

**Forest Service Manual
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**Forest Service Manual 1500 – External Relations
Chapter 1530 - Interdepartmental**

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Superseded Directive: Entire title except ID's, 1500--1 thru 1599.04; 32, 8/72; 33, 9/72; 53, 12/77; 65, 1/80; 66, 3/80; 72, 4/81; 73, 6/81; 87, 5/83; 88, 5/83; 89, 6/83; 90, 7/83; 91, 7/83; 93, 11/83; 94, 7/84; 96, 10/84; 97, 12/84; 99, 3/85; 100, 7/85; 101, 8/85; 102, 10/85; 103, 12/85; 104, 12/85; 105, 2/86; 106, 3/86; 108, 5/86; 109, 6/86; 110, 8/86; 111, 10/86; 112, 11/86; 113, 4/87; 116, 9/87; 117, 9/87; 118, 10/87; 120, 4/88; 121, 6/88; 122, 7/88; 123, 10/88; 125, 12/88; 126, 7/89; 127, 8/89; 128, 9/89; 129, 11/24/89; 130, 2/5/90

Approved by: F. DALE ROBERTSON, Chief

Date approved:

Responsible Staff:

NEW POSTING NOTICE: This amendment is the first in a new numbering series corresponding to the year in which material was amended. Since this amendment replaces all text except Interim Directives (ID), do not check for the last transmittal received for this title. Replace the entire title text except ID's. Place this transmittal sheet at the front of the title and retain until the first transmittal of the next calendar year is received.

Explanation of changes:

1500 - Please read the new posting notice carefully. These directions apply to this transmittal only. Entire text, except ID's, is replaced. New text corresponds with text located in the National Information Center. The electronic document names are shown above for ease in accessing them from the National Information Center. Direction has not been changed. Some minor typographical and technical errors were corrected. Amendment numbers and dates noted above are listed for historical purposes only. All subsequent amendments will be issued by document.

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1531.33 - Construction and Development

1531.33a - National Forests Adjacent to National Parks

By letter of January 31, 1946, the Director of the National Park Service and the Chief of the Forest Service agreed on the following principles:

1. That national park and National Forest recreation development on National Forest land along park approach roads and in close proximity to national parks shall be coordinated.
2. That developments in the national parks should be kept to a minimum so the unique scenery of the national parks shall not be impaired by commercialization.
3. That regional directors, Regional Foresters, park superintendents, and Forest Supervisors should cooperate to meet public demand for recreation facilities.
4. That Forest Supervisors and park superintendents shall discuss recreation planning on National Forest lands along park approach roads and in close proximity to national parks. They also shall acquaint themselves with existing and potential developments and establish a mutual understanding as to the facilities each Service should provide for public use in the area.
5. Developments along park approach roads, either constructed by the Forest Service or permitted under special-use permit, shall be governed by the same policy and standard as those along other main National Forest roads. Developments shall be limited to those necessary to accommodate the public and shall be located, designed, and constructed to be appropriate to the environment and intrude as little as possible on natural conditions along the road.

1531.4 - Geological Survey

1531.42 - Management and Utilization

1531.42a - Cooperative Agreement Concerning Oil and Gas Operations

77-SIE-001

COOPERATIVE AGREEMENT

This agreement provides for mutual cooperation between the U.S. Geological Survey (GS) and the Forest Service (FS) concerning oil and gas operations on National Forest System lands under the provisions of the Mineral Leasing Act of February 25, 1920 (41 Stat. 437; 30 U.S.C. 181 et seq.), as amended and supplemented; the Mineral Leasing Act for Acquired Lands of August 7, 1947 (61 Stat. 913; 30 U.S.C. 351-359); the Act of September 1, 1949 (62 Stat. 683;

30 U.S.C. 192c); and the National Environmental Policy Act of 1969 (83 Stat. 852; 42 U.S.C. 4321-4347), in accordance with the authorities, responsibilities, and duties of each agency thereunder. This agreement does not apply to geophysical operations conducted on National Forest System lands. Permits to conduct such operations must be obtained from the FS.

The designation of FS in this agreement shall refer to the responsibilities of the authorized officers of FS, including District Rangers, Forest Supervisors, or Regional Foresters, as applicable.

The designation of GS in this agreement shall refer to the responsibilities of the Conservation Division's District Oil and Gas Engineers, the Alaska Area Oil and Gas Supervisor, and, in some instances, the Eastern Area Oil and Gas Supervisor, as applicable. With only those exceptions herein specified, the GS shall be the sole representative with respect to direct contact with the lessees and operators in matters related to oil and gas operations.

For the purpose of this cooperative agreement, the FS and GS shall establish areas of surface use (ASU's) for each application to conduct operations which involve surface disturbance. If desired, FS and GS may also establish ASU's for those operational sites and access routes which are in existence at the effective date hereof.

As such, ASU's will be outlined on a map so as to designate those areas wherein the GS and FS have joint management roles and responsibilities. All oil and gas operations which are conducted within an ASU shall be the primary jurisdiction of the GS. All other surface uses within a leasehold which are not related to the oil and gas operations will remain the primary jurisdiction of the FS.

