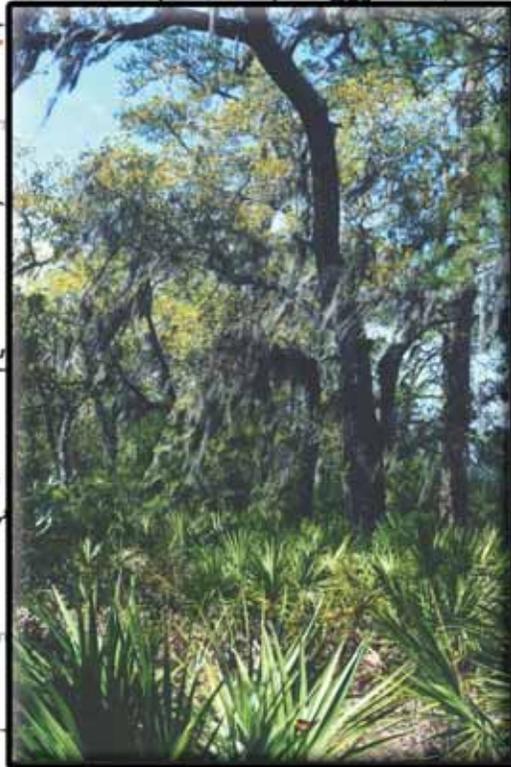


Alabama and Mississippi Draft Resource Management Plan and Environmental Impact Statement

August 2007



Eastern States, Jackson Field Office





BLM/ES/PL-07/001+1610

Cover Photos: Top Left – Point Clear Island, Hancock County, Mississippi; Top Right – Hanging Moss at Big Rock Island, Mitchell Lake Alabama; Middle Right – Fowl River Tract, Mobile County, Alabama; Bottom Left – Fort Morgan Beach Tract, Baldwin County, Alabama; and Bottom Right – Oil rig on Federal lease.

United States Department of the Interior



BUREAU OF LAND MANAGEMENT
Eastern States
Jackson Field Office
411 Briarwood Drive, Suite 404
Jackson, Mississippi 39206
http://www.es.blm.gov/AL_MS_RMP



In Reply Refer To:
1610 (020)

Dear Reader:

Attached for your review and comment is the Alabama and Mississippi Draft Resource Management Plan (RMP) and Environmental Impact Statement (EIS) for the Eastern States, Jackson Field Office (JFO). The BLM published a Notice of Intent in the *Federal Register* to prepare this RMP-EIS on July 12, 2002. An official scoping period began with this publication and ran through September 2002. Letters were sent to Alabama and Mississippi State agencies, county supervisors and commissioners, and the governors of both States to inform them of the planning process. The State of Mississippi accepted the invitation to become an official cooperating agency.

The alternative resource management plans described in this document have been designed to resolve land management issues that were identified through the planning process and to provide a basis for comparison of the impacts associated with each alternative. Analyses of the environmental consequences of implementing each of the alternatives are also included in the document. The final decision and Proposed RMP may be one of the alternatives in its entirety or a combination of various actions contained in more than one of the alternatives described in this Draft RMP-EIS.

We invite your comments on the content of this document. A 90-day comment period will begin with the date the Environmental Protection Agency (EPA) publishes the filing of this Draft RMP-EIS in the *Federal Register*. We are particularly interested in comments that address one or more of the following: 1) possible flaws in the analysis; 2) new information that would have a bearing on the analysis; and 3) needs for clarification. Please send your written comments to:

Gary Taylor
BLM Planning Coordinator
411 Briarwood Drive, Suite 404
Jackson, Mississippi 39206

Comments, including the names and street addresses of respondents, will be made available for review by the public at the address listed above during regular business hours (7:45 a.m. to 4:30 p.m.), Monday through Friday, except holidays, and will be published as part of the Proposed RMP and Final EIS. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment – including your personal identifying information – may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so. All submissions from organizations or businesses and from individuals representing, or who are officials of, organizations or businesses will be made available for public inspection in their entirety.

Comments on the Draft RMP-EIS will be fully considered and evaluated in development of the Proposed RMP and Final EIS. Through your participation in this effort, we can move forward together toward a common goal of improved public land management in Mississippi and Alabama.

