Table 1. Endangered Species Avoidance and Minimization Measures *

Resource Concern	*Measures*	Reference
Sea Turtles	NPS awareness training for BNP employees and contractors - Identification of tracks - Notification protocol - Marking tracks or nest area if they are unable to stay on site until official crew arrives	Final Oil & Gas Management Plan Environmental Impact Statement (FEIS), 5-11 (9)
Crushing and Rutting	Escort for larger vehicles**	
	Monitor on ATV preceding larger vehicles during the sea turtle nesting and hatchling emergence season (April 1 to October 15)	FEIS, 5-11 (9)
	Driving above the "wet line" on the beach to identify sea turtle tracks	
	Speed limits strictly enforced, large trucks will drive 15 mph or less in a posted 25 mph zone	
	Backhoe or tractor stationed on beach to smooth out ruts as needed after having a monitor on an ATV check for nesting turtles or tracks	
	During peak Kemp's ridley nesting season, vehicle convoys will not leave before a turtle patroller patrols the beach ahead of them and notifies BNP that it is ok for large vehicles to travel the beach	
	Drilling crew will utilize shuttle service provided by escort vehicle to limit traffic	
	Scheduling trips of larger vehicles to facilitate caravanning	
Vibration	Larger vehicles limited to 20 round trips per day	
Night sky	Lighting on the drilling rig will be directed inward to reduce distraction potential for turtle hatchlings and nesting turtles	FEIS, 5-11 (10)
	No night trips for larger vehicles to minimize impacts to and protect night nesting turtles which include the green, loggerhead, hawksbill, and leatherback	
Birds	BNP would cover, with netting or other covering, all open-topped tanks and/or secondary containments to effectively eliminate the likelihood of accidental deaths to migratory birds	Section X, Item D (23), page 41
Contamination	If the well were placed in production, all produced water would be stored in a closed top fiberglass tank(s). The water would be transported to an off-site, state-approved disposal facility by vacuum truck	Section V, Item K (4), page 19; Section X, Item D (20), Page 41
Mortality	BNP would construct all open-vent exhaust stacks on production vessels designed to heat the product using an open flame in a manner that prevents birds and bats from entering or perching	Section X, Item D (22), page 41
Flushing	Driving above the "wet line" on the beach to minimize disturbance	
	Scheduling trip of larger vehicles to facilitate caravanning	
Habitat	Reducing corridor in wetlands from 50 feet to 25 feet.	

Resource Concern	*Measures*	Reference
Alteration		
Visitors	Escort for all larger vehicles	
Experience	Scheduling trip of larger vehicles to facilitate caravanning	
	Increasing well pad size by approximately .5 acres to increase temporary storage area, allowing flexibility in scheduling larger disposal vehicles	
	No night trips for larger vehicles	
	Speed limits strictly enforced, large trucks will drive 15 mph or less	
Visual Impact	No night trips for larger vehicles	
	Larger vehicles limited to 20 round trips per day	
	Well pad location and configuration to minimize the impacts to topographic features	
	Location of well pad suitable for drilling to multiple targets, eliminating the need for additional well pads	
Beach Access	Backhoe stationed on beach to smooth out ruts as needed	
	Drilling crew will utilize shuttle service provided by escort vehicle to limit traffic	
Night Sky	Lighting on the drilling rig will be directed inward to meet human safety requirements, and reduce night sky impacts	

*These measures were developed and proposed by the NPS and BNP.

**For the purposes of these tables, larger vehicles will be defined as any vehicle that is 1) larger than a pickup or suburban type vehicle, 2) towing a trailer, or 3) any construction machinery such as a grader, backhoe, or bulldozer.