The GS shall be solely responsible within the ASU's so established for all oil and gas operations conducted thereon, including the enforcement of the surface protection and reclamation requirements of the FS on the ASU's where such operations are normally conducted. The following general guidelines are provided in regard to the delineation of the exterior boundaries of an ASU:

1. Well sites - includes the area required for drilling and/or producing the well, normally 3 to 5 acres.
2. Tank batteries and treatment areas - actual surface use areas as established by the approved plan of operations.
3. Gathering and other production-related lines to and from the wells to the tank batteries or treatment facilities and access roads covered by the approved plan of operations.

For approval of additional surface use areas related to oil and gas operations but not covered by an approved plan of operations, the operator shall submit a proposed supplemental plan of operations to the GS. The GS will not approve any such plan involving additional surface use areas until the requirements of Part D of this agreement have been satisfied.

For surface uses within leaseholds other than those related to oil and gas operations, the FS shall be solely responsible for authorizing such uses, and the user applicants shall submit their proposals directly to FS who shall consult with GS when the proposed use involves a lease that includes existing or proposed operational sites in order to prevent or reduce any potential surface use conflicts. In that event, FS will not approve any surface use within such a leasehold which is contrary to GS recommendations without further discussions with GS. Any unresolved issues will be referred to appropriate levels of management within the two agencies for resolution.

All surface use requirements outside leasehold boundaries shall be the sole responsibility of the FS. However, when potential surface uses may conflict with existing or proposed oil and gas operations, the comments and recommendations of the GS will be requested and considered.

A - PRELIMINARY ENVIRONMENTAL REVIEW

Surface Disturbance Stipulation 3109-5, which is attached to oil and gas leases, requires an operator, prior to entry upon the leased land or the disturbance of the surface thereof for drilling or other purposes (including surveying and staking), to furnish the GS and the FS with a copy of a map and an explanation of the proposed activity and the anticipated surface disturbance. As prescribed by Notice to Lessees and Operators (NTL-6), Approval of Operations, this submittal is to include a topographic map, or such other map as is acceptable to the District Engineer, on a scale of not less than one inch to the mile, showing the preferred well location.

It is anticipated that the need for a joint FS-GS conference and/or field inspection prior to surveying and staking will not be the usual course of action. The purpose of the preliminary environmental review is to permit FS an opportunity to identify conflicts and potential impacts on the other known resources, and to specify mitigating measures which will assist the operators in planning their program to resolve the conflict.

NTL-6 provides for the automatic approval of surveying and staking operations if no adverse response is had from the surface management agency within 15 days following the submittal of the map. Therefore, such preliminary reviews should be completed promptly after receipt and the GS timely furnished with a clearance report.

If only minor conflicts are identified, they should be noted in the FS clearance report to the GS so that the operator will be in a position to plan its operation properly so as to mitigate the potential conflicts. However, if the operator's subsequent plan fails to address the specific conflicts properly, the situation will be handled by special stipulation(s) attached to the approved plan of operations. Rarely should a major conflict be identified as a result of this preliminary filing which would require a joint FS-GS-operator field inspection to resolve the problem.

The GS will encourage operators to submit preliminary field development plans and drilling schedules to permit leadtime for evaluating environmental considerations, resource conflicts, and land use planning alternatives, prior to a formal submittal thereof, and will transmit to FS copies of any preliminary plans or schedules which are received. On receipt of a topographic map submitted for the purpose of a preliminary environmental review, the GS will:

1. Contact the appropriate FS office to determine whether FS has received its copy of said map and, if not, will contact the operator to insure that a copy thereof is promptly furnished to FS.

2. On being advised by FS that it has no objection to the surveying and staking of the proposed location and access road, advise the operator that it may proceed with this activity and of any minor conflicts which must be considered in the preparation of its subsequent plan of operations. In addition, when FS advises that it will be necessary for the operator to conduct a cultural resources evaluation of the surface areas to be disturbed, GS will promptly inform the operator (1) of that requirement, (2) that said evaluation should not be conducted before the proposed location and access route have been staked, (3) of the possibility that the road and location could be moved as a result of the joint FS-GS-operator onsite inspection, and (4) of the need to submit the evaluation report to FS as soon as possible in order not to delay FS-GS consideration of the related application for permit to drill.

3. Where FS advises there are potential conflicts but believes that a meeting would be sufficient to resolve these problems, coordinate the arrangements for such joint meetings with the FS and the operator. In those instances where FS offers no objection to the surveying and staking activity or only a joint meeting is needed to resolve potential conflicts, no further action is required of the GS until such time as a formal application to conduct operations is filed by the operator.

4. On being advised by FS that a field inspection is necessary to resolve potential conflicts, coordinate arrangements for such joint inspection with the FS and the operator. The time for such inspections will be scheduled as soon as possible considering other work priorities, but usually not less than 7 days from the date on which FS advises that it requires an onsite inspection. This time may be reduced by mutual agreement in high-priority situations. However, no commitment will be made to an operator as to when the inspection will be conducted until after the FS and GS have mutually agreed to an acceptable time.

5. When an onsite inspection is made, GS will:

- a. Consult with the FS and the operator concerning the resources which may be affected, the potential for conflicts with other surface uses, the anticipated environmental impacts should the proposed operation occur, and any necessary mitigation procedures.

b. Confer with the FS and the operator in selecting the most environmentally acceptable locations for:

(1) Well sites (geologic factors and Federal and State regulations must be considered).

(2) Access roads

(3) Other areas of proposed surface use.

At this point, no further action is required of the GS until such time as a formal application to conduct operations is filed by the operator.

