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# CHAPTER 1—PURPOSE AND NEED

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## 1.1 INTRODUCTION

The Bureau of Land Management (BLM) Eastern States, Jackson Field Office (JFO) has initiated the planning process to develop a Resource Management Plan (RMP) for public lands and mineral estate dispersed across the states of Alabama and Mississippi. An Environmental Impact Statement (EIS) is being prepared as part of this project. The State of Mississippi is a cooperating agency, as defined by the Council on Environmental Quality's (CEQ's) regulations implementing the National Environmental Policy Act of 1969 (NEPA), for this RMP.

## 1.2 PURPOSE AND NEED FOR THE PLAN

Until now, BLM resource management in the States of Alabama and Mississippi has been governed by project-specific planning analyses and environmental assessments (EAs); however, preparing separate project-specific documents whenever BLM receives external proposals has been inefficient, costly, and has delayed decision making on industry-driven requests to lease Federal minerals and land tenure adjustments where BLM retains surface management responsibilities. The planning criteria identified in Section 1.3.2 sets out BLM's primary responsibilities in Alabama and Mississippi, which is to make minerals available for leasing, where appropriate, and to make land tenure adjustments according to the criteria found in the Federal Land Policy and Management Act of 1976 (FLPMA; 43 United States Code [USC] 1711-1712).

By preparing a single land use plan for both States, BLM will be able to respond to mineral leasing proposals and deal efficiently with the long-term management of its scattered lands. The Alabama and Mississippi RMP will provide the JFO with a comprehensive framework for managing BLM-administered land and minerals within these States. Completion of the RMP will meet the mandate of FLPMA that public lands be managed for multiple use and sustained yield under an approved RMP. Preparation of the RMP will also fulfill BLM's responsibilities for public involvement and environmental impact analysis under NEPA. NEPA requires Federal agencies to prepare an EIS for any Federal action that could significantly affect the human environment. Preparation and adoption of an RMP constitutes such an action. The EIS prepared in conjunction with this Draft RMP serves to analyze proposed actions and decisions affecting BLM-administered land in the planning area.

A primary goal of the RMP is to develop management practices, including stipulations, to ensure long-term sustainability of a healthy and productive landscape. An RMP is a set of comprehensive, long-range decisions concerning the use and management of resources administered by BLM. In general, the RMP will serve two purposes: (1) provide an overview of goals, resource condition objectives, and needs associated with public lands management and (2) resolve multiple use conflicts or issues. When the RMP is approved, its management decisions will remain in effect until the RMP is amended, revised, or replaced by a new plan. The life of the RMP is expected to be 10 to 20 years.

## 1.3 DESCRIPTION OF THE PLANNING AREA

This Draft RMP-EIS covers all the public lands resources administered by 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, 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 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 by regulation, USFS is responsible for land use planning decisions on oil and gas leasing. 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.

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.

**Table 1-1. Land and Mineral Ownership and Administrative Jurisdictions within the RMP Planning Area in Alabama**

Jurisdiction	Acreage <sup>1</sup>
<b>Areas in Alabama covered by the Alabama and Mississippi RMP-EIS</b>	
A. BLM surface land—Federal minerals <sup>2</sup>	159
B. Non-Federal surface land—Federal minerals <sup>3</sup>	303,440
C. Federal agency (other than BLM or USFS) surface land—Federal minerals <sup>4</sup>	10,220
<b>Total BLM-administered Federal land surface to be covered by RMP decisions</b>	<b>159</b>
<b>Total BLM-administered Federal mineral estate to be covered by RMP decisions</b>	<b>313,819</b>
D. Lands of uncertain title <sup>5</sup>	3,057
<b>Areas in Alabama <i>not</i> covered by the Alabama and Mississippi RMP-EIS</b>	
E. USFS land-Federal minerals <sup>6</sup>	585,394

1 Where one or more mineral resource categories are Federally-owned, the acreage is listed as if all minerals are Federally-owned. Where mixed minerals ownership occurs (for example, privately owned coal interest overlapping with Federally-owned oil and gas interest), minerals planning and management decisions in the RMP will pertain only to the Federally-owned mineral interests. Federal mineral acreage is derived from BLM data of current and former oil and gas leases. Data includes lands described by aliquot parts, metes and bounds, or lot number. In the case of metes and bounds and lot number descriptions, the acreage reflects that of the entire section associated with the description, otherwise known as "nominal acreage."