Table 2. Conservation Measures During Different Project Activities

Number	Actions	Measures	Reference
1	Pre-activities	Direct impacts to wind-tidal algal flats, seagrass beds, trees, and cultural resources would be avoided by directionally drilling the well from an upland location using a polygon-shaped well pad, which would utilize approximately 99.225 square feet (2.28 acres) of hummocky uplands.	Section X, Item D (1), page 35
2	Pre-activities	BNP will educate all employees and contractors regarding the need for and ways and means of minimizing disturbances to the land, natural and cultural resources, wildlife, and visitors at Padre Island National Seashore. BNP will print a Padre Island National Seashore approved list of conduct and operating procedures while working within the park to be reviewed by all BNP related personnel before they begin working inside the park.	Section X, Item D (3), page 35 Item D (50), page 39 Appendix H
3	Pre-activities	In accordance with Padre Island National Seashore's approved Hurricane Preparedness and Evacuation Plan, BNP will secure the well site in the event of a hurricane. If a hurricane or tropical storm is within 540 miles or 36 hours of the operation site and the operation site is predicted to be in the severe weather area, BNP will fill the hold with drilling mud; set drill pipe slips safety clamps and safety valves 50 feet above the deepest casing string; lay down and secure drill pipe; close and lock pipe rams and annular BOP; secure loose tools, equipment and electrical connections; lower drilling derrick; close all valves in mud system; and place generators, SCR on oilfield truck floats and chain down. If the well is producing hydrocarbons, BNP will close the storm valve in the well or install backpressure valve in the tree, shut in all valves on tree, replace all hydrocarbons in storage tanks with water, and remove or secure all lose equipment and supplies. In the event of a hurricane, this mitigation measure is intended to protect human life and property, reducing flood hazards, and protecting natural floodplain values.	Section X, Item D (30) page 37
4	Pre-activities	Collection and sampling of soils and surface and ground water will be performed following NPS protocols (Exhibit D) prior to the start of construction, to establish baseline conditions, and at the completion of operations, to determine if contaminating substances are present in concentrations that pose a threat to wildlife populations or human health, or will jeopardize reestablishment of native vegetation.	Section VII, Item E, page 22; Section X, Item A (2), page 27, and Item D (44), page 38
5	Pre-activities	BNP will have in place fire suppression equipment to prevent wildfires.	Section X, Item D (31), pages 37
6	Pre-activities	BNP has included a Contaminating or Toxic Substance Spill Control Plan in the Plan of Operations to describe actions to be performed in the event of an oil spill, brine spill, release of drilling fluids, blow-out or release of any toxic substance.	Section VI, pages 19-21, Section X, Item D (39), page 38
7	Pre-activities	Should contaminated soils be found, the contaminated soil will be excavated to clean soil and hauled to a state-approved off-site disposal facility where applicable. The excavation will be filled with clean native soil. If necessary, contaminated soils will be	Section VII, Item F, page 22; Section X, Item D

Number	Actions	Measures	Reference
		remediated on-site using Padre Island National Seashore - approved remediation methods.	(45), page 39
8	Pre-activities	The access road / flowline route was selected to minimize impacts to wetlands. The construction of the proposed access road / flowline route will impact approximately 3,700 linear feet x 40 feet (145,909 square feet) of hummocky uplands and (2,091 square feet) of emergent wetlands, over the short-term until restoration of wetlands is successfully achieved within 1 growing season, with the mitigation of culverts.	Section X, Item D (2), page 35.Section X, Item E, Land Features, page 40
9	Construction	If at any time, If at any time, any unknown cultural resource were discovered during the conducting of approved operations, and such resource might be altered or destroyed by the operations, the operator will immediately cease operations in the immediate area and notify the Superintendent. The operator must leave the discovery intact until the Superintendent grants permission to proceed with the operations. Before any further activities occur, a qualified cultural resource expert will assess the cultural resources, evaluate their National Register eligibility, and consult with the State Historic Preservation Officer.	Section X, Item D (10), page 36
10	Construction	BNP will cut and store vegetation before ground-disturbing activities for use later in mulching and native seeding activities for reclamation/re-vegetation. All equipment will be hosed off/cleaned of mud/soils/plant debris prior to entering the park to reduce potential introduction of non-native seed/pests into the park.	Section X, Item D (9), page 36
11	Construction	BNP proposes to install culverts, as needed, along the proposed 3,700-foot access road / flowline route, where fill may directly affect surface water run-off. Culvert locations will be selected to minimize alteration of natural surface drainage patterns and will be approved by the National Park Service.	Section X, Item D (6), page 35; and Section X, Item E. Water Resources, page 41
12	Construction, Maintenance	BNP will maintain the 3,700-foot long access road by keeping it passable with a maintainer on an as-needed basis to minimize the potential of vehicles driving off the road.	Section V, Item K (13), page 16; Section X, Item D (33), page 37
13	Construction	During construction and drilling, BNP will utilize a dispatcher stationed outside of the park somewhere along Park Rd 22 to help regulate the flow of traffic along the beach. BNP representatives at the well site will be able to communicate with the dispatcher and report on existing conditions (i.e.: traffic, tides, etc.) further down the beach. The dispatcher will maintain logs of all personnel entering the project and will supply copies of the log to Park staff at their request but at least weekly. The dispatcher will provide each driver a copy of BNP/Padre Island National Seashore requirements for traffic, environmental and public safety while in the park.	Section X, Item D (51), page 39
14	Construction	Throughout the drilling operations, a bulldozer will be used to assist vehicles in the transportation of personnel, services, and	Section V, Item B, page

