

FEDERAL LANDS HIGHWAY EASEMENT DEED

Parcel No.: _____

THIS DEED, made this _____ day of _____, 20__, by and between the UNITED STATES OF AMERICA, acting by and through the DEPARTMENT OF TRANSPORTATION, FEDERAL HIGHWAY ADMINISTRATION, hereinafter referred to as the DEPARTMENT and the MISSISSIPPI TRANSPORTATION COMMISSION, hereinafter referred to as the GRANTEE:

WITNESSETH:

WHEREAS, the GRANTEE has filed application under the provision of The Act of Congress of August 27, 1958, as amended (Title 23, United States Code, Section 317, 72 Stat. 916), for the transfer to the GRANTEE of lands and interests in certain hereinafter described lands owned by the United States located in the _____ and under the control and jurisdiction of the _____, and,

WHEREAS, the Federal Highway Administrator, pursuant to delegation of authority from the Secretary of Transportation, has determined that the lands and interest in the lands covered by the application are reasonably necessary in connection with the construction of Federal-Aid PROJECT NO. _____ and,

WHEREAS, this transfer is further authorized under the provisions of the Act of Congress approved October 15, 1966, (80 Stat. 931, Section 6(a)(1)(A); and,

WHEREAS, the _____ acting by and through the DEPARTMENT OF TRANSPORTATION has authorized the DEPARTMENT to transfer the described lands and interest in lands to the GRANTEE:

NOW, THEREFORE, the DEPARTMENT, as authorized by law, does hereby remise, release, quitclaim and transfer to the GRANTEE the lands and interests in lands herein described and shown on Exhibit "A," a permanent easement, subject to the terms and conditions hereinbelow set forth, attached hereto and made a part hereof.

United States of America

Parcel No.: _____

Project No.: _____ County

INDEX: County of _____, Section _____, Township _____, Range _____

Legal Description

Subject, however, to the following terms, conditions, and covenants.

TO HAVE AND TO HOLD, the above-mentioned lands and interests in lands unto the MISSISSIPPI TRANSPORTATION COMMISSION for so long a time as such are needed for highway purposes upon the express condition that if, at any time, the need for highway purposes shall no longer exist, notice of the fact shall be given by the GRANTEE to the DEPARTMENT and such lands and interest in lands shall immediately revert to the UNITED STATES OF AMERICA and to the control of the _____ as such control existed prior to this instrument; and subject to the following covenants and regulations, which shall be binding on the GRANTEE, its successors and assigns;

1. Outstanding valid claims may exist on the date of this grant, and the GRANTEE shall obtain such permissions as may be necessary on account of any such claims.
2. The GRANTEE and the _____ shall make determinations as to the necessity for archeological and paleontological reconnaissance and salvage within the right-of-way, and such reconnaissance and salvage, to the extent determined necessary because of construction of the highway facility, is to be undertaken by the GRANTEE in compliance with the Act "Archaeological Resources Protection Act of 1979" (93 Stat. 721, 16 U.S.C. 470aa-11), and STATE laws where applicable.
3. Unless the GRANTEE and _____ stipulate to a shorter time, the easement herein granted shall terminate ten (10) years from the date of the execution of this deed by the UNITED STATES OF AMERICA in the event construction of a highway on the right-of-way is not started during such ten-year period.
4. The easement herein granted is limited to use of the described right-of-way and the space above and below the established grade line of the highway pavement for the purposes of construction, operation and maintenance of a highway in accordance with the approved plans described in condition numbered (5) and does not include the grant of any rights for non-highway purposes or facilities. Provided, that the right of the _____ to use or authorize the use of any portion of the right-of-way for non-highway purposes shall not be exercised when such use would be inconsistent with the provisions of Title 23 of the United States Code and/or the FEDERAL HIGHWAY ADMINISTRATION Regulations issued pursuant thereto or would interfere with the free flow of traffic or impair the full use and safety of the highway, and in any case the GRANTEE and the FEDERAL HIGHWAY ADMINISTRATION shall be consulted prior to the exercise of such rights; and Provided further that nothing herein shall preclude the _____ from locating _____ information signs on the portions of the right-of-way outside of construction clearing limits.
5. The design and construction of highway Project No. _____ situated on this right-of-way will be in accord with the provisions of Title 23, U.S. Code, Highways, and amendments; the Regulations for the Administration of Federal-Aid for Highways, effective May 11, 1960, and amendments and established procedures for Federal-Aid projects, including the requirements of Title 23, Code of Federal Regulations, Part 771 and the construction specifications of the Mississippi Department of Transportation as approved by the FEDERAL HIGHWAY ADMINISTRATION for use on Federal-Aid projects.
6. The _____ will be provided an opportunity to review plans relative to effects, if any, that the project works as planned will have upon adequate protection and utilization of the land traversed by the right-of-way and adjoining land under the administration of the _____ for the purpose for which such land is being administered. Those features of design, construction and maintenance of the highway facility, and use of the right-of-way that would have effect of the protection and utilization of the land under the administration of the _____ are to be mutually agreed upon by the _____ and the GRANTEE by conference or other communications during the preparation of the plans and specifications for each construction project, and the plans shall be revised, modified, or supplemented to meet the approval of the _____, or when deemed appropriate, supplemented by written stipulation between the _____ and the GRANTEE prior to start of construction.