2 In those areas where the Federal land surface and Federal mineral estate are both administered by BLM, the RMP decisions will cover both the land surface and the mineral estate.

3 In those areas where (1) the land surface is privately owned or owned by a non-Federal government jurisdiction and (2) the minerals are Federally owned, the RMP decisions will cover only the BLM-administered Federal mineral estate. Although the land and resource uses and values on the non-Federal surface will be taken into account and will affect development of the Federal mineral management decisions, these decisions will pertain only to the Federally owned minerals.

4 In those areas where (1) the Federal land surface is administered by a Federal agency other than BLM or USFS, including the Department of Defense and U. S. Army Corp of Engineers and (2) the Federal mineral estate is administered by BLM, the land surface planning and management decisions are the responsibility of the other Federal surface managing agency, lease of the Federal minerals is subject to management as directed by the surface managing agency. These are lands that were either acquired by a Federal agency, or were withdrawn from the public domain; withdrawn lands are listed in Appendix I. RMP decisions for these lands will pertain only to BLM's role in administering the Federal minerals.

5 These are public domain lands according to General Land Office records, but may have private claims of ownership. The RMP will not make 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.

6 In those areas where (1) the Federal land surface is administered by the USFS, and (2) planning decisions for surface

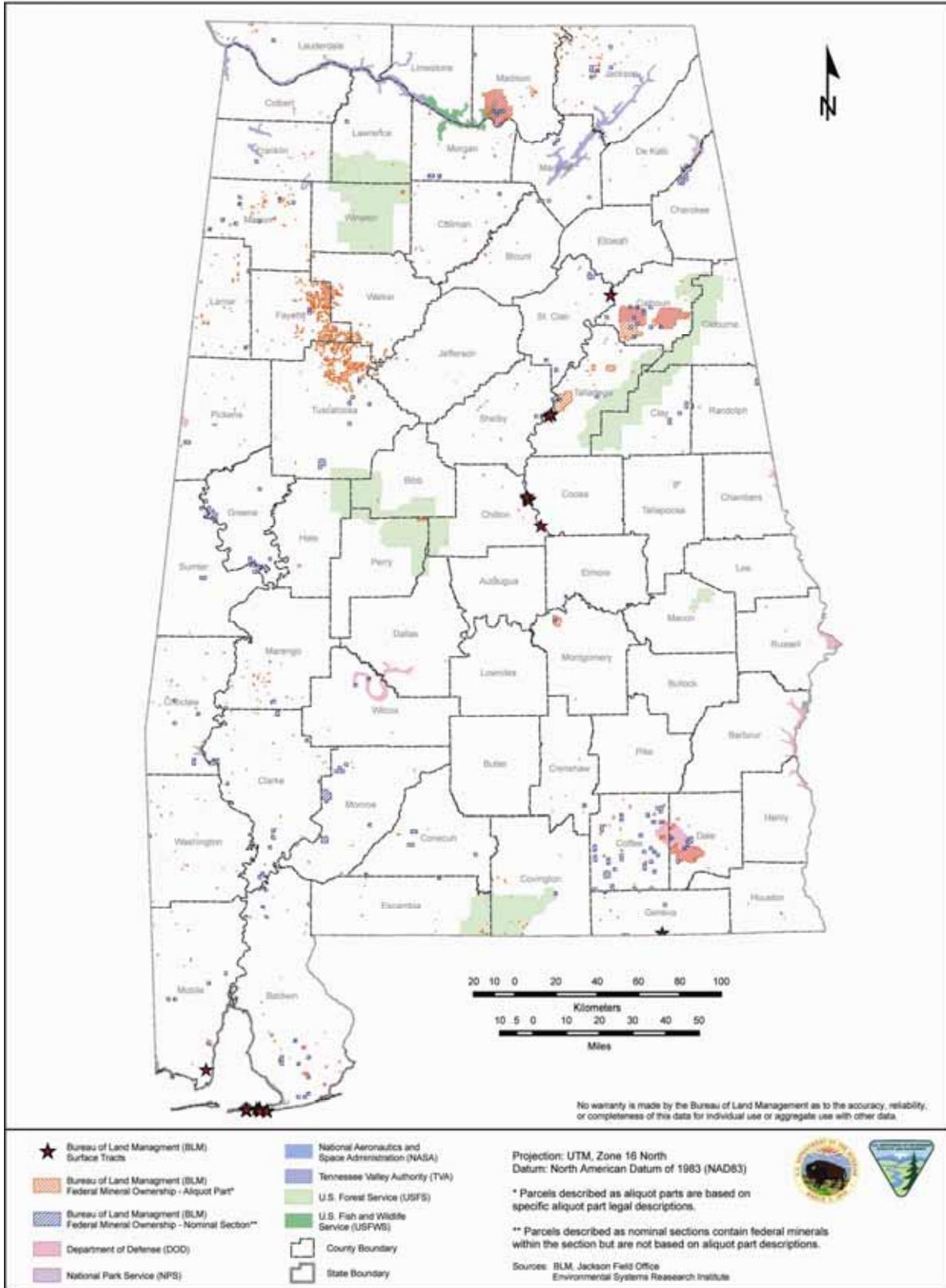
Jurisdiction	Acreage <sup>1</sup>
management and for mineral leasing, pursuant to the Federal Onshore Oil and Gas Leasing Reform Act of 1987 and Federal regulation (36 CFR 228.102), are the responsibility of USFS, and (3) BLM has responsibility for issuing and administering mineral leases; the RMP will not include management decisions for the Federal minerals on these lands, and BLM will carry out its minerals management responsibilities under the guidance of USFS land use plans. At the same time, surface and minerals management actions and development activities anticipated on these lands will be taken into account for purposes of cumulative impact analysis.	