Number	Actions	Measures	Reference
		materials and a maintainer will be on-site to smooth out any rutting that may occur.	9; Section X, Item D (11), page 36
15	Construction	After leveling the access road and pad area, a 20-millimeter thick polyethylene protective liner will be placed on the pad area. A 3-foot high earthen material berm will be constructed around the perimeter of the pad for emergency containment. The berm and liner will provide temporary containment of spills and fires and prevent the downward movement of fluids through the soil from reaching the ground water.	Section V, Item A (6) page 9. Section X, Item D (16), page 36, Item E, Soils, page 41
16	Construction	A 6-foot diameter by 6-foot deep corrugated galvanized steel cellar will be placed around Dunn-Peach #1 Well. Cellars are designed to collect spilled contaminating substances and facilitate their removal. Drainage ditches will be dug (12 inches wide and 8 inches deep) to route all runoff to the cellars. A portable sump pump will be used to pump the gathered liquids to steel tanks for re-use or disposal.	Section V, Item A (4), page 8; Section X, Item D (14), page 36
17	Construction	A temporary, three-strand, barbed-wire fence will be placed around the perimeter of the project, when the pad is constructed, to deter unauthorized persons from entering the operations area during drilling and completion operations. If production were established, a gate and permanent chain link fence will be installed around the production facilities of a design specified by the Superintendent.	Section V, Item N (6), page 17; Section X, Item D (20), page 37
18	Drilling	To the extent possible in regard to rig scheduling and availability, BNP intends to use a diesel electric (SCR) rig to drill the well to reduce impacts to the natural soundscape.	Section X, Item D (6), page 35
19	Drilling	After setting surface casing and installing the braidenhead, a blowout preventer will be installed on the well. Additional well control equipment will include a choke manifold equipped with a hydraulic, remote-controlled, adjustable choke. This mitigation will reduce the potential of a well blowout.	Section V, Item C (1) and (2), page 9; Section X, Item D (18), page 36
20	Drilling	BNP will utilize an environmentally safe synthetic oil-based drilling mud for drilling the well to reduce water usage, beach traffic, and operational time.	Section X, Item D (12), page 36; Section X, Item F, page 44
21	Drilling	Lost circulation mud additives will be used to prevent and control lost circulation, reducing the time needed to drill.	Section III C (6), page 6; Section X, Item D (13), page 36
22	Drilling	To prevent accumulation of oil and other materials deemed to be fire hazards, all flammable liquids (i.e. condensate, compressor oil, etc.) will be stored in steel or fiberglass tanks and contained inside the firewall or a berm at the central facility. All materials not necessary for the operation of the well will be removed. Any surplus or emergency materials or supplies that need to be kept at the well site will be stored at the central facility in a	Section V, Item N (8), page 17; Section X, Item D (38), page 38