Upon receipt of a topographic map showing the operator's preferred location, FS will:

1. Promptly review the proposed location as shown by the topographic map against known information about the area, noting such items as existing or alternate access routes, other existing or proposed resource uses, and the potential effects of an operation at the proposed site on these other resources, including known archeological and historical sites.

2. Advise the GS and the operator as soon as this review is completed as to whether (a) there is no objection to the surveying and staking of the proposed location and the access road as well as any minor conflicts which have been identified, (b) a potential for conflict exists which can be resolved by a joint meeting with GS and the operator, or (c) a potential for conflict exists which requires a joint field inspection with the GS and the operator in order to resolve the problem. If no objection is offered to the surveying and staking activity or only a joint meeting is held to resolve the problem, no further action is required of the FS until such time as it receives from GS a copy of the formal application filed by the operator for approval to conduct operations.

In addition to the above, advise GS whether an intensive site-specific cultural resources evaluation will be required before actual construction activities are under taken, whether FS has the capability to conduct said evaluation, or whether the operator must make other arrangements.

3. On determining that a joint meeting is necessary, coordinate with the GS as to a mutually acceptable date for the meeting.

4. On determining that an onsite inspection is necessary, coordinate with the GS as to a mutually acceptable date for the inspection. The time for such inspections will be scheduled as soon as possible considering other work priorities, but usually not less than 7 days after GS is notified that an inspection is necessary. This time may be reduced by mutual agreement in high-priority situations.

5. When an onsite inspection is made, FS will:

- a. Consult with GS and the operator concerning the resources which may be affected, the potential for conflicts with other surface uses, the anticipated environmental impacts should the proposed operation occur, and any necessary mitigation procedures.
- b. Confer with the GS and the operator in selecting the most environmentally acceptable locations for:
 - (1) Well sites (geologic factors and Federal and State regulations must be considered).
 - (2) Access roads.
 - (3) Other areas of proposed surface use.

At this point, no further action is required of the FS until such time as it receives from GS a copy of a formal application filed by the operator for approval to conduct operations.

B - PROCESSING OF APPLICATIONS FOR A PERMIT TO CONDUCT DRILLING OPERATIONS

GS will:

1. Send to the appropriate FS office, immediately upon receipt, a copy of all applications which are received for a permit to drill. The submittal to FS shall also include the multi-point surface use plan required by NTL-6. No data of a proprietary nature will be included in the submittal; however, FS may, upon request, inspect but not copy such proprietary data at the appropriate GS office. When an application is filed, proceed in accordance with items 2 through 13 below.

2. Coordinate arrangements for a joint field inspection by GS, FS, the operator, and the operator's principal contractors (e.g., dirt, drilling, and archeological) of the proposed location, access route, and other surface use areas. The time for such inspections will be scheduled as soon as possible considering other work priorities, but usually not less than 7 working days following receipt by FS of the complete application. This time may be reduced by mutual agreement in high-priority situations. However, no commitment will be made to an operator as to when the inspection will be conducted until the GS and FS have mutually agreed to an acceptable date.

3. Encourage operators to file their applications at least 30 days in advance of the date on which they wish to enter on the leasehold to commence construction activities and/or

operations and will, insofar as possible, schedule joint field inspections so that several prospective operational sites and access routes may be inspected on the same date.

4. During the onsite inspection, GS will:

a. Consult with the FS and the operator concerning the resources which may be affected, the potential for conflicts with other surface uses, the anticipated environmental impacts should the proposed operation occur, and any necessary mitigation procedures.

b. Confer with the FS and the operator in selecting the most feasible and environmentally acceptable locations for:

(1) Well sites (geologic factors and Federal and State regulations must be considered).

(2) Access roads.

(3) Other areas of proposed surface use.

c. In consultation with the FS and the operator, delineate on three copies of a map furnished with the application the ASU's and the access route(s) thereto as are tentatively agreed upon.

d. Advise the FS of the data GS requires of FS for inclusion in the EA to be prepared by GS.

e. Determine if FS intends to prepare an EAR and, if so, the data required of GS in that regard.

5. Where a site-specific cultural resources evaluation was previously required of an operator, remind the operator, if it has not already done so, to furnish its archaeologist's report to FS as soon as possible so as not to delay consideration of the application for permit to drill.

6. Request FS to furnish its written report within 10 working days of the joint inspection.

7. When requested, furnish written data for inclusion in FS's EAR within 10 working days of the inspection date.

8. After receipt of FS's report, prepare an EA utilizing the FS data and furnish a copy thereof to FS.

9. Consider the conclusions reached by the EA and the recommendations of the FS in determining if an Environmental Impact Statement (EIS) is necessary in order to comply with Section 102(2)(C) of NEPA. Should GS and FS agree that an EIS is necessary, GS will take the necessary steps to assure its preparation. If GS and FS disagree on the need for an EIS, the issue will be referred to appropriate levels of management within the two agencies for resolution. 1/

10. If no EIS is necessary, the GS will approve the application. Said approved application and surface use plan will be subject to surface protection and reclamation requirements which are consistent with the recommendations of the FS. Any unresolved differences in this regard will be referred to the appropriate management levels within the two agencies for resolution. In addition, the operator will be advised (a) of the approved surface use areas and access route, (b) of the name, address, and telephone numbers (both office and home) of the FS officer who is available for consultation during construction and/or reclamation activities, and (c) that the GS will hold the operator accountable for its contractors' full compliance with applicable laws and regulations and the terms of the approved operating plan, including any conditions of approval.