The final design and construction specifications for any highway construction project on the right-of-way will be presented to the _____ for his approval and construction shall not begin until such approval is given: Provided, that if it is subsequently deemed necessary that the approved plans, specifications, or stipulations be amended or supplemented, any amendment or supplement shall be approved by the _____ and the GRANTEE before being placed in effect.

7. Consistent with highway safety standards, the GRANTEE shall:
 - (a) Protect and preserve soil and vegetative cover and scenic and aesthetic values on the right-of-way outside of construction limits.
 - (b) Provide for the prevention and control of soil erosion within the right-of-way and adjacent lands that might be effected by the construction, operation, or maintenance of the highway, and shall vegetate and keep vegetated with suitable species all earth cut or fill slopes feasible for revegetation or other areas on which ground cover is destroyed where it is deemed necessary during a joint review between the _____ and the GRANTEE prior to completion of the highway and the GRANTEE shall maintain all terracing, waterbars, lead-off ditches, or other preventive works that may be required to accomplish this objective. This provision shall also apply to slopes that are reshaped following slides which occur during or after construction.
8. The GRANTEE shall establish no borrow, sand, or gravel pits, stone quarries, or permanent storage areas, sites for highway operation and maintenance facilities, camps, supply depots, or disposal areas within the right-of-way, unless shown on approved construction plans, without first obtaining approval of the _____.
9. The GRANTEE shall maintain the right-of-way clearing by means of chemicals only after specific written approval has been given by the _____. Application for such approval must be in writing and specify the time, method, chemicals, and the exact portion of the right-of-way to be chemically treated.
10. The GRANTEE in consideration of the conveyance of said lands and interests in lands does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns that it will comply with the provisions of Title VI of the Civil Rights Act of 1964, (78 Stat. 252; 42 U.S.C., Sections 2000d-2000d-4) and the regulations set forth in Title 49, Transportation, Subtitle A, Part 21, Code of Federal Regulations (49 C.F.R. 21.1 - 21.23) (1970), specifically that (a) no members of the traveling public and business users of the Federally-assisted highway shall, on the grounds of race, color, or national origin be excluded from participation in, be denied the benefits of, or be otherwise subject to discrimination in their access to and use of said highway or their access to and use of the facilities and services provided for public accommodations (such as eating, sleeping, rest, recreation and vehicle servicing) constructed on, over, or under the right-of-way of the said highway, (b) that the GRANTEE shall use the lands and interests in lands so conveyed, in compliance with all other requirements imposed pursuant to said Title 49, Subtitle A, Code of Federal Regulations, Part 21.
11. In the event of breach of the above-mentioned non-discrimination covenants, the DEPARTMENT reserves the right to declare the terms of this grant terminated in whole or in part and to revest title in the U.S. FOREST SERVICE as such control existed prior to this instrument.
12. When need for the easement herein granted shall no longer exist, the GRANTEE shall give notice of that fact to the Secretary of Transportation and the rights herein

granted shall terminate and the land shall immediately revert to the full control of the _____.

IN WITNESS WHEREOF, I, _____, Mississippi Division Administrator, and pursuant to delegations of authority from the Secretary of Transportation, and the Federal Highway Administrator, by virtue of authority vested in me by law, have hereunto subscribed my name as of the day and year first above written.

UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

BY: _____
Mississippi Division Administrator
Federal Highway Administration
666 North Street, Suite 105
Jackson, MS 39202
601/965-4215

STATE OF MISSISSIPPI
COUNTY OF _____

I, _____, a Notary Public in and for said County and State, do hereby certify that on this the _____ day of _____, before me personally appeared _____, Mississippi Division Administrator, Federal Highway Administration, and acknowledged that the foregoing instrument bearing date of _____, _____, was executed by him in his official capacity and by authority in him vested by law, for the purposes and intents in said instrument described and set forth, and acknowledged the same to be his free act and deed as Assistant Mississippi Division Administrator, Federal Highway Administration.

Witness my hand and seal this _____ day of _____, _____.

Notary Public

(SEAL)
My Commission Expires _____

In compliance with the conditions set forth in the foregoing deed, the MISSISSIPPI TRANSPORTATION COMMISSION, by and through the duly authorized Executive Director of the Mississippi Department of Transportation, certifies, and by the acceptance of this deed, accepts the right-of-way over certain land herein described and agrees for itself, its successors and assigns forever to abide by the conditions set forth in said deed.

MISSISSIPPI TRANSPORTATION COMMISSION
BY AND THROUGH THE EXECUTIVE DIRECTOR
OF THE MISSISSIPPI DEPARTMENT OF
TRANSPORTATION

BY: _____
Executive Director
MS Department of Transportation
P.O. Box 1850
Jackson, Mississippi 39215-1850
601/359-7004

STATE OF _____

COUNTY OF _____

I, _____ a Notary Public in and for said County
and State, hereby certify that _____

whose name as _____ is signed to the foregoing conveyance and
who is known to me, acknowledged before me this day that informed of the contents of the
conveyance, he in his capacity as such _____ executed the same
voluntarily on this day. Given under my hand and seal of office this _____ day of
_____, _____.

Notary Public

(SEAL)

My Commission Expires _____

EXHIBIT C

STIPULATION FOR THE TRANSFER OF RIGHT-OF-WAY FOR EDDICETON-CASEYVILLE ROAD ON THE HOMOCHITTO NATIONAL FOREST

This Stipulation, made this _____ day of _____, 20____, by and between Lincoln County, Mississippi, hereinafter referred to as the County, and the Forest Service, United States Department of Agriculture, acting herein by and through the Forest Supervisor, hereinafter referred to as the Forest Supervisor.

WHEREAS, the County is engaged in the laying out, construction, operation, and maintenance of a public highway designated as Eddiceton-Caseyville Road, which traverses lands of the United States in the State of Mississippi, County of Lincoln (in Sections 14, 22, 23, 24, 27, 28 & 29, Township 8 North, Range 5 East, further described at Exhibits A1-A5), administered by the Forest Service, and

WHEREAS, the County and the Forest Supervisor desire to cooperate in the development and construction of a highway that will protect adequately and afford adequate utilization of the lands of the United States traversed by the highway for the purposes for which the lands are being administered.

NOW, THEREFORE, supplementary to the terms and conditions of the highway easement deed between the United States, acting through the Department of Transportation, Federal Highway Administration, and the County, the parties hereto agree to carry out the following provisions during the construction stage: (Construction stage is to begin when construction activities commence on lands administered by the Forest Service and end when the Forest Supervisor and the County mutually agree that any work done thereafter will be considered as maintenance, EXCEPT, that the Forest Supervisor reserves the right to reinstate the provisions of this stipulation if the County subsequently submits plans for reconstruction or alteration of the highway).

The County shall:

1. Recognize that the Forest Service consents to the appropriation and transfer of these lands with the clear understanding that if any current permit holder is required to move any structure, line or improvement, they will be compensated to the maximum extent possible.
2. Before any clearing of the right-of-way or construction of the highway commences:
 - a. Prepare, in cooperation with the Forest Supervisor, a fire protection plan that sets forth in detail the fire prevention, presuppression, and suppression measures that will be taken by the Grantee, its employees, contractors, and subcontractors, and their employees in all operations during the construction stage. The fire plan shall be made available to all bidders prior to letting contract and the Grantee shall cause its contractors to comply with

all provisions of the fire plan and of all burning permits issued for disposal of flammable materials.