Number	Actions	Measures	Reference
		locked storage shed or parts box. All containers will be labeled as to their contents.	
23	Drilling	A closed loop "zero discharge system" will be utilized for drilling the well. No earthen pits will be utilized. All mud, drill cuttings, sewage, and produced water will be collected in steel tanks for re-use or hauled by sealed dump trucks for disposal at state-approved disposal facilities outside of the park boundaries, or disposed down the well annulus. This measure will reduce the likelihood of accidental death to migratory birds and other animals.	Section V, Item D (2) and (3), page 10 & 11; Section VII, Item B, page 28; Section X, Item D (19), page 19
24	Drilling	The following methods will be applied to prevent leaks and spills of hydrocarbons and produced water: All separators will be equipped with pressure relief valves that vent to the water tank; the inside wing valve on the tree will be equipped with a pressure controlled hi-lo safety shut-off actuator; all tanks will be equipped with liquid level controls to prevent overflow; and cathodic protection will be installed at each end of the proposed pipeline.	Section X, Item D (11), page 36
25	Drilling, Production	Signs will be posted at the entrance of the access road, on the tree, and on the tank battery giving operator name, lease name, well number, and Railroad Commission of Texas ID number. BNP will display a public information sign that will generally describe the management of oil and gas exploration within Padre Island National Seashore, and the important relationships between Padre Island National Seashore, the general public, and oil and gas exploration. Signs will be posted as necessary on the flowline showing operator name and telephone number. If the well were produced, signs will be posted at the entrance prohibiting public access, smoking, and requiring safety equipment.	Section V, Item N (5 & 7), page 17; Section X, Item D (35), page 38.
26	Production	A tank battery and a berm or "firewall" will be constructed and maintained to contain 1.5 times the volume of the largest tank, and an impermeable liner will be installed at the tank battery to protect soils and ground water.	Section V, Item K (2), page 14; Section X, Item D (22), page 37
27	Production	During production, the gauger will check the facilities daily for leaks, damage, corrosion, etc. and repair as needed. If leaks, damage, etc. were found, the gauger will report the status to Padre Island National Seashore staff upon leaving the site.	Section V, Item K (7) (c), page 18; Section X, Item D (27),page 37
28	Production	During production, the gauger will check supply gas pressure daily. A hi-lo pressure sensor will be installed at a strategic point in the flow stream to monitor the system pressure. Should system pressure go above or below the safe range of operating pressure set by a technician, the sensor will trip a relay that actuates the safety valve, shutting in the well.	Section V, Item K (7)(C), page 15; Section X, Item D (28), page 37
29	Production	During production, and as the reservoir depletes and compressors are placed at the central tank battery to maintain the gas production rates, all compressors will be equipped with hospital mufflers to reduce noise levels and oriented so that the exhaust faces away from prevailing wind direction (SE).	Section V, Item I (11), page 16; Section X,

Number	Actions	Measures	Reference
			Item D (32), page 37
30	Production	If shut-in of the well occurred and drilling or production operations were suspended for 24 hours or more but less than 30 days, the drill pipe will be run in the hole to approximately 100 feet above the last casing depth. The pipe rams will be closed and locked, and at least one safety valve will be installed in the top of the drill pipe and closed.	Section V, Item N (3) page 17; Section X, Item D (36), page 38
31	Production	If production operations should be suspended for 30 days or more, a backpressure valve will be installed in the tree, the tree gate valves will be closed, and the valve handles will be removed.	Section V, Item N (4), page 17; Section X, Item D (37), page 38
32	Maintenance	BNP will plant native shrubs or willow trees around the production facility to minimize visual impacts to visitors. Plantings of native trees or shrubs will also provide and perpetuate valuable habitat for migratory birds.	Section X, Item D (25), page 37
33	Maintenance	Vegetation growth within the facility and along access road will be maintained using mowers and hand tools to minimize threats from wildfire. The use of herbicides or pesticides must have the approval of the park Superintendent prior to their use.	Section V, Item K (6) (g), page 15; Section X, Item D (29), Page 37
34	Reclamation	The well will be plugged in compliance with NPS standards (Federal Onshore Oil and Gas Order No. 2) and Railroad Commission of Texas requirements. These standards ensure protection of useable quality aquifers.	Section V, Item L, page16; Section X, Item D (41), page 38
35	Reclamation	Reclamation of the site will be initiated as soon as possible following completion of operations, and no later than six months unless the Regional Director authorizes a longer period of time. BNP will reduce the pad size following drilling operations as feasible for production operations. All imported fill materials and liners used to construct the access road and pad will be loaded in dump trucks and hauled offsite for disposal or re-use.	Section VII, Items A, D page 22; Section X, Item D (40), page 38
36	Reclamation	All disturbed areas, including any rutting deeper than one inch, will be re-contoured and re-vegetated.	Section X, Item D (43), page 38
37	Reclamation	Some soils and sands from outside Padre Island National Seashore on Padre Island may be hauled in to achieve pre-project contours or to restore any spill clean-up areas. Such soils and sands will be similar in character to pre-project soils and sands with regards to particle size, free of unacceptable contaminants, certified weed-free, and approved by the Superintendent prior to purchase/use to minimize the potential for exotic species.	Section X, Item D (34), page 38; Item E, Soils, page 41
38	Reclamation	After the pad and access road have been re-contoured and the soil has been prepared, previously harvested hay, baled from the proposed access road and pad area and containing native plant seeds, will be used to re-vegetate the disturbed areas. If needed, additional hay for mulching and seed will be obtained by a	Section VII, Item H (2), page 23; Section X, Item D (46),