Please retain this copy of the Draft RMP-EIS for future reference, as the Proposed RMP and Final EIS may be published in abbreviated format. A copy of this Draft RMP-EIS has been sent to affected Federal, State, and local government agencies and to those persons who indicated they wished to receive a copy. The Draft RMP-EIS can be downloaded from the RMP website at http://www.es.blm.gov/AL_MS_RMP. Copies of the Draft RMP-EIS are available for public inspection at the following BLM locations:

Bureau of Land Management
Eastern States Office
7450 Boston Boulevard
Springfield, Virginia 22153

Bureau of Land Management
Jackson Field Office
411 Briarwood Drive, Suite 404
Jackson, Mississippi 39206

Public participation is important for the successful development of these plans. We ask for your thoughtful evaluation and comments.

Sincerely,

A handwritten signature in blue ink, appearing to read "A. Barron Bail". The signature is stylized and cursive.

Alan Barron Bail

Acting State Director

Alabama and Mississippi Draft Resource Management Plan and Environmental Impact Statement

for

Public Lands Administered

by the

Bureau of Land Management

Eastern States

Jackson Field Office

Prepared by

United States Department of the Interior

Bureau of Land Management

Eastern States

Jackson Field Office

In cooperation with

The State of Mississippi

August 2007

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DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR THE ALABAMA AND MISSISSIPPI RESOURCE MANAGEMENT PLAN

Lead Agency: U.S. Department of the Interior, Bureau of Land Management

Type of Action: Administrative

Jurisdiction: Portions of the States of Mississippi and Alabama

Abstract: This Draft Resource Management Plan (RMP) and Environmental Impact Statement (EIS) describes and analyzes a reasonable range of management alternatives for the public lands and resources administered by the Bureau of Land Management (BLM) in the States of Alabama and Mississippi. Within the two States combined, BLM administers approximately 333 acres of public land surface and mineral estate and 704,850 acres of Federal minerals where the surface estate is in non-Federal ownership. BLM also has responsibility for 126,570 acres of mineral estate where the surface is managed by other Federal agencies (excluding BLM and U.S. Forest Service [USFS]). For the purposes of this document, RMP mineral leasing decisions will apply to “BLM-administered non-USFS Federal mineral ownership (FMO),” which refers to BLM-administered Federal minerals where the surface estate is in non-Federal ownership and Federal agencies excluding USFS. BLM has responsibility for lease issuance and post lease administration of 1,640,621 acres of mineral estate where the surface is managed by USFS. However, the RMP will not make decisions on oil and gas leasing of national forest acreage because the Federal Onshore Oil and Gas Reform Act of 1987 requires the USFS to conduct a leasing analysis to make land use planning decisions on oil and gas leasing. This legal requirement does not apply to other Federal surface management agencies.

Four alternatives are analyzed in detail, including the Preferred Alternative. The management prescriptions of the four alternatives would guide management of BLM-administered lands (referred to as surface tracts) and non-USFS FMO in Alabama and Mississippi. The management alternatives evaluated in this Draft RMP-EIS were developed to meet management goals and objectives and minimize adverse impacts to cultural and natural resources while providing for compatible resource use and development opportunities consistent with current laws, regulations, and policies.

Comments on this Draft RMP-EIS will be accepted for 90 days following the date that the Environmental Protection Agency (EPA) publishes the notice of filing this Draft EIS in the Federal Register. Further information regarding this Draft EIS can be obtained from:

Gary Taylor
BLM Planning Coordinator
411 Briarwood Drive, Suite 404
Jackson, Mississippi 39206

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EXECUTIVE SUMMARY

INTRODUCTION

This Draft Resource Management Plan (RMP) and Environmental Impact Statement (EIS) describes and analyzes a reasonable range of management alternatives for the public lands and resources administered by the Bureau of Land Management (BLM) in the States of Alabama and Mississippi. Within the two States combined, BLM administers approximately 333 acres of public land surface and mineral estate and 704,850 acres of Federal minerals where the surface estate is in non-Federal ownership. BLM also has responsibility for 126,570 acres of mineral estate where the surface is managed by other Federal agencies (excluding BLM and U.S. Forest Service [USFS]). On these lands, oil and gas leasing of Federal minerals is subject to management as directed by the surface managing agency, and the decisions of this RMP will pertain only to BLM's role in administering the minerals. BLM has the responsibility for lease issuance and post lease administration of 1,640,621 acres of mineral estate where the surface is managed by USFS. However, the RMP will not make decisions on oil and gas leasing of national forest acreage because the Federal Onshore Oil and Gas Reform Act of 1987 requires the USFS to conduct a leasing analysis to make land use planning decisions on oil and gas leasing. This legal requirement does not apply to other Federal surface management agencies. For the purposes of this document, RMP decisions will apply to "BLM-administered non-USFS Federal mineral ownership (FMO)," which refers to BLM-administered Federal minerals where the surface estate is in non-Federal ownership and Federal agencies excluding USFS.