11. Notify the FS immediately of all such approvals and furnish the name, address, and phone numbers (both office and home) of the GS official to contact in case of an emergency or incidents of noncompliance with the surface protection and reclamation requirements of the approved operating plan.

12. Require the operator to notify the GS in advance of the exact date on which operations or construction activities will be commenced in areas where significant surface values (e.g., known archeological and historical sites) require special protection, and immediately notify FS of such date.

13. Conduct periodic inspections and require that all activities are conducted in conformance with applicable regulations, the lease terms, and the provisions of the approved operating plan.

FS will:

1. Upon receipt of a complete application, proceed in accordance with items 2 through 9 below.

2. Advise GS of the time at which FS is available to participate in a joint field inspection. The time for such inspections will be scheduled as soon as possible considering other work priorities, but usually not less than 7 working days following FS's receipt of the complete application. This time may be reduced by mutual agreement in high-priority situations. However, GS will make no commitment to an operator as to when the inspection will be conducted until the GS and FS have mutually agreed to an acceptable date. Insofar as is

practical, GS will schedule the inspections so that several prospective operational sites and access routes may be inspected on the same date.

3. During the onsite inspection, FS will:
 - a. Consult with the GS and the operator concerning the resources which may be affected, the potential for conflicts with other surface uses, the anticipated environmental impacts should the proposed operation occur, and any necessary mitigation procedures.
 - b. Confer with the GS and the operator in selecting the most feasible and environmentally acceptable locations for:
 - (1) Well sites (geologic factors and Federal and State regulations must be considered).
 - (2) Access roads.
 - (3) Other areas of proposed surface use.
 - c. In consultation with the GS and the operator, delineate on three copies of a map furnished with the application the ASU's and the access route(s) thereto as are tentatively agreed upon.
 - d. Advise the GS and the operator with respect to any existing or alternate access route which is preferable to the route proposed.
 - e. Advise the GS and the operator of any specific surface protection and/or reclamation requirements which are applicable to the area.
 - f. When it decides an EAR is necessary, advise GS of the data required of GS in that regard.
 - g. Determine the data required of FS for inclusion in the EA to be prepared by GS.
4. Request GS to furnish, as necessary, its written data for inclusion in an EAR within 10 working days of the joint inspection.
5. Furnish written data to the GS within 10 working days of the joint inspection. As a minimum, such data shall include:
 - a. A narrative description and/or map delineating the ASU's and the access route(s) thereto as agreed upon with the GS during the joint inspection or as a result of later discussions, or both.

- b. The data requested by GS for preparation of its EA.
- c. A recommendation as to whether an EIS is necessary.
- d. The requirements to be included in the approved operating plan for the protection of surface resources and the reclamation of the approved surface use areas when no longer needed for operational purposes. 2/
- e. An archeological and historical evaluation will be included except where a site-specific evaluation is conducted by the operator. In that event, the FS evaluation will be supplied within 7 days following receipt of the report prepared by the operator's archeologist.
- f. An evaluation of the endangered flora and/or fauna in the area.
- g. The name, address, and telephone numbers (both office and home) of the FS officer who is available for consultation with the operator during construction and/or reclamation activities.
- h. A declaration as to whether a water well is desired in case the well encounters a usable fresh water zone and is later to be abandoned.

In high-priority situations, the FS authorized officer may verbally inform the GS official as to items a. through h., provided that such verbal communication is substantiated in writing within 10 working days thereafter.

- 6. In those instances where an EAR is prepared, furnish GS a copy.
- 7. At the request of GS, work directly with the operator during construction and reclamation activities.
- 8. On being advised by GS of the exact date on which operations or construction activities will be commenced in sensitive areas requiring special protection, contact the operator to make appropriate arrangements.
- 9. Conduct periodic inspections of construction and operational activities and advise GS of any noncompliance with the surface protection and reclamation requirements of the lease and the approved plan of operations. FS may not unilaterally amend any approved plan of operations, but may make recommendations to the GS in regard to modifications which are considered necessary as a result of circumstances which were not apparent at the time a plan was approved.

General:

If at abandonment of a well FS elects to assume future responsibility for a well, it will reimburse the operator for any recoverable casing or wellhead equipment left in or on the well solely because it is to be completed as a water well. The payment shall be based on the cost data furnished to the GS by the operator and the value agreed upon between the FS and the operator. When FS exercises this option, the operator will abandon the well to the base of the deepest fresh water zone of interest as required by the GS and will complete the surface cleanup and reclamation operations as required by the approved operating plan. After the surface cleanup and reclamation operations have been completed to the satisfaction of the FS, GS will approve the abandonment, and FS will furnish GS with a written acceptance of all future liability for the well, including the responsibility for its proper abandonment when no longer needed as a water well. In the event that FS requires a quitclaim deed from the operator, a copy thereof will be furnished to the GS.

C - COMPLIANCE WITH TERMS AND CONDITIONS AND EMERGENCY SITUATIONS

GS will:

1. Conduct inspections to insure that the operator is in compliance with the terms and conditions of the lease and is conducting operations in accordance with the applicable regulations and the approved plan of operations.
2. Seek FS assistance and expertise in surface management problems involving noncompliance with the lease terms, the approved plan of operations, or the conditions or stipulations of the plan approval, and for any modifications requested by an operator.
3. Notify FS of noncompliance which may require rehabilitation.
4. As appropriate, request the FS to make inspections to assure compliance with the surface protection and reclamation requirements of the approved plan of operations.
5. Seek all available help, including FS, on major accidents such as spills from flowlines, lease gathering facilities, or pits.
6. Seek FS expertise in reclamation and cleanup operations.

