



Natural Resources Conservation Service
75 High Street, Room 301
Morgantown, WV 26505
(304) 284-7540 (Phone)
(304) 284-4839 (Fax)

November 26, 2008

Mr. Roy Milleson
Hampshire County Farmland Protection Board
P.O. Box 400
Springfield, WV 26763

Dear Mr. Milleson,

Recently you have been in contact with Bill O'Donnell, Assistant State Conservationist-Programs, and Peg Reese, Easement Program Specialist, requesting a letter stating the Natural Resources Conservation Service (NRCS) policy in regard to oil and gas development on Farm and Ranchland Protection Program (FRPP) easements. After due consideration, I offer you this explanation.

The NRCS Conservation Programs Manual, Part 519 – Farm and Ranch Land Protection Manual, addresses oil and gas drilling in this manner:

(E) Mining

Mining is generally prohibited. Exceptions to the rule are allowed for limited mining to the extent that the materials mined (like gravel, shale) are used for agricultural operations on the property. In this case, extraction should be limited to a small defined area or acreage. Other forms of limited extraction like natural gas may be allowable if the method of extraction is from another parcel and thus has minimal impact on the protected property. Emphasis is not part of the Conservation Programs Manual, it was added by me.

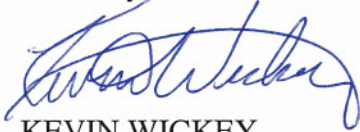
This means no oil or gas drilling can take place on FRPP easements, nor, can any oil or gas infrastructure be placed on FRPP easements, including roads, that have been purchased using federal money.

If an FRPP applicant has an existing mineral extraction lease, such as oil and gas, or, has signed a mineral extraction lease subsequent to the FRPP application, a legal document, attached to the deed stating that mineral extraction will not impact the surface of the land, nor impact the land such that the current farming activity can not continue, will be necessary for the federal funds to be used to acquire the easement.



This explanation should answer your question. If you have further need to discuss this or any other FRPP issue, please contact Bill O'Donnell, ASTC-P, (304) 284-7543, or Peg Reese, Easement Program Specialist, (304) 284-7564.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kevin Wickey", written in a cursive style.

KEVIN WICKEY
State Conservationist

Cc: Emily Warner, Hampshire County Farmland Protection Board, P.O. Box 806,
Romney, WV 26757
Bill O'Donnell, Assistant State Conservationist – Programs, Morgantown, WV
Peg Reese, Easement Program Specialist, Morgantown, WV