Number	Actions	Measures	Reference
		commercial harvester approved by the NPS to prevent introduction of exotic plant species.	page 39
39	Reclamation	Herbicide application or hand-tool removal will be used to control exotic plant species in the reclamation area, as approved by the Superintendent.	Section VII, Item H (5), page 22; Section X, Item D (47), page 39
40	Reclamation	Re-vegetation of the operations will be determined satisfactory when 70 percent coverage of targeted species is achieved.	Section VII, Item H (6), page 23 Section X, Item D (48), page 39
41	Sea Turtles	If possible, BNP will avoid moving the rig via the Gulf beach during the months of April through September in order to avoid disturbing sea turtle nests and nesting activity. However, should rig scheduling force BNP to move equipment down the beach during this period, an NPS trained monitor will be utilized to avoid potential adverse impacts to turtle nesting.	Section X, Item D (8), page 35
42	Sea Turtles and Birds	Driving will be conducted above the Gulf beach "wet line" to prevent excessive erosion along the beach and impacting endangered or threatened species.	Section X, Item D (5) page 35
43	Sea Turtles and Birds	BNP will utilize shielded lights to prevent unnecessary glare and direct all lighting at the rig toward the rig work area itself.	Section X, Item D (15), page 36
44	Birds	All open-topped tanks and/or secondary containments will be covered with netting or other covering, to effectively eliminate the likelihood of accidental deaths to migratory birds.	Section X, Item D (24), page 37
45	Birds	If the well were placed in production, all produced water will be stored in a closed top fiberglass tank(s). The water will be transported to an off-site, state-approved disposal facility by vacuum truck to reduce likelihood of accidental death to migratory birds.	Section V, Item K (4), page 15 Section X, Item D (21), Page 37
46	Birds	All open-vent exhaust stacks on production vessels designed to heat the product using an open flame will be constructed in a manner that prevents birds and bats from entering or perching.	Section X, Item D (23), page 37
47	Park Infrastructure	The Superintendent of Padre Island National Seashore, or his representative, shall have reasonable access to the operations as is necessary to properly monitor and insure compliance with the conditions of the plan of operations under the provisions of 36 CFR §9.37(f).	
48	Park Infrastructure	The approval of the Plan of Operations will be conditioned upon BNP tendering a performance bond to: (1) ensure timely and effective plugging of the well and reclamation of the operations area upon abandonment; and (2) guarantee rapid and effective response and cleanup of a spill. The regulations further state that the amount of the surety cannot exceed the sum of: (1) the cost of plugging the well and reclaiming the operations area; and (2) the liability amount estimated by the Superintendent required effectively containing, cleanup, and minimizing the damages resulting from the operation. The regulations limit the liability amount for the operation of a single well to $50,000.	