**Table 1-2. Land and Mineral Ownership and Administrative Jurisdictions within the RMP Planning Area in Mississippi**

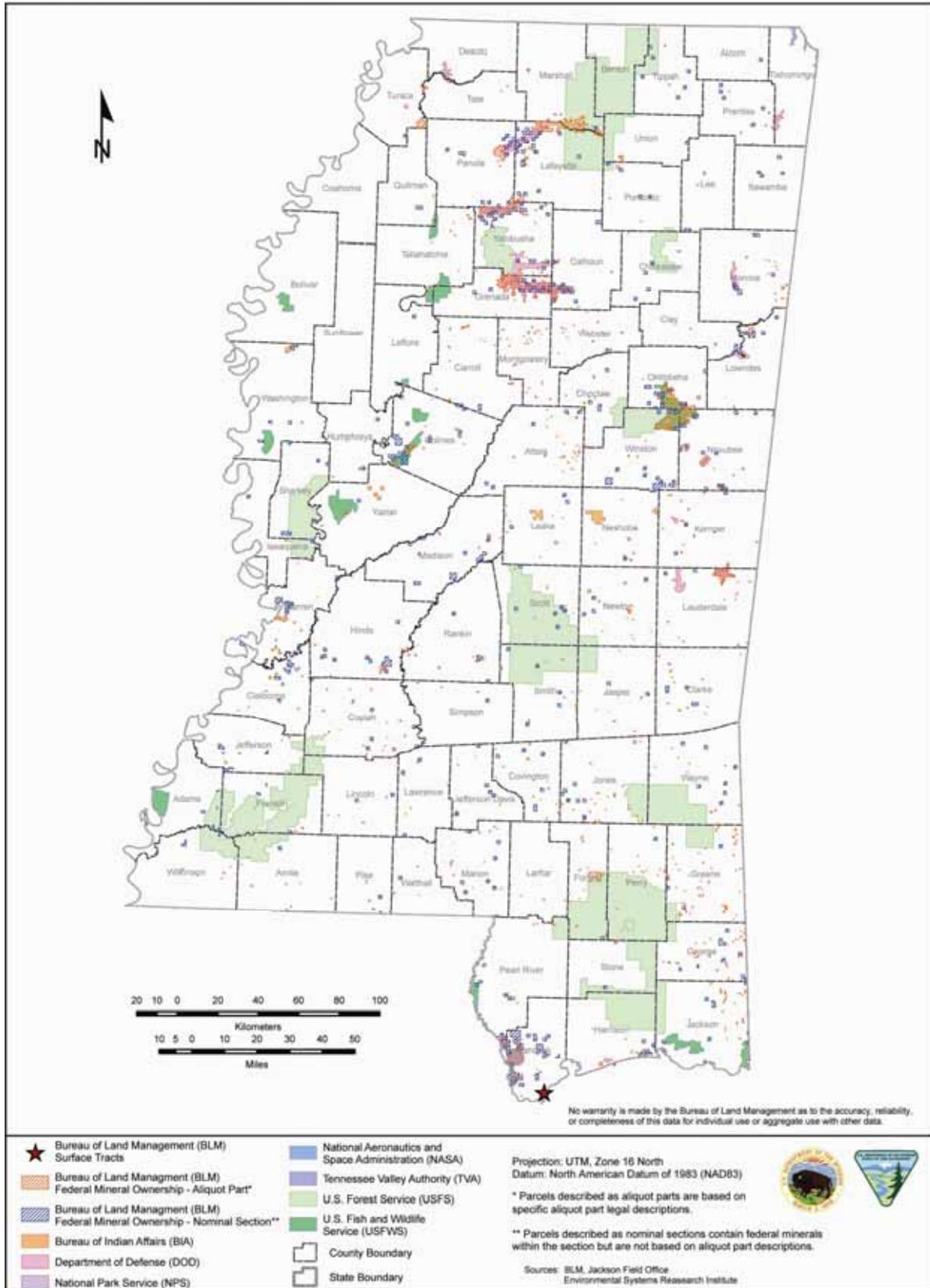
Jurisdiction	Acreage <sup>1</sup>
<b>Areas in Mississippi covered by the Alabama and Mississippi RMP-EIS</b>	
A. BLM surface land-Federal minerals <sup>2</sup>	174
B. Non-Federal land-Federal minerals <sup>3</sup>	401,410
C. Federal agency (other than BLM or USFS) surface land / Federal minerals <sup>4</sup>	116,350
<b>Total BLM-administered Federal land surface to be covered by RMP decisions</b>	<b>174</b>
<b>Total BLM-administered Federal mineral estate to be covered by RMP decisions</b>	<b>517,934</b>
D. Lands of uncertain title <sup>5</sup>	5,020
<b>Areas in Mississippi not covered by the Alabama and Mississippi RMP-EIS</b>	
E. USFS land-Federal minerals <sup>6</sup>	1,055,227