Within the two States, there are also 8,077 acres of lands with uncertain title. These are public domain lands according to General Land Office records, but may have private claims of ownership. The RMP will not make management decisions on these lands per se; however, these lands, which are listed in Appendix B, will be available for disposal to qualified applicants under the Color-of-Title Act. The above categories of BLM-administered land ownership that will be covered by this RMP are listed and described in Table 1-1 for Alabama and Table 1-2 for Mississippi.

DESCRIPTION OF THE DRAFT RMP-EIS ALTERNATIVES

Four alternatives are analyzed in detail, including the Preferred Alternative. The management prescriptions of the four alternatives described in Chapter 2 would guide management of BLM-administered lands (referred to as surface tracts) and non-U.S. Forest Service Federal mineral ownership (non-USFS FMO) in Alabama and Mississippi. An interdisciplinary team developed the alternatives to present a reasonable range of management options for guiding resource management and activities. The management alternatives evaluated in this Draft RMP-EIS were developed to meet management goals and objectives and minimize adverse impacts to cultural and natural resources while providing for compatible resource use and development opportunities consistent with current laws, regulations, and policies.

Each alternative represents a direction to guide future management of BLM-administered public lands and resources. Alternative 3 was selected as the Preferred Alternative because it protects sensitive resources, while allowing mineral development and providing management efficiency through disposal of most of the scattered surface tracts.

Management themes represented in each alternative include the following:

- **Alternative 1 (No Action)**—represents the No Action Alternative (i.e., continuation of current management). BLM would continue the current management approach by retaining all BLM-administered surface tracts and employing custodial management. BLM management actions would occur in response to an application for use presented by another entity or compliance actions required by regulation and policy (as described in Section 2.3, Standard Management Common to All Alternatives). Potential impacts and mitigation would be identified and assessed when application is made for activity on a specific piece of BLM-administered land.

There would be 760,570 acres of BLM-administered non-USFS FMO that would be open to oil and gas leasing. Management of oil and gas leasing, exploration, and development would be subject to the standard lease terms and conditions that are included on the lease form.

- **Alternative 2**—proposes that BLM would retain specific BLM-administered surface tracts. BLM would investigate opportunities to manage the tracts in partnership with other agencies or organizations. Use of the tracts would be consistent with management objectives and other land use decisions. Tract-specific constraints for resource uses, such as ROW access, would be based on the presence of sensitive resources (e.g., special status species and important cultural resources). In addition to the management for fish and wildlife habitat, special status species, and cultural resources outlined in Alternative 1, more proactive management would occur on specific tracts to protect important natural and cultural resources. Management actions for specific tracts, as needed, could include installing walk-overs and sand fencing on actively used tracts to protect special status species habitat, vegetation treatments to enhance or improve native landscapes on actively used tracts, and habitat management to achieve objectives in established fish and wildlife conservation strategies.

There would be 760,452 acres of BLM-administered non-USFS FMO that would be open to oil and gas leasing; since an additional 365 acres would be closed to protect habitat of the Federally-listed Alabama beach mouse. In addition to standard terms and conditions, conservation measures would be applied as stipulations to oil and gas leases and BMPs would be used to reduce adverse effects caused surface-disturbing or disruptive activities associated with oil and gas operations on BLM-administered non-USFS FMO. Conservation measures, including no surface occupancy (NSO), controlled surface use (CSU), and seasonal stipulations, and BMPs are presented in Appendix D. Under this alternative, lease stipulations would include a 1,000-foot NSO buffer from aquatic habitats and Alabama beach mouse habitat would not be available for lease. The stipulations in Appendix D would be applied in addition to the standard lease terms and conditions on the lease form. For each stipulation there are provisions for waiver, modification, and exception provided in Appendix D, which could be applied as appropriate. The BMPs would be considered mandatory to reduce adverse impacts to specific resources and would be applied to oil and gas operations on new and existing leases. There would be some flexibility in implementation of each BMP, depending on site-specific conditions. Where there is potential to affect Federally listed, proposed, or candidate species or designated critical habitat, application of BMPs and/or waiver, modification and exception to stipulations would normally require coordination and possible formal consultation with USFWS.

- **Alternative 3 (Preferred Alternative)**—All of the BLM-administered surface tracts would be available for disposal except the Hancock County tract in Mississippi. For some of the surface tracts, there would be conditions placed on the disposal that development and use of the tract would be consistent with the resource management objectives and allowable uses established for the tract. Restrictions on use after disposal would be provided in the patent transferring

ownership. Valid existing rights and other valid authorizations would be protected if disposal occurred.