Number	Actions	Measures	Reference
		The regulations further limit the maximum overall bond for any entity to not exceed $200,000 for operations by a given operator within a unit of the National Park System.	
49	Park Infrastructure	The well plugging and surface reclamation costs listed in Section 1 of the Reclamation Plan total more than $200,000. By regulation, the NPS has set the performance bond for the Dunn-Peach #1 Well at $200,000. BNP already has on file with the park a bond specific to the Dunn-Murdock Well No. 1 plan of operations. As a condition of approving the Plan of Operations, the NPS will require BNP to modify the language of the bond to include the Dunn-Peach #1 Well.	
50	Park Infrastructure	Damage to paved surfaces due to trucks carrying construction and drilling equipment will be assessed. BNP will be charged for the cost of repair of these surfaces because these roads were not constructed for heavy industrial equipment and loads. Typical repairs of this type include road resurfacing, site preparation, pack coat, and seal and chip. Price will be determined based upon wear to the road.	
51	Park Infrastructure	For all releases to the ground of contaminating or toxic substances, BNP will promptly report the following initial information to Padre Island National Seashore: time of spill discovery, type of product spilled, location of spill, estimated spill volume, cause of spill, area covered; estimated rate or release if spill is ongoing; direction of spill movement; description of contaminated area; proximity to surface waters, roads or trails; weather conditions; steps being taken to remedy the situation; and initial response equipment required. For releases in excess of 5 barrels in the aggregate, BNP will provide a written report to Padre Island National Seashore within 10 working days of the incident. In addition to the information reported in the initial notification, the written report will include steps that will be or have been taken to prevent recurrence of the incident.	
52	Park Infrastructure	Source of water and annular injection: The water well will be drilled into the Goliad formation, between 1,400 feet and 1,700 feet. Providing this well has sufficient volume, BNP will not have to purchase water from the park or haul water via water trucks along the Gulf beach.	
53	Turtles	NPS awareness training will be provided to BNP employees and contractors that include identification of tracks, notification protocol, and how to mark tracks or nest area if they are unable to stay on site until official crew arrives.	FEIS, 5-11(9)
54	Turtles and Visitors	Trained monitor will lead all large vehicles when traveling to or from the well site. A trained monitor will also lead maintaining equipment such as a backhoe or front-end loader when cleaning the ruts on the beach.	
55	Turtles	BNP will hire and pay the lead monitors, subject to the NPS's approval of the persons selected. The lead monitors will report all violations of the mitigation measures or conditions of approval, as well as all sightings of and incidents involving sea turtles or their nest, eggs, hatchlings, or tracks, immediately and directly to the NPS. The NPS will provide the lead monitors with NPS radios to facilitate this communication. Failure to	

Number	Actions	Measures	Reference
		comply strictly with this mitigation measure may result in the immediate suspension of the plan of operations.	
56	Turtles and Visitors	Monitors will utilize an ATV as the primary vehicle preceding heavy equipment on the Gulf beach during peak Kemp's ridley nesting. FEIS, 5-22(9).	
57	Turtles and Visitors	All large trucks will drive 15 mph or less in the posted 25 mph speed zone and speed limits will be strictly enforced.	
58	Turtles and Visitors	A backhoe will be stationed on the Gulf beach to smooth out ruts as needed.	
59	Turtles and Visitors	No large vehicles will travel at night.	
60	Turtles /Birds And Visitors	Vehicles larger than a pick-up truck will be limited to 20 round trips per day.	
61	Turtles /Birds	Large vehicles will be scheduled to facilitate caravanning.	
62	Turtles /Birds	Lighting on the drilling rig will be shielded and directed inward to reduce the distraction potential for turtle hatchlings. FEIS, 5-11 (10). Section X, Item D (14), p. 40.	
63	Turtles	There will be a required setback of 500 feet from dunes and other light-sensitive areas.	
64	Turtles	During peak Kemp's ridley nesting season, vehicle convoys will not leave before an NPS turtle patroller patrols the beach ahead of them.	
65	Birds	Driving will be conducted above the Gulf beach "wet line" to help prevent disturbance to resting birds and crushing of benthic invertebrates.	
66	Birds	Native vegetation will be planted around the well site to minimize noise and provide habitat for birds.	
67	Visitors	Location of the wellpad is suitable for drilling to multiple targets and eliminates the need for additional wellpads, minimizing topographic impacts.	
68	Visitors	Drilling crew will utilize shuttle service provided.	
69	Visitors	Lighting on the drilling rig will be directed inward to meet human safety requirements and reduce night sky impacts.	
70	Visitors	Use of a diesel electric drilling rig and hospital mufflers on compressors will reduce noise levels.	
71	Visitors	Fencing and signing the operations area will exclude and protect visitors.	
72	Visitors	Use of secondary containment to prevent leaks and spills of hydrocarbons or hazardous substances to be released into the environment.	
73	Visitors	Production facility equipment and wellhead will be painted a neutral, earth-tone color, such as Sherwin Williams Burlap, or a similar NPS approved color, to blend with the natural environment.	

Table 3. Proposed timeframes for voluntary Protected Season.

60 Day	75 Day	90 Day	120 Day
April 7 – June 6	April 7 – June 21	April 7 – July 6	April 7 – August 7
April 16 – June 15	April 16 – June 30	April 16 – July 15	
May 1 – June 29	May 1 – July 14	May 1 – July 29	

Table 4. Percentage of nesting sea turtles and hatching nests during the proposed seasonal timeframes.