FS will:

1. Conduct inspections to insure compliance with the surface protection and reclamation requirements of the lease and the approved plan of operations and note operator noncompliance therewith. However, except in an emergency, no instructions will be given to the operator or his contractors without GS approval.

2. Notify GS immediately of all incidents of noncompliance with the surface protection and reclamation requirements of the lease or the approved plan of operations.

3. Contact the operator directly only in cases involving emergency situations endangering health, safety, or other resources.

Notify GS immediately of any such actions taken by FS. At that time, GS will assume jurisdiction to expedite the necessary operations to resolve the emergency and will request FS's assistance, as needed, in matters of surface cleanup and rehabilitation.

4. When requested, furnish assistance during and after an emergency situation to facilitate cleanup operations and required rehabilitation.

General:

The agency responsible for seeking curative action in instances of noncompliance with the terms and conditions of the lease or the approved plan of operations will take the necessary action when notified of the noncompliance by the other agency.

D - SUBSEQUENT ACTIVITIES
REQUIRING A SUPPLEMENTAL
SURFACE USE PLAN

GS will:

1. Require operators to file for approval a suitable plan with GS prior to undertaking any new construction, reconstruction, or alteration of facilities, including roads, that will result in additional surface disturbance.

2. Notify FS of the proposed surface disturbing activity and furnish all available information.

3. Process the proposed plan only after receiving the input of FS with respect to surface protection and reclamation requirements.

4. Not approve any plan which is contrary to FS's recom-

mendations without further discussions with FS and possible resolution at a higher management level.

5. Make periodic inspections to assure that the operator is properly maintaining the facilities in compliance with the lease terms and the approved plan of operations.

FS will:

1. Respond within 10 working days following receipt of a plan involving additional surface use within a leasehold by providing the GS with its written requirements for surface protection and reclamation.
2. When requested by the GS, assist in resolving non-compliance with the lease terms and the conditions or stipulations attached to any approved plan.
3. Make periodic inspections to assure that the operator is complying with the surface protection and reclamation requirements of the lease and the approved operating plan, and notify GS when it becomes aware of any operating condition warranting correction. The FS, on its own initiative, may make recommendations to GS for the maintenance or rehabilitation of existing conditions adversely affecting the surface resources.
4. Notify GS of all applications which involve other surface uses of the lands within a leasehold on which there are proposed or active operational sites and not approve any application which is contrary to GS recommendations without further discussions with GS and possible resolution at a higher management level.

E - SURFACE USE MANAGEMENT OUTSIDE
A LEASEHOLD

FS will:

1. If possible, resolve surface use conflicts to the satisfaction of all users. Where conflicts impact oil and gas operations, the comments and recommendations of the GS will be requested.
2. Work directly with all surface users in the area,

including operators, regarding maintenance of roads and other support facilities, preventing damage to the surface resources, and encouraging public health and safety awareness.

3. Notify GS of all applications involving lands adjacent to a leasehold where the proposed surface use may cause conflicts with existing or proposed oil and gas operations. In that event, approval of the application will be based upon all considerations including the recommendations of the GS.

GS will:

1. Contact FS immediately if it becomes aware of any conflicts involving surface use.
2. Make recommendations to FS if production facilities are being vandalized so that protective measures, such as limiting or restricting public access into the area, may be initiated.
3. Make recommendations to both the operator and FS to improve public health and safety conditions and other conditions, such as road maintenance, in the general area.
4. When requested, work with FS to resolve any surface use conflicts which may arise.

F - ABANDONMENT

GS will:

1. Notify FS of the cancellation or termination of any approved plan of operations under which no activity has taken place.
2. Send FS a copy of all Notices of Intention to Abandon. If the lease is to remain in effect, any proprietary data contained in a notice will be deleted. If that portion of the approved plan of operations covering surface reclamation does not contain information as to whether the well's casing is to be cut off below the ground surface or the abandonment marker is to be waived,

or both, the FS will be orally contacted for its recommendations.

3. Approve the surface and subsurface plugging program to be followed by the operator.
4. Not approve the abandonment of a well that encounters usable fresh water, when FS has furnished a written declaration of its interest in acquiring that well for its usable fresh water, without first supplying FS with the operator's estimated value of the recoverable casing and wellhead equipment to be left on or in the hole, and the opportunity to assume future responsibility for the well. GS will provide as much advance notice as is possible, but it is recognized that in many instances it will be necessary that FS's decision be made within a few hours after notice of the proposed abandonment.
5. As necessary, request that FS work directly with the operator concerning surface reclamation.
6. Approve the Subsequent Report of Abandonment only after a joint or separate inspection by FS and GS confirms that the surface reclamation and all other requirements of the approved plan of operations and/or the Notice of Intention to Abandon have been completed satisfactorily.

FS will:

1. When it has expressed a preliminary interest, and upon being notified of the pending abandonment of a well which encountered usable fresh water and being furnished with the operator's estimated cost of the recoverable casing and wellhead equipment to be left on or in the hole, make a decision within the time allowed by GS as to whether it wants the well and will pay the attendant costs thereof.
2. Upon request, advise GS if the casing of the well to be abandoned should be cut off below ground surface.
3. Upon request, advise the GS whether the required surface abandonment marker should be waived.

