

cc-2650 File ✓

2820

January 4, 1961

Lower Michigan

H. A. SVENSEN, Assistant Regional Forester

Leases and Permits - Mining (O. & G.) - Sewell, Roy C. - BLM-A-052181
Kratz, Richard P. - BLM-A-052627
Dahlman, Rynol A. - BLM-A-052631
Dahlman, Rynol A. - BLM-A-052630

Reference is made to your memorandum of December 6 designated 2820 (2600).

We concur with your recommendation that there should be some restrictions on mineral activity work on the Kirtland's Warbler Management Area. However, rather than prohibit mineral development work in its entirety, we suggest prohibiting use of the surface and permitting exploitation of oil and gas deposits by directional drilling. If this meets with your satisfaction and will not be a hindrance in managing the wildlife area, we suggest using the following clause:

"The lessee shall not occupy, use or otherwise disturb the surface of the following described lands: _____ (descriptions)
Provided however, that subsurface mineral deposits beneath these lands may be prospected for and removed by means of directional drilling."

Of the four cases listed in your memorandum, one was submitted to the BLM in September, 1960 (052181). To our knowledge the lease relative to this case has not been issued to date. However, it may be too late, depending on what progress the BLM has made toward issuance of the lease, to have the suggested restrictive clause incorporated therein. We will write to the BLM about this matter.

Your reports on the other three cases 052627, 052631 and 052630 have not been submitted to the BLM, nor do we have them in our files. Possibly they are among the other reports that were recently returned to you for rechecking. Please verify this.

xcc-Lower Michigan
(w/cc let. to BLM 1/4/61)

MwKageorge:rk

2820

Leases & Permits

Sewell, Roy C.

Mining (O&G) HLM-A-052181

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January 4, 1961

Supervisor
Eastern States Land Office
Bureau of Land Management
Department of the Interior
Washington 25, D. C.

Dear Sir:

This refers to our report on oil and gas lease application
HLM-A-052181 (Michigan).

Since the submission of our report we have established a wildlife management area, the primary purpose of which is to protect the nesting grounds of the Kirtland's Warbler, a vanishing bird species. In establishing the boundaries of this area we find that a portion of the lands included in application 052181 lie in this management area. Mineral development work on these lands will not only interfere with the wildlife management practices that we plan to conduct on the area, but would also preclude the use of the lands by the particular species of bird concerned. Therefore, if you have not already issued the lease or if you have issued it and it is possible to amend it, we would like to have the following clause incorporated therein:

"The lessee shall not occupy, use or otherwise disturb the surface of the S $\frac{1}{2}$ of Section 12, T 25 N, R 3 E, provided however that subsurface mineral deposits beneath these lands may be prospected for and removed by means of directional drilling."

Your assistance in this matter will be appreciated.

Very truly yours,

xcc-BLM
cc-Lower Michigan

cc-2650 File ✓

H. A. SVINSEN
Assistant Regional Forester

MWKageorge:rk

ROUGH DRAFT
HASvensen:mr
1/6/61

KIRKLAND WARBLER

Hubb
for Art Dudley
for sample to use in a
talk.
has

Nesting range is limited to jack pine type of rather limited stocking and age class centering in Oscoda County, Michigan. In 1951 a census was made; total count was 432 males -- total number of birds estimated as less than 1,000.

During the past 15 years there has been a nationwide interest in the nesting of this bird. Ornithologists from all parts of the nation have made trips to the area to study the bird. In fact, I believe that a year or two ago, one man from England visited the area.

There has been a great deal of interest in saving some of the nesting habitat in order that the species might be preserved. The State has set aside an area of several sections in one of the State forests, and the Forest Service is now in the process of designating a 5-section area as nesting site for the bird.

This area will be a multiple use area, however, to maintain satisfactory nesting conditions. The jack pine stand will be managed in a different manner from our regular procedure and, no doubt, the amount of jack pine pulp that will be produced will be reduced. Also special requirements will be made in cutting.