	LK		CC		CM		EI	
60 Day	**Nester**	**Nest**	**Nester**	**Nest**	**Nester**	**Nest**	**Nester**	**Nest**
4/7 - 6/6	80%	6%	0%	0%	9%	0%	0%	0%
4/16 - 6/15	87%	13%	23%	0%	36%	0%	100%	0%
5/1 - 6/29	75%	30%	50%	0%	36%	0%	100%	0%
75 Day								
4/7 - 6/21	93%	20%	23%	0%	36%	0%	100%	0%
4/16 - 6/30	92%	32%	53%	0%	36%	0%	100%	0%
5/1 - 7/14	78%	66%	80%	8%	64%	0%	100%	0%
90 Day								
4/7 - 7/6	97%	50%	60%	4%	45%	0%	100%	0%
4/16 - 7/15	94%	67%	80%	8%	64%	0%	100%	0%
5/1 - 7/29	78%	84%	93%	12%	100%	22%	100%	0%
120 Day								
4/7 - 8/7	100%	95%	100%	4%	100%	0%	100%	0%

(April 16 – June 30)

Table 5. Operational conditions that may require drilling during the Protected Season.

Number	Possible Operational Conditions
1	The well to be drilled by BNP is of such depth or complexity that in BNP's estimation operations associated with the mobilization for and drilling, testing, and completion of the well will last for a period of time in excess of 240 days provided that the drilling operation begins close to the end of the Protected Season. BNP must demonstrate and document to the NPS the reason why the drilling operation cannot be completed within the 240 days instead of merely stating that the operation cannot be completed. Drill operations will be scheduled in such a manner that will not cause the drilling operation to extend into the Protected Season.
2	BNP commences operations associated with drilling a well prior to the Protected Season with an expectation that such drilling operations will be completed prior to such season, but delays associated with such operation prohibit completion of the well prior to the Protected Season. Delays that may give rise to the need to conduct operations within this timeframe shall include, but shall not be limited to weather delays, delays in drilling due to downhole drilling difficulties or unforeseen circumstances encountered while drilling, any delays associated with governmental action prohibiting operations, delays attributable to the actions of third parties such as riots, terrorism, strikes, vandalism, or similar action that disrupts BNP's authorized activities.
3	BNP is prohibited by the NPS or any other federal or state governmental agency from conducting operations for any period of time in excess of 14 consecutive days outside of the Protected Season if the reason that BNP is not allowed to operate is not the fault of BNP.
4	BNP is unable to schedule a drilling rig capable of drilling the well in question and meeting all requirements of BNP's Plan of Operations at any time other than the Protected Season. BNP will demonstrate and document to the NPS the reason that a drilling rig needed for the operation cannot be obtained prior to the Protected Season.
5	The NPS fails to issue a permit granting BNP authorization to conduct drilling operations associated with a Plan of Operations submitted by BNP and accepted as substantially complete by NPS within six (6) months of the date the Plan of Operations is accepted as substantially complete by NPS. BNP will provide the necessary Plan of Operations to the NPS prior to April 1 of a given year in order to ensure that enough time exists for the issuance of a permit.
6	The oil and gas lease(s) covering the drilling operation will terminate unless BNP conducts drilling operations during the Protected Season, and such lease termination is not the result of avoidable delays by BNP in prosecuting operations authorized by such lease.

Table 5. Additional measures necessary if drilling occurs within the Protected Season.

Number	Concern	Mitigation Measure
1	Sea Turtles	An NPS trained monitor will patrol the beach at the beginning of each day and prior to any convoy of trucks driving to or from the drilling location in order to identify any possible nesting that may have occurred at night or in the early morning hours.
2	Sea Turtles	An additional ATV monitor will be utilized behind each convoy to insure that all trucks in such convoy maintain proper spacing while driving on the beach.
3	Sea Turtles	BNP will employ one or more maintainers or similar equipment that will immediately repair ruts caused by BNP vehicles. Each maintainer or similar equipment will have an ATV monitor.
4	Sea Turtles	BNP will employ an onsite "Beach Manager" to coordinate and control all BNP activities on the beach.
5	Sea Turtles	Where feasible, excess materials and drill cuttings will be stored on the drilling location in order to delay the traffic associated with hauling such materials.