4. When requested by GS, work directly with the operator concerning surface reclamation.
5. Notify GS of any failure on the part of the operator to undertake surface reclamation measures which are required by the approved plan of operations.
6. Initiate action through the GS to have the operator's surety company perform required reclamation if all efforts to secure the operator's compliance with the pertinent provisions of the approved plan of operations are unsuccessful.
7. Notify GS in writing of the operator's satisfactory completion of surface reclamation and whether or not FS offers any objection to the termination of the bond coverage.

General:

All or portions of the work of reclamation, surface resource protection, and maintenance of FS roads for which an operator is responsible may, with the concurrence of the GS and upon written request of the operator to the appropriate Forest Supervisor, be performed by the FS on the basis of cooperation or assistance under Section 5 of the Act of April 14, 1950 (64 Stat. 83; 16 U.S.C. 572). When the work is to be performed by the FS, the operator shall make advance deposits into the Cooperative Work Fund at such times and in such amounts as requested by the FS, the total deposits to be sufficient to cover the cost of the work, including necessary overhead charges. Deposits in excess of costs will be refunded.

G - GENERAL

GS WILL:

Coordinate and communicate with lessees and operators and FS concerning area development plans and other information requirements prior to the submission of drilling applications.

FS will:

If requested by GS, communicate with lessees and operators prior to submission of drilling applications to expedite FS's input concerning surface protection and reclamation requirements.

FS and GS will:

1. As mutually determined to be necessary, hold joint meetings with lessees, operators, contractors, and other involved parties to discuss problems, stipulations and other items of common concern.

2. Meet periodically at the Forest Supervisor or Regional Forester's office and GS Area Office levels to develop methods for mitigating problems which arise as a result of implementing the requirements of this agreement and the related NTL-6.

This agreement shall become effective upon its execution by the Chief, Forest Service, and the Director, Geological Survey. At least 3 months prior to the first and subsequent anniversary dates hereof, Regional offices of the FS and GS shall apprise their respective headquarters offices of suggested modifications, if any, in this agreement which would improve its workability, reduce duplication of effort, and enhance the ability of the two agencies to perform their assigned functions relating to the approval and supervision of oil and gas operations on National Forest System lands.

1/ If an EIS is required, the remaining steps in this process will be held in abeyance until the final EIS is available as a decision-making document.

2/ It is anticipated that the inclusion of these requirements as a condition of GS's approval should eliminate the need for any subsequent separate agreements between FS and operators relating to FS's specifications in relation to construction activities and reclamation.

/s/ John R. McGuire
Chief, Forest Service

3/2/77
Date

/s/ V.E. McKelvey
Director, Geological Survey

3/4/77
Date

1531.42b - Memorandum of Understanding for the Geothermal Program

The abbreviation KGRA used in the following memorandum stands for known geothermal resource area. Parts IA and IB and parts IIIA and IIIB of this agreement have been superseded by FSM 1531.12d.

82-SMU-001

MEMORANDUM OF UNDERSTANDING FOR THE GEOTHERMAL PROGRAM U.S. GEOLOGICAL SURVEY - BUREAU OF LAND MANAGEMENT - U.S. FOREST SERVICE

The following procedures are established for the mutual coordination efforts of the U.S. Geological Survey (GS), Bureau of Land Management (BLM), and U.S. Forest Service (FS) and are in accord with Secretarial Order No. 2948 which defines Agency roles and responsibilities for GS and BLM with respect to the Department of the Interior's geothermal program.

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Unless otherwise noted, reference in this MOU to GS means the Office of the Deputy Conservation Manager, Geothermal (DCM-G); BLM means the Offices of the State Directors; and FS means the Offices of the Regional Forester in the pre-lease stage, and the Forest Supervisor in the post-lease stage.

I. Coordination Prior to Lease Issuance

C. Exploration Permits

1. BLM District Office or Forest Supervisor will:

- a. Request GS District Office to review and make recommendations for all exploration permits involving a deep (greater than 500') temperature gradient hole.
- b. If no response is received within 10 working days, BLM or FS may approve the permit after verifying that GS had received the request for review and has no objections to the action.
- c. Provide GS and GS District Office copies of all approved permits with attachments, regardless of depth of hole or nature of exploration.

2. GS District Office will:

- a. Provide recommendations to BLM or FS on exploration permits involving deep temperature gradient holes within 10 working days of request.
- b. Assist BLM or FS in monitoring operations, if requested.

II. Coordination After Lease Issuance

A. Plans of Exploration (POE) and all other Plans of Operations (POO) including Plans of Injection, Development, Utilization, and Production

1. GS will:

- a. Upon receipt of a new or amended POE or POO, forward a copy to BLM District Office or Forest Supervisor. Proprietary Information will be deleted.
- b. Request additional information from the operator deemed necessary by BLM, FS, or GS and forward to BLM or FS upon receipt.
- c. Schedule a joint on-site inspection of interested and involved parties if deemed necessary by GS, BLM, FS, or the lessee/operator. The on-site inspection should be held within 20 working days after the request, weather permitting.
- d. Determine the intensity and scope of an prepare the environmental review after consultation with BLM District Office or Forest Supervisor.
- e. Prepare and sign a joint approval letter for the POE or POO containing conditions of approval mutually agreeable to both GS and BLM or FS, and forward, with a copy of the environmental review, to BLM District Office or Forest Supervisor for signing.