- b. Prepare, in cooperation with the Forest Supervisor, a clearing plan that sets forth in detail the procedures and standards that will apply to (1) all clearing and disposal of merchantable timber and young growth in the right-of-way and (2) debris disposals, including debris removal from all streams. Such plan shall include provision for payment by the Grantee or its contractors for the merchantable timber on lands of the United States to be cut, used, or destroyed in the construction of the highway or in clearing of said right-of-way. Payment for merchantable timber shall be at appraised value as determined by the Forest Supervisor: Provided, That the Forest Supervisor may dispose of the merchantable timber to other than the Grantee or its contractors at no stumpage cost to the Grantee or its contractors.
 - c. Prepare, in cooperation with the Forest Supervisor, a landscape and erosion control plan with the objective of protecting, restoring, or enhancing the roadside landscape, protecting soil, and protecting or reestablishing vegetative cover. Such plan shall, when appropriate, provide for vegetating cuts, fills, and other areas damaged as a result of highway construction; maintenance or operation; and for terraces, drainage, waste disposal areas, soil replacement, and other related requirements necessary to achieve the objective.
2. Comply with the following recommendations of the State Fish and Game Department and Forest Service for wildlife and fish management:
 - a. Take all necessary precautions to avoid damage to fish habitat and exercise every reasonable precaution to prevent muddying or silting live streams.
 - b. Not deposit material removed from the roadway or channel changes in live streams or into the streams or stream channel where it would be washed away by high stream flows.
 - c. Not haul materials, including logs, brush, and debris by fording live streams, but shall provide temporary bridges or other structures for this purpose.
 - d. Not operate mechanized equipment in live streams, except as may be required to construct bridges, retaining walls, or channel changes as stipulated.
 - e. Not allow oil or greasy substances originating from construction operations to enter or be placed where they may later enter a live stream.
 - f. Comply with provisions of the State Game and Fish Code and other applicable statutes relating to pollution prevention or abatement.
 3. Dispose of waste material resulting from slides during and after construction and surplus material at locations approved by the Forest Supervisor. A plan showing the proposed method of disposal shall be submitted by the Grantee at the time approval is requested.

4. Treat sections of existing road, to be abandoned as a result of the proposed new construction, as designated by the Forest Supervisor, to restore them to their natural state. The necessary treatment shall be determined during a joint review between the Forest Service and the County and may include ripping of roadbed, removal of drainage structure, and opening drainage channels. Plans and specifications as mutually deemed appropriate to accomplish the objective shall become a part of this stipulation.
5. Build suitable access structures, grade separations, and/or connecting roads to standards that conform with the approved plans and specifications.
 - (1) Any existing or planned National Forest development (or other Forest Service controlled road) intersected or blocked by the right-of-way and
 - (2) Any existing improvement or development of the United States or its permittees, such as campgrounds and picnic grounds, summer homes, hotels and resorts, and Government stations.)
6. Repair or replace buildings, roads, trails, or other United States-owned improvements that are damaged or destroyed in the exercise of the rights granted herein at locations designated by and in accordance with plans and specifications approved by the Forest Supervisor.
7. Install locked gates or removable panels in the right-of-way fences with suitable driveways thereto at locations requested by the Forest Supervisor to provide access for firefighting.
8. Permanently monument the right-of-way in accordance with State requirements for such right-of-way before completing construction, but in any event, the minimum requirements shall be to place permanent monuments at the intersection of right-of-way with all property lines, section lines, and at intervals of not more than 1,000 feet along the right-of-way limits.
9. Reestablish or restore public land monuments disturbed or destroyed by construction, reconstruction, or maintenance according to instructions of the Bureau of Land Management, Department of the Interior. Other land monuments and property corners or witness markers shall not be damaged, destroyed, or obliterated without the prior permission of the Forest Supervisor and shall be relocated or reestablished in accordance with standards satisfactory to the Forest Supervisor.
10. Establish no borrow, sand, or gravel pits, stone quarries, or permanent storage areas, sites for highway operation and maintenance facilities, camps, supply depots, or disposal areas with the right-of-way, unless shown on approved constructions plans, without first obtaining approval of the Forest Supervisor.
11. Maintain right-of-way clearing by means of chemicals only after specific written approval has been given by the Forest Supervisor. Application for such approval must be in writing and specify the time, method, chemicals, and the exact portion of the right-of-way to be chemically treated.

IN WITNESS WHEREOF, the parties hereto have caused this Stipulation and attached operating plan to be executed on the day and year first above written.

