVER RECREATION AREA**

**Stipulation:** No surface occupancy (213 acres of acquired land not open to leasing)

**Location:** sec. 29, 31, and 31; T. 13 S., R. 11 E., NMPM (approximately 119 acres)

**Objective:** To protect recreational opportunities along the Tularosa River.

**Waiver:** None

**Exception:** None

**Modification:** None

**Justification:** Stipulating no surface occupancy is deemed necessary to protect recreational opportunities along the river. Closing the area to leasing is deemed overly restrictive in addition to the resource stipulations that would apply to this area.

#### **LAKE VALLEY HISTORIC TOWNSITE**

**Stipulation:** No surface occupancy

**Location:** T. 18 S., R. 7 W., NMPM (approximately 140 acres)

**Objective:** To preclude surface occupancy and new surface disturbing activities within this recreational and cultural site.

**Waiver:** None

**Exception:** None

**Modification:** None

**Justification:** Stipulating no surface occupancy is deemed necessary to protect the townsite and schoolhouse, which are subject to existing cultural resource regulations since both are listed on the State Register of Cultural Properties (as Site LA 50088) and are eligible for inclusion on the National Register of Historic Places. Closing the Lake Valley Historic Townsite to leasing is not considered necessary because impacts from operations can be mitigated by requiring no surface occupancy.

#### **LAKE VALLEY BACKCOUNTRY BYWAY**

**Stipulation:** No surface occupancy.

**Location:** Tps. 15 to 19 S., Rgs. 5 to 7 W., NMPM, on public land within 0.5 mile of the byway, which is approximately 44 miles long (9,352 acres). No surface disturbance will be authorized within 0.5 mile of either side of the road. For proposed disturbances between 0.5 mile to 1 mile from either side of the Byway, operators may be required to provide mitigation for proposed development activities such as siting facilities to be less visually intrusive where possible, or otherwise providing visual screening.

**Objective:** To protect the scenic resources along the byway.

**Waiver:** None

**Exception:** None

**Modification:** None

**Justification:** Stipulating no surface occupancy is deemed necessary to protect visual resources along the Byway. Closing the area along the Byway to leasing is deemed overly restrictive because the visual intrusion can be mitigated by requiring no surface occupancy adjacent to the Byway and providing visual screening at distances beyond that.

## **STIPULATION OF CONTROLLED SURFACE USE**

### **BERRENDO ADMINISTRATIVE CAMPSITE**

**Stipulation:** Controlled surface use

**Location:** sec. 9, T. 23 S., R. 15 E., NMPM (approximately 40 acres)

**Objective:** To protect the BLM administrative campsite; no fluid mineral activities will be allowed within the fenced area and within 350 feet of the center of the helipad.

**Waiver:** None

**Exception:** None

**Modification:** May be granted to allow some activities if it is determined that there would be no adverse effect on administrative site facilities.

**Justification:** Controlled surface use is deemed necessary to avoid land use conflicts and protect the BLM administrative site facilities (structure and helipad).

### **HIGHLY EROSIIVE/FRAGILE SOILS**

**Stipulation:** Controlled surface use. Surface-disturbing activities on fragile or highly erosive soils must incorporate applicable mitigation measures described in the best management practices section (Appendix D) of this document. Proposed siting of well locations or access routes on fragile or highly erosive soils may be moved at the discretion of the authorized officer to avoid steep slopes (greater than 10 percent).

**Location:** Highly erosive and fragile soils (includes areas that have been mapped by the Natural Resources Conservation Service as Alamogordo-Gypsum Land-Aztec, Nickel-Bluepoint, Holloman-Gypsum Land-Yesum, or Prelo-Tome-Largo soil types—approximately 310,367 acres total).

**Objective:** To manage highly erosive or fragile soils to maintain productivity and minimize erosion and to protect watershed values to improve watershed values by reducing peak runoff rates, reducing sediment yields, improving water quality, and achieving better onsite use of runoff in the long term.

**Modification:** May be granted if an onsite inspection demonstrates that these soils are not present on the specific site, slopes are low, and reclamation will be effective in mitigating impacts. In addition, a modification may be granted if it can be demonstrated that resource values will not be jeopardized and reclamation will be effective in mitigating impacts.

**Justification:** Surface disturbing activities in these areas could cause accelerated erosion or increased instability, necessitating the stipulation of controlled surface use. This stipulation will also protect the watershed values and ensure minimal effect on the integrity and long-term appearance of watershed areas, including the scenic quality and opportunities for recreation. Closing the area to leasing or stipulating no surface occupancy is deemed overly restrictive since the BLM allows other surface-disturbing activities within the area.

### **HISTORIC TRAILS (MORMON BATTALION, BUTTERFIELD, AND EL CAMINO REAL DE TIERRA ADENTRO NATIONAL HISTORIC TRAIL)**

**Stipulation:** Controlled surface use

**Locations:**

- **Mormon Battalion Trail** --Location: Doña Ana and Sierra counties
- **Butterfield Trail** --Location: Otero and Doña Ana counties
- **El Camino Real de Tierra Adentro NHT**--Location: Doña Ana and Sierra counties

New disturbance will be minimized as follows:

- No surface-disturbing activities within 0.25 mile from each side of the trails (entire length).
- Existing disturbance points could be used to cross the trails.

**Objective:** To provide protection for existing cultural and scenic values associated with these trails.

**Waiver:** None

**Exception:** Granted if it is demonstrated in a surface use plan of operations that no surface-disturbing activities will be visible from the trails and that existing disturbed points/areas would be used to cross the trail.