2. BLM District Office or Forest Supervisor will:

- a. Notify GS within 5 working days of receipt of a POE or POO if additional information is needed from the operator or if a joint inspection is necessary.

b. Provide recommendations and special requirements for approval to GS, including information on how the operator can obtain any necessary access permits across Federally administered surface, within 10 working days of receipt of an acceptable POE or POO or within 10 working days of the joint on-site inspection;

or

Provide GS a new deadline for response describing the events that necessitate additional time for review. If formal consultation with the U.S. Fish and Wildlife Service (FWS) is necessary under Section 7 of the Endangered Species Act of 1973, as amended, the consultation will be initiated by BLM or FS on behalf of GS, and BLM or FS will request FWS to provide a biological opinion within 45 days. BLM or FS will also ensure, on behalf of GS, compliance with Section 106 of the Historic Preservation Act of 1966, as amended.

c. Assist GS in preparing its environmental review, as necessary.

d. Sign and return the joint approval letter within 5 working days or receipt.

B. Operations under an Approved POE or POO, including Geothermal Drilling Permits (GOP) and Geothermal Exploration Permits (GEP)

1. GS will:

a. Approve applications for GDP's, GEP's or other permits for operations included in an approved POE or POO. Ordinarily, minor changes to a POE or POO will be coordinated informally by GS with BLM or FS.

b. Not approve a GDP, GEP or other surface disturbing operation until lease compliance and protection bond have been approved.

c. Provide BLM or FS a copy of any approved GDP's, GEP's or other permits including any attached conditions of approval, and indicating the intended surface disturbing compliance inspection program with respect to surface concerns.

d. Notify BLM or FS prior to commencement of all surface disturbing operations.

e. Ensure that operations are conducted in accordance with the approved GDP, GEP or other permits, involving BLM or FS assistance as necessary.

2. BLM or FS will:

a. Inform GS if additional surface disturbing compliance inspections are deemed necessary at specific stages of approved operations.

b. Assist GS in monitoring of new surface disturbing operations, as necessary.

c. In cases of emergency, where serious environmental damage appears imminent and a GS representative is not available, issue a stop order to the operator and immediately notify GS.

C. Geothermal Exploration Permits (GEP) not included in a POE or POO:

1. GS District Office will:

- a. Upon receipt of a request for a GEP where surface disturbance is involved, forward a copy of the GEP to BLM District Office or Forest Supervisor for review and concurrence. If no BLM or FS response is received within 10 working days, GS District Office may approve the permit after verifying that BLM or FS received the request for review, and that BLM or FS has not objection to the action.
- b. Not approve a GEP until lease compliance and protection bonds have been approved.
- c. Provide BLM District Office or Forest Supervisor a copy of all approved GEP's, including any special conditions of approval, and a copy of any environmental review.
- d. Ensure that operations are conducted in accordance with the approved GEP, involving BLM or FS assistance as necessary.

2. BLM District Office or Forest Supervisor will:

- a. Inform GS-District Office of additional environmental protection and reclamation requirements within 10 working days.
- b. Assist GS in monitoring operations, as necessary.
- c. In cases of emergency, where serious environmental damage appears imminent and a GS representative is not available, issue a stop order to the operator and immediately notify GS.

D. Operational Changes Under an Approved POE or POO Ordinarily, minor changes to a POE or POO will be coordinated informally by GS with BLM or FS. Proposed operations involving substantial new surface disturbance will be processed as revisions to a POE or POO.

E. Utilization Facility Licenses

1. BLM will:

- a. Upon receipt of an application for a utilization facility license, forward a copy to GS and, if NFS lands are involved, to FS.
- b. Coordinate with GS and, if NFS lands are involved, FS to ensure that the environmental review for the Plan of Utilization is adequate for license issuance.
- c. Not approve any utilization facility license for NFS lands without the written concurrence of FS.
- d. Coordinate compliance inspections with GS.

2. FS will:

- a. Coordinate with BLM and GS to ensure that the environmental review for the Plan of Utilization is adequate for the FS responsibility in siting of utilization facilities.
- b. Coordinate compliance inspections with GS.

3. GS will:

- a. Coordinate with BLM and FS to ensure that the environmental review for the Plan of Utilization is adequate for license issuance.
- b. Coordinate compliance inspections with BLM or FS.

F. General Lease Administration

1. BLM will:

- a. Advise GS and FS of the approval of lease compliance and protection bonds.
- b. Inform GS and FS of any change in lease status or action being taken against a lessee.
- c. Not terminate the liability under any bond without the concurrence of GS and, if NFS lands are involved, FS.
- d. Provide FS, through the Washington Office, an annual accounting of all rentals, fees, and bonus bids received for leases involving NFS lands.

2. GS will:

- a. Inform BLM or FS of any Designation of Operator received by providing a copy of the "acknowledge and accepted" letter sent to the operator.
- b. Provide BLM an annual accounting of each lessee's diligent exploration expenditures for leases in their 6th through 10th years.
- c. Make recommendations to BLM, as necessary, for lease cancellation for noncompliance with least terms, GRO Orders or regulations.
- d. Provide BLM and FS separate annual accounting of royalties received from lands under their respective jurisdictions.