Until the surface tracts are disposed, management would apply tract-specific constraints for resource uses, such as ROW access, based on the presence of sensitive resources (e.g., special status species and important cultural resources). In addition to the management for fish and wildlife habitat, special status species, and cultural resources outlined in Alternative 1, more proactive management would occur on specific tracts to protect important natural and cultural resources. Management actions for specific tracts, as needed, could include vegetation treatments to enhance or improve native landscapes on actively used tracts and habitat management to achieve objectives in established fish and wildlife conservation strategies.

There would be 760,570 acres of BLM-administered non-USFS FMO that would be open to oil and gas leasing. Similar to Alternative 2, Alternative 3 uses conservation measures that would be applied as lease stipulations and BMPs to reduce adverse effects caused by surface-disturbing or disruptive activities associated with oil and gas operations on BLM-administered non-USFS FMO. The stipulations in Alternative 3 are different from Alternative 2 in two ways. First, Alabama beach mouse habitat would be available for lease, but subject to a NSO stipulation. Second, the buffer from aquatic habitats would be reduced to 250-feet.

- **Alternative 4**—Alternative 4 proposes that all BLM-administered surface tracts would be made available for disposal from Federal ownership with no specific condition on use after disposal. Valid existing rights and other valid authorizations would be protected in the event of disposal. Under this alternative, management of BLM-administered non-USFS FMO would be the same as Alternative 3.

ENVIRONMENTAL CONSEQUENCES

The environmental consequences that could result from the management prescriptions of the four alternatives are described in Chapter 4 and are summarized and compared in Table 2-13, Comparison of Impacts for Alabama and Table 2-14, Comparison of Impacts for Mississippi. These potential consequences are discussed for each resource program, providing an analysis of environmental effects resulting from management of all resources and resource uses. This includes an analysis of cumulative effects, which are defined as the impacts that result from the incremental impact of an action when added to other past, present, or reasonably foreseeable future actions.

CONSULTATION AND COORDINATION

Consultation, coordination and public involvement were undertaken by BLM throughout the process of developing this Draft RMP-EIS. Consultation, coordination, and public involvement in preparing this Draft RMP-EIS have been accomplished through public and informal meetings, individual contacts, bulletins, news releases, and *Federal Register* notices.

BLM consulted and coordinated with federal and state agencies and Native American tribes in developing this Draft RMP-EIS. Specifically, BLM has coordinated with the USFWS to obtain a species list and develop best management practices and oil and gas leasing stipulations for the alternatives. BLM coordinated on the state level by contacting Alabama and Mississippi State agencies, county supervisors and commissioners, and the governors of both States to inform them of the RMP planning process. In addition, BLM contacted appropriate Native American tribes, inviting them to participate in the Alabama

and Mississippi RMP-EIS development process, and offered to meet with tribal leaders or representatives in person to discuss issues, concerns, and questions they might have.

Public Involvement

Public participation in the RMP-EIS process includes a variety of efforts to identify and address public concerns and needs. The public involvement process assists the agencies in broadening the information base for decision-making, informing the public about the RMP-EIS and the potential impacts associated with various management decisions, and ensuring that public needs and viewpoints are understood by the agency.

A public workshop (with an emphasis on BLM tracts in Baldwin County, Alabama) was held in Gulf Shores, Alabama, on September 2, 2004, to solicit additional comments for developing alternatives. The workshop was conducted in an open house format, with resource stations and BLM staff available for individual discussions. Eight participants attended the workshop, including representatives from the Alabama State Lands Division. Information meetings with Baldwin County also took place during this period. Although BLM provided a deadline of November 30, 2004 to receive information and input via mail, e-mail, or the project Web site, none was submitted; however, BLM accepted input from the public and interested agencies throughout the planning process. Comment letters that were submitted after the November deadline dealt primarily with the Baldwin County land tracts and how they should be managed by BLM. All comments were collected, analyzed, and included in the project administrative record.

Cooperating Agencies

The primary role of cooperating agencies (also referred to as cooperators) is to provide special expertise and/or assistance to the lead agency throughout the RMP-EIS process. Cooperator roles include participation in the scoping process, provision of information and assistance to the lead agency, review of draft information, and provision of overall advice during the planning process.

Letters were sent to the States of Alabama and Mississippi requesting their involvement in the planning process as cooperating agencies. The State of Mississippi accepted the invitation to become an official cooperating agency.