**Modification:** None

**Justification:** Stipulating controlled surface use is deemed necessary to minimize impacts on cultural resources. Closing the trails and a 0.25-mile buffer on either side of the trails to leasing or stipulating no surface occupancy is not considered necessary since impacts can be mitigated by requiring controlled surface use.

#### **ENDANGERED SPECIES ACT SECTION 7 CONSULTATION STIPULATION**

**Stipulation:** The lease area may now or hereafter contain plants, animals, or their habitats determined to be threatened, endangered, or other special status species. The 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. The BLM may require modifications 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. The 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.

**Location:** Sierra, Otero, and Doña Ana counties

**Objective:** Clarify BLM's requirement to comply with the Endangered Species Act, regardless of timing of the lease being issued, and recognize the possibility that new information may indicate the presence of species which may require initiation of consultation with the U.S. Fish and Wildlife Service prior to approving lease actions.

**Waiver:** None

**Exception:** None

**Modification:** None

#### **SPECIAL STATUS SPECIES HABITATS (Including those not Protected by the Endangered Species Act; that is, Species Proposed for Federal Listing, Federal Candidates, BLM Sensitive Species, and State-Listed Species)**

**Stipulation:** Controlled surface use. Operations will be designed to avoid known populations of special status species. Each exploration and development project will be scrutinized carefully for potential effects on known populations of special status species. In known population areas, surface-disturbing activities may be relocated beyond 0.125 mile, but not more than 0.25 mile from occupied habitat, depending on the species requirements. Seasonal restrictions may apply, depending on the need of the identified species. There will be a 0.25-mile buffer between surface disturbance activities

and black-tailed prairie dog colonies. This stipulation applies solely to the *Planning Area* because, unlike other black-tailed prairie dog habitat in the western states, suitable habitat within the *Planning Area* is limited to small grassy swales where the soil depth is adequate for prairie dogs to establish their burrows. The upland grass areas adjacent to these swales occur over a shallow layer of limestone and do not provide the suitable habitat characteristics for black-tailed prairie dogs.

**Location:** Species-specific. Stipulation applies to all known and later discovered locations of special status species throughout the entire *Planning Area*. Known affected areas will be identified prior to a lease sale. Currently this would apply to habitats for the following known species:

**Plants:** Desert night-blooming cereus; Guadalupe rabbitbrush; grama grass cactus; Guadalupe Mountains mesquite; Sheer's cory cactus

**Animals:** Arizona black-tailed prairie dog; mountain plover; western burrowing owl; aplomado falcon

**Objective:** To avoid adverse impacts on individual species and their associated habitats.

**Waiver:** None

**Exception:** May be granted if surveys determine that no species occupy the leasehold.

**Modification:** None

**Justification:** Stipulating controlled surface use is deemed necessary to minimize adverse impacts on special status species and their habitats, as required by BLM guidance. Closing these areas to leasing or stipulating no surface occupancy is deemed overly restrictive since BLM allows other surface-disturbing activities in the area. Under standard lease terms and conditions, the requirements described above would be the same; however, the stipulation for controlled surface use informs the lessee of the resource concern at the time the lease is acquired.

#### **SPECIAL CULTURAL RESOURCES LEASE STIPULATION**

**Stipulation:** Controlled surface use. “*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. 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.

**Location:** Sierra and Otero counties

**Objective:** Make the lessee aware of the potential of further mitigations being required, due to the possibility that all traditional cultural properties or sacred sites, or other historic properties may not have been identified in recent consultation efforts.

**Waiver:** None

**Exception:** None

**Modification:** None

**Justification:** Stipulating controlled surface use is deemed necessary to minimize adverse impacts on special cultural resources, as required by BLM guidance. Closing these areas to leasing or stipulating no surface occupancy is deemed overly restrictive since BLM allows other surface-disturbing activities in the area. Under standard lease terms and conditions, the requirements described above would be the same; however, the stipulation for controlled surface use informs the lessee of the resources concern at the time the lease is acquired.

## LEASE NOTICES

### **White Sands Missile Range (WSMR) Safety Evacuation Zone**

*Lease Notice Location:* Areas along the western side of WSMR in Sierra and Doña Ana counties

*Objective:* To provide notice to lessees that they may be required to periodically evacuate this area when WSMR conducts its missile firings.

### **Cuchillo Mountains Piñon Nut Collection Area**

*Lease Notice Location:* Tps. 10-12 S., Rgs. 7 and 8 W., NMPM (approximately 14,863 acres)

*Objective:* To maintain the current use of the stands of piñon pine trees as a public and commercial nut collection area by avoiding destruction of piñon pine trees within this area. Operators will be required to implement necessary mitigations to reduce damage to piñon pine trees, such as rerouting of access roads and modification of pad locations.

### **Red Sands Off-Road Vehicle Area**

*Lease Notice Location:* Tps. 19-21 S., Rgs. 8-9 E., NMPM (approximately 33,800 acres)

*Objective:* To provide notice to lessees that this is an area that has been identified for use by motorcycle riders. The area contains a number of trails and has been used annually for an enduro race, the Tarantula 100, as well as being frequently used on weekends.

### **Reasonable Foreseeable Development Limitation**

*Lease Notice Location:* Sierra and Otero counties

*Objective:* The total combined surface disturbance from exploration, drilling, production and other activities associated with lease operations cannot exceed 1,589 acres in Sierra and Otero counties. Surface disturbance is considered to be any surface-altering activity that the operator proposes to conduct, from the time that a lease is issued through the time that the lease expires. Approval of future requests for lease-related activities may be delayed or denied, as BLM conducts required NEPA review. This limitation applies to all maintenance and operation of producing wells on this lease and any subsequent sublease or other assignments of any type.