By: _____
President
_____ County Board of Supervisors

R.E. Vann III
Acting Forest Supervisor
United States Forest Service

ATTACHMENT
1. Operating Plan

OPERATING PLAN

REQUIRED ACTIONS

Arrange a preconstruction meeting with the District Ranger prior to beginning project. The phone number for the Homochitto Ranger District is 601-384-5876.

To prevent the introduction and spread of invasive species onto National Forest land, ensure that all equipment moved onto National Forest land is sufficiently cleaned so that it is free of soil, seeds, vegetative matter or other debris that could contain or hold invasive species. In addition, all equipment must be checked before leaving an infested site for pieces or cogongrass prior to continuing work. All plant parts, which includes leaf blades and rhizomes/root wads, must be removed from every part of equipment, including tires and tracks.

Cogongrass is a specific noxious weed known in this area. The State is required to treat all cogongrass within the right-of-way prior to any road construction/reconstruction activities. Herbicide application will be done according to the US Forest Service approved Environmental Assessment for control of cogongrass. Coordinate with the District Ecology/Wildlife staff for specific procedures. Furthermore, as much as they are able, the State shall treat any new or uncontrolled areas of existing cogongrass infestations within this right-of-way so long as this authorization is in effect.

During erosion control seeding for road work, no invasive plant species such as cogongrass will be used. A mix of native and desirable, non-native, non-invasive species is authorized.

ACCESS ROADS & SITES

The State and/or its Contractors shall fully and currently repair all damage other than ordinary wear and tear to National Forest roads and trails caused by the State in the exercise of the privilege granted by this Authorization.

CLEARING

The Forest Service shall conduct a timber sale of all merchantable timber on National Forest land required for this project. Unmerchantable material, including tops, branches, etc., shall be disposed of by the State as directed by the District Ranger, Homochitto National Forest. Methods of disposal may include any of the following methods or combination of methods: lop and scatter (to within two (2) feet of the ground), chip, pile and burn, broadcast burn, or remove.

All stumps shall be cut within six (6) inches of the ground. Debris shall be removed from stream crossings, restoring the stream to original condition or equivalent.

No clearing activity or equipment operation shall occur outside the designated clearing limits.

CULTURAL RESOURCES

This project has been evaluated by a Forest Service archaeologist and is not expected to affect any archaeological sites or other cultural resources. However, if archaeological sites are discovered during construction, the District Ranger, Homochitto National Forest, shall be notified and the project shall be stopped until the resources have been evaluated by a Forest Service archaeologist using the National Register of Historic Places criteria of significance. A "site" is defined as more than two artifacts in close proximity and/or older than 50 years.

It is illegal for non-ARPA (Archaeological Resources Protection Act) permitted archaeologists or other individuals not supervised by a federal archaeologist to remove archaeological resources from the project area located on Federal lands. A fine and/or jail time may be given to individuals removing artifacts from the project area.

FIRE PROTECTION

The State, its employees and contractors, under the direction of the District Ranger, Homochitto National Forest, or in the absence of said officer, acting independently, shall immediately extinguish, without expense to the Government, all fires on, or in the vicinity of, the project which are caused by them or their employees, whether set directly or indirectly, as a result of construction operations. The State may be held liable for all damages resulting from fires set or caused by their employees or resulting from their construction operations. If the amount and character of labor, subsistence, supplies, and transportation, which the State is in a position to furnish promptly, for fire suppression, prove inadequate, the District Ranger, Homochitto National Forest, is authorized to procure such items and services as he/she may deem necessary and charge said items or services to the State.

For the purpose of fighting fires on or in the vicinity of the project which are not caused by the the State, or its employees or contractors, the Supervisors, when requested by the District Ranger, Homochitto National Forest, shall place their employees and equipment temporarily at the disposal of the Forest Service. Payment for such services will be made by the Government at not less than the current rate for firefighting services established by the Forest Service in the area concerned.

Any employees and equipment furnished will be relieved from firefighting as soon as the Forest Service finds that it is practicable to employ other labor and equipment adequate for the protection of the area.

If piling and burning is selected as a slash disposal method in accordance with the Clearing Plan, the State shall notify the Mississippi Forestry Commission of its intent to burn. The State must also notify the Homochitto National Forest when they plan to burn. This is necessary to address calls from the public or should fire danger conditions be a concern. Burn piles shall be constructed of such size and at such distance from trees so that burning shall not result in unnecessary damage to remaining live trees.

