United States Department of the Interior

NATIONAL PARK SERVICE
Atlanta Federal Center
1924 Building
100 Alabama Street, SW
Atlanta, GA 30303

IN REPLY REFER TO:
1.A.2. (SERO-PC)

Keith Corbett, President
Burnett Oil Co., Inc.
Burnett Plaza – Suite 1500
801 Cherry Street – Unit #9
Fort Worth, TX 76102-6881

Dear Mr. Corbett:

On March 24, 2021, the National Park Service (NPS) proposed to modify Burnett's existing, approved 9B Operations Permit for the Nobles Grade 3D Seismic Survey, pursuant to 36 CFR 9.150(b), to change the scope and location of the compensatory wetland mitigation requirement for impacts from the 2017 and 2018 seismic survey. The proposed modification was to change the wetland mitigation plan included in the 2016 Wetland Statement of Findings (WSOF) for the seismic survey from restoration of areas damaged by off-road vehicles to restoration of 272 acres of former agricultural lands. Since Burnett's April 1, 2021, response agreeing to the modification to meet its obligations for wetland mitigation associated with the Nobles Grade 3D Seismic Survey, the NPS and Burnett have continued to coordinate regarding the specifics of the scope of work for the restoration.

Reflecting those discussions as well as public comment, I have approved a Compensatory Mitigation Plan Revision to the WSOF for the Nobles Grade 3D Seismic Survey. The NPS also secured South Florida Water Management District Environmental Resource General Permit No. 11-105129-P and authorization under a general permit from the Florida Department of Environmental Protection's State Clean Water Act Section 404 Program (File No: 400501-003 SFG) in addition to completing all other required legal compliance, including, but not limited to, compliance with the National Historic Preservation Act, the Endangered Species Act, and the National Environmental Policy Act.

As per 36 C.F. R. § 9.105(c), I am hereby approving the modification to your 9B Operations Permit subject to the following conditions:

- The wetlands compensation mitigation requirements as outlined in the WSOF, including the approved Compensatory Mitigation Plan Revision,
- The conditions of Environmental Resource General Permit No. 11-105129-P,
- The conditions of the General Permit approval from the State 404 Program (File No: 400501-003 SFG),

- And the minimization and conservation measures and terms and conditions of the U.S. Fish and Wildlife Service Biological Opinion and Incidental Take Statement for the project, respectively (Service Consultation Code: 2022-0013874).

The other conditions and requirements of the existing 9B Operations Permit for the Nobles Grade 3D Seismic Survey remain unaffected by this modification.

We look forward to the commencement of this important work that will address high-priority restoration goals for Big Cypress National Preserve and meet Burnett's requirement for compensatory wetland mitigation for impacts due to the Nobles Grade 3D Seismic Survey. To continue coordination regarding implementation of the project, please contact Tom Forsyth, the Superintendent of Big Cypress National Preserve, at 239-695-1101.

Sincerely,

MARK FOUST

Digitally signed by MARK FOUST
Date: 2023.01.17 16:47:09 -05'00'

Mark A. Foust
Regional Director

Enclosures: 1. Compensatory Mitigation Plan Revision to the WSOF for the Nobles Grade 3D Seismic Survey
2. Environmental Resource General Permit No. 11-105129-P
3. General Permit approval from the State 404 Program (File No: 400501-003 SFG)
4. Biological Opinion and Incidental Take Statement (Service Consultation Code: 2022-0013874)

cc: Tom Forsyth, Big Cypress National Preserve