III. General Program Coordination

This Memorandum of Understanding shall replace all prior agreements between the respective Agencies relative to the geothermal program.

/s/

Director, U.S. Geological Survey

Date

Director, Bureau of Land Management

Date

Chief, U.S. Forest Service

Date

**1531.42c - Memorandum of Agreement on Use of Geological Survey's Data Facilities of
National Water Data Exchange and National Water Storage and Retrieval System**

79-SIE-003

MEMORANDUM OF AGREEMENT
UNITED STATES FOREST SERVICE
AND THE
UNITED STATES GEOLOGICAL SURVEY
RELATING TO THE USE OF THE GEOLOGICAL
SURVEY'S DATA FACILITIES
OF THE
NATIONAL WATER DATA EXCHANGE
AND THE
NATIONAL WATER STORAGE AND RETRIEVAL SYSTEM

This Agreement with the Forest Service (USDA) relates to the use of the data facilities of the National Water Data Exchange (NAWDEX) and the National Water Data Storage and Retrieval System (WATSTORE) managed by the United States Geological Survey (USGS), Water Resources Division (WRD). This Agreement will continue in effect until terminated by mutual agreement or by either organization providing sixty days written notice to the other organization.

Definitions:

For the initial purposes of this Agreement, the National Water Data Exchange (NAWDEX) data facilities consist of a Water Data Sources Directory and a Master Water Data Index. The Water Data Sources Directory is a computerized data base which identifies organizations that are a source of water data. The Master Water Data Index is a computerized data base which identifies individual sites for which water data are available, the location of these sites and the types and frequencies of measurement of available water data. This agreement also applies to the use of any additional NAWDEX data facilities made available in the future.

For the initial purposes of this Agreement, the National Water Data Storage and Retrieval System (WATSTORE) consists of a Station Header File and a Daily Values File. The Station Header File is an automated index of all sites for which data are stored in WATSTORE. It contains information pertinent to the identification, location, and geographic description of each site. The Daily Values File contains water-data parameters measured or observed on either a daily schedule or on a continuous basis and numerically reduced to daily values. This Agreement also applies to the use of any additional files and data facilities of WATSTORE made available in the future.

Both the NAWDEX data facilities and the WATSTORE system are operated and maintained by the geological survey on its central computer facilities located at the National Center in Reston, Virginia. These computer facilities are under the management and control of the

Computer Center Division, USGS. Therefore, neither NAWDEX or WATSTORE have administrative responsibilities related to the operation of the computer facilities or the scheduling of computer related services.

Also, future additional access to the USGS computer is dependent upon the number of computer terminals that can be physically supported by the computer systems.

Responsibilities:

Related to this Agreement, the Water Resources Division will:

- - - Allow access to the Header and Daily Values Files of the WATSTORE system, the Water Data Sources Directory and Master Water Data Index Files of the NAWDEX system, and application software associated with these files. This will include any additional files and software systems in NAWDEX and WATSTORE that may be made available in the future.
- - - Provide documentation necessary to access and use the NAWDEX and WATSTORE files.
- - - Provide user assistance services as required in the use of the NAWDEX and WATSTORE files and software systems.
- - - Serve as liaison between the Forest Service and the Computer Center Division in matters related to NAWDEX and WATSTORE.
- - - Provide training in the use of NAWDEX and WATSTORE to the extent possible within budgetary and manpower capabilities.

Related to this Agreement, the Forest Service will:

- - - Acquire all computer-terminal hardware and related peripheral hardware necessary for access to the USGS computer facilities.
- - - Assume full responsibility for all costs associated with the Forest Service use of the NAWDEX and WATSTORE data files and reimburse the USGS for all costs incurred.
- - - Not use the USGS computer facilities for any purpose other than those related to the use of the NAWDEX and WATSTORE files unless prior agreement has been arranged with the USGS for additional computer usage.
- - - Be identified as a source of water data by the National Water Data Exchange (NAWDEX) and permit all data entered into NAWDEX data files by the Forest Service to be disseminated to other users upon request.

- - - All data entered into WATSTORE by Forest Service will, unless password protected, be indexed in the Master Water Data Index maintained by NAWDEX and will be disseminated to other users upon request.

Designated Representatives:

The Forest Service will designate a principal and one or more alternate representatives at each remote job site to serve as contacts for all NAWDEX and WATSTORE matters.

The Water Resources Division designates as its WATSTORE representatives:

Mr. C. R. Showen
Chief, Automatic Data Section
Water Resources Division
U.S. Geological Survey
437 National Center
12201 Sunrise Valley Drive
Reston, Virginia 22092

Telephone: (703) 860-6871
FTS 928-6871

The National Water Data Exchange designates as its representative:

Mr. Melvin D. Edwards
Program Manager
National Water Data Exchange
U.S. Geological Survey
421 National Center
12201 Sunrise Valley Drive
Reston, Virginia 22092

Telephone: (703) 860-6031
FTS 928-6031

Cooperation:

In order to successfully develop and maintain the concepts of this Agreement, an open exchange of information relative to NAWDEX and WATSTORE, their functions and operations, will be established between the Forest Service and the USGS, WRD.

Associate Deputy Chief, NFS
Signature, Title

/s/ _____
Signature, Title

Date August 24, 1979

Date August 29, 1979

S. M. Lang, Acting Asst. Chief Hydrologist
for Scientific Publications & Data Mgmt.

Date August 29, 1979

Signature, Title