LANDSCAPE AND EROSION CONTROL

The Forest Supervisor accepts the guidelines established in the handbook entitled, *Mississippi Standard Specifications for State Aid Road and Bridge Construction*, Edition 2004, at Section S-200 – Earthwork, in conducting landscape and erosion control for this project.

OTHER RESOURCES PROTECTION

Authorized agents shall be responsible for all damages and shall repair at their expense any improvements so damaged on National Forest land by the operations.

Cleanup of the area must be complete and thorough. All equipment, empty cartons, marking tape, oil cans, garbage, etc., must be removed.

Pesticides, including herbicides, may not be used to control undesirable woody and herbaceous vegetation, aquatic plants, insects, rodents, or trash fish without prior written approval of the Forest Officer. A request for approval of planned uses and schedule of applications of pesticides will be submitted annually by the State. Exceptions to this schedule may be allowed only when unexpected outbreaks of pests require control measures which were not anticipated at the time the annual report was submitted / required. At that time an emergency request and approval may be made. Only those materials registered by the U.S. Environmental Protection Agency for the specific purpose planned will be considered for use on National Forest land. Label instructions will be strictly followed in the application of pesticides and disposal of excess materials and containers.

Signs restricting public access will be placed only with the approval of the District Ranger. All signs will be removed by the State at the conclusion of operations.

Upon a spill occurrence, the State shall take immediate containment and cleanup action and notify the Forest Officer at the earliest opportunity.

Authorized agents shall be responsible for all damages and shall repair at their expense any improvements so damaged on National Forest land by the operations.

All fuel servicing vehicles shall be equipped with spill cleanup kits. No fueling will take place within 100 feet of any water source.

SAFETY

Provisions for public safety, including but not limited to the use of warning signals, signs, and observers, will be used. Slow Moving Vehicle emblems must be properly mounted on heavy equipment using Forest Service roads.

Prior to commencement of aerial operations, coordination with appropriate Forest Service personnel will take place.

MONITORING

Any potential problems or observed resource damage is to be reported to the Forest Service representatives.

Shut down of work may be ordered by the District Ranger whenever he determines a serious violation of the Authorization or when minor violations occur repeatedly.

RESTORATION

Forest Service roads and trails will be maintained at the standard that existed prior to commencement of operations. Upon completion of operations, repair all roads to their original condition including, as needed, grading, ditching, and revegetation of backslopes.

State will be responsible for success of restoration efforts for a period of one year following completion of operations.

Exhibit D

National Forests in Mississippi Environmental Policy

An environmental management system (EMS) has been implemented on the National Forests in Mississippi. This system can be described as a continual cycle of planning, implementing, reviewing, and improving the processes and actions that an organization undertakes to meet its business and environmental goals. Nationally, more than 35,000 Forest Service **employees, contractors, permittees, and volunteers** work to conserve public lands while producing goods and services. The Forest Service's daily work is to maintain and improve environmental conditions and reduce impacts of activities on the environment.

EMS is a management system providing an opportunity for the Forest Service (FS) to formalize an adaptive management system that establishes and meets environmental objectives systematically and measurably. Adaptive management is an approach to natural resource management where actions are designed and executed and effects monitored for the purpose of learning and adjusting future management actions to improve management effectiveness. EMS is implemented under international standard (ISO) 14001 with 18 elements grouped under headings in a cycle of "plan, do, check, act." The EMS cycle links strategic planning activities, tactical field operations, and environmental reporting of results or problems to management for action. This integrated model of management calls for identifying strengths and areas that could benefit from improvements.

The Forest Service has, in accordance with EMS ISO Element 4.2, established the following Environmental Policy:

"The Forest Service is committed to compliance with applicable legal and other requirements, pollution prevention, and continual environmental improvement."

Executive Order (EO) 13423 of 2007 requires government agencies to use an EMS to manage environmental aspects of their operations and activities and the 2008 Planning Rule, 36 CFR 219.5, requires an EMS before a forest can implement a project under the authority of a forest plan revised or amended under the new rule.

Work conducted on behalf of the agency also has the potential to cause significant environmental impacts. Therefore, all contractors, permittees, volunteers, and partners are expected to adhere to the Environmental Policy.