

## Wayne National Forest Oil and Gas Resource Management Process

Table 7

The following list of Stipulations and Notifications will be applied to various parcels ([see Appendix D of 1992 Plan Amendment #8](#)) if a decision is made to lease the parcel. [Appendix 7, Table 2](#) lists which of these stipulation and notifications apply to which parcel/track being considered for consent to lease.

Stipulation #	Stipulation Text
<b>A</b>	<a href="#">No surface occupancy</a> or use is allowed on the lands.
A:2g	<a href="#">No surface occupancy</a> : within 50 feet of intermittent streams and 100 feet of perennial streams in order to protect stream channels, adjacent floodplains, and riparian ecosystems. Intermittent streams are delineated on the topographic map by dotted-dashed blue lines and perennial streams are delineated by solid blue lines.
A:2bg	<a href="#">No surface occupancy</a> : within 25 feet of ephemeral channels (ravine settings) in order to protect stream channels, riparian areas, and soil and water. Ephemerals found in ravine settings are not delineated by blue lines on a topographic map.
A:3e	<a href="#">No surface occupancy</a> .
A:4b	<a href="#">No Surface Occupancy</a> : on slopes in excess of 55% in order to protect soil and water from erosion and mass failure hazards.
A:5a	<a href="#">No surface occupancy</a> .
A:5h	<a href="#">No surface occupancy</a> .
A:6a	<a href="#">No surface occupancy</a> : within 50 feet of periphery of unique vegetative type. Protection of natural processes or research, historical or educational values as discussed in the Wayne National Forest Land and Resource Management Plan for Management Areas 8.2 and 9.2 (pages 4-150 through 4-153 and 4-158 through 4-161).
A:6h	<a href="#">No surface occupancy</a> .
A:7j	<a href="#">No surface occupancy</a> .
A:h	<a href="#">No surface occupancy</a> : on portion of the tract for protection of federally-listed proposed endangered or threatened species, and Forest species of concern.
<b>B</b>	<a href="#">No surface occupancy</a> : may be allowed during specific periods of time.
B:5h	<a href="#">Timing Limitation</a> : No cutting of trees during the breeding season of the Regional Sensitive Species cerulean warbler

	(May 15 to July 15), except when permitted on a case by case basis.
B:7h(a)	<u>Timing Limitation</u> : Controlled Surface Use within the breeding season of the Regional Sensitive species Cerulean Warbler (generally early-April to late July). Vegetation disturbance activities will only be permitted on a case by case basis with implementation of appropriate mitigation measures.
B:7h(b)	<u>Timing Limitation</u> : Controlled Surface Use within the breeding season of the Federal Endangered Species Indiana bat (generally early-April to early August). Vegetation disturbance activities will only be permitted on a case by case basis with implementation of appropriate mitigation measures.
B:7h(c)	<u>Timing Limitation</u> : Controlled Surface Use within the breeding season of the Forest Species of Concern Sharp-shinned Hawk (generally early-May to late July). Vegetation disturbance activities should be eliminated within 150 feet of known Sharp-shinned Hawk nest sites during the nesting period (Wayne national Forest LRMP, Standards and Guidelines page 4-47).
B:7j	<u>Timing Limitation</u> : Controlled Surface Use within 100 feet of perennial streams during spawning season (generally mid April to mid July). Soil disturbance activities will only be permitted on a case by case basis with implementation of appropriate mitigation measures found in the Wayne National Forest Plan.
<b>C</b>	Surface occupancy or use is subject to special operating constraints.
C:2g	<u>Controlled Surface Use</u> : within 100 feet of wetlands in order to protect the riparian area and aquatic resources. Wetlands include strip pits and open water impoundments.
C:2h	<u>Controlled Surface Use</u> : within 100 feet of streams in order to protect regional sensitive aquatic species and/or forest aquatic species of concern.
C:5h	<u>Controlled Surface Use</u> : No soil disturbance where rough green snakes have been sighted, except when permitted on a case by case basis.
C:7j	<u>Controlled Surface Use</u> : on a case by case basis with implementation of appropriate mitigation measures found in the Wayne National Forest Plan.
Notification #1	<u>Cultural Resources</u> : The Forest Service is responsible for assuring that the area to be disturbed is examined for cultural resources prior to allowing any surface-disturbing activities on lands covered by this lease. Important cultural resource values may be present on portions of this lease. Surface disturbing activities must avoid these areas unless mitigation of impacts is agreed to by the authorized officer. The lessees/operators may, at their discretion and cost, conduct the examination on the lands to be disturbed. This

	<p>examination must be done by or under the supervision of a qualified resource specialist approved by the Forest Service. An acceptable report must be provided to the Forest Service identifying the anticipated effects of the proposed action on cultural resource values. If items of substantial archaeological or paleontological value are discovered during operations, or a known deposit of such items is disturbed, the lessee (or operator) will cease work in the area so affected. The lessee (or operator) will then notify the Forest Service and will not resume excavation until written approval is given by the Forest Supervisor</p>
Notification #2	<p><u>Floodplains</u>: Any activities proposed in or likely to affect floodplains will be subject to: analysis and identification of alternative sites; public notification and comment period; and the provisions of any other Federal, State, or local laws and regulations as required under Presidential Executive Order 11988, Protection of Floodplains.</p>
Notification #3	<p><u>Wetlands</u>: Any activities proposed that are likely to affect wetlands will be subject to: analysis and identification of alternative sites; public notification and comment period; and the provisions of any other Federal, State or local laws and regulations as required under Presidential Executive Order 11990, Protection of Wetlands</p>
Notification #4	<p><u>Protection of Federal Endangered and Threatened Species; Regional Sensitive Species and Forest Species of Concern</u>: The Forest Service is responsible for assuring that the area to be disturbed is examined prior to allowing any surface-disturbing activities on lands covered by this lease. The examination is to determine effects upon any plant or animal species listed or proposed for listing as Federal endangered or threatened, Regional sensitive, or Forest species of concern, or their habitats. If the findings of this examination determine that the operation may have a detrimental effect on a Federal endangered or threatened species that would be in violation of the Endangered Species Act of 1973 as amended, the operator's plans may be denied or restrictions added. The presence of Regional sensitive species or Forest species of concern may require some restrictions of the operations. The lessees/operators may, at their discretion and cost, conduct the examination on the lands to be disturbed. This examination must be done by or under the supervision of a qualified resource specialist approved by the Forest Service. An acceptable report must be provided to the Forest Service identifying the anticipated effects of the proposed action on Federal endangered and threatened species; Regional sensitive species and Forest species of concern or their habitats.</p>
Notification #5	<p><u>Compliance with public laws and federal regulations</u>: Operators are required to comply with all public laws and federal regulations that apply to National Forest System lands and the Wayne Land and Resource management Plan.</p>

Notification #6	<u>Steep slopes and/or unstable soils:</u> The area of this lease contains a considerable amount of land with steep slopes and/or unstable soils. Accordingly, the opportunity to locate access roads, drilling sites, pipelines, storage tanks, and other improvements may be extremely limited.
Notification #7	<u>Perched water tables:</u> Some portions of this tract contain soils with perched water tables. The opportunity to construct access roads, drilling sites, storage tanks, and other improvements may be limited to certain seasons of the year. Surface use of areas with perched water tables may be limited between November and April to avoid compaction of soil.
Notification #8	<u>Steep slopes and/or unstable soils:</u> Steep slopes and/or unstable soils exist in some portions of this tract. Accordingly, the opportunity to construct access roads, drilling sites, storage tanks, and other improvements could be limited by these conditions. Notification #8 differs from Notification # 6 by the amount of land affected by these conditions.