- Where one or more mineral resource categories are Federally-owned, the acreage is listed as if all minerals are Federally-owned. Where mixed mineral ownership occurs (for example, privately owned coal interest overlapping with Federally-owned oil and gas interest), minerals planning and management decisions in the RMP will pertain only to the Federally-owned mineral interest. Federal mineral acreage is derived from BLM data of current and former oil and gas leases. Data includes lands described by aliquot parts, metes and bounds, or lot number. In the case of metes and bounds and lot number descriptions, the acreage reflects that of the entire section associated with the description, otherwise known as "nominal acreage."
- This is a tract of land in Hancock County where the mineral estate is Federally owned and the surface is currently owned by the University of Mississippi. The tract was conveyed to the university in 1961, under the authority of the Recreation and Public Purposes Act of 1926, for recreational and research site purposes. The patent contains a clause stating that ownership of the surface estate shall revert to the United States if the land is devoted to a use other than that for which the land was conveyed. It is expected that the university will relinquish this tract and that title will revert to the United States. In anticipation of the title transfer, this tract will be considered BLM-managed surface estate for land use planning purposes; therefore, the RMP decisions will cover both the land surface and the mineral estate.
- In those areas where (1) the land surface is privately owned or owned by a non-Federal government jurisdiction and (2) the minerals are Federally owned, the RMP decisions will cover only the BLM-administered Federal mineral estate. Although the land and resource uses and values on the non-Federal surface will be taken into account and will affect development of the Federal mineral management decisions, these decisions will pertain only to the Federally owned minerals.
- In those areas where (1) the Federal land surface is administered by a Federal agency other than BLM or USFS, including the Department of Defense and U. S. Army Corp of Engineers and (2) the Federal mineral estate is administered by BLM, the land surface planning and management decisions are the responsibility of the other Federal surface managing agency, and lease of the Federal minerals is subject to management as directed by the surface managing agency. These are lands that were either acquired by a Federal agency, or were withdrawn from the public domain. Withdrawn lands are listed in Appendix I. RMP decisions for these lands will pertain only to BLM's role in administering the Federal minerals.
- These are public domain lands according to General Land Office records, but may have private claims of ownership. The RMP will not make 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.
- In those areas where (1) the Federal land surface is administered by the USFS, and (2) planning decisions for surface management and for mineral leasing, pursuant to the Federal Onshore Oil and Gas Leasing Reform Act of 1987 and Federal regulation (36 CFR 228.102), are the responsibility of USFS, and (3) BLM has responsibility for issuing and administering mineral leases; the RMP will not include management decisions for the Federal minerals on these lands, and BLM will carry out its minerals management responsibilities under the guidance of USFS land use plans. At the same time, surface and minerals management actions and development activities anticipated on these lands will be taken into account for purposes of cumulative impact analysis.

Map 1-1: Federal Lands and Mineral Ownership in Alabama  
Alabama and Mississippi RMP-EIS



Map 1-2: Federal Lands and Mineral Ownership in Mississippi  
Alabama and Mississippi RMP-EIS



## 1.4 PLANNING ISSUES

In addition to the planning issues identified below, the Draft RMP-EIS includes decisions on a wide range of other resource management concerns, including cultural resources, lands and realty, minerals, recreation, socioeconomics, soil resources, water resources, vegetative communities, and fish and wildlife habitat, as identified in the July 12, 2002, *Federal Register* notice.

### 1.4.1 Mineral (Oil, Gas, and Coal) Leasing

There is a potential for continued mineral development of BLM-administered FMO in both Alabama and Mississippi. In some cases, there could be potential for impacts on sensitive resources or conflicts with other uses. These impacts and conflicts need to be considered when making decisions on the availability of non-USFS FMO for development. The RMP addresses mineral leasing by offering a variety of alternative solutions, as described in Chapter 2.

### 1.4.2 Land Ownership Adjustments

BLM-administered lands in both Alabama and Mississippi are relatively small, isolated parcels. Some of the parcels could have natural resources of significant value to the public and could be suitable for management by BLM or other agencies. Other parcels could be suitable for disposal. The RMP addresses land ownership adjustments by offering a variety of alternative solutions, as described in Chapter 2.

## 1.5 PLANNING CRITERIA

Planning criteria are constraints or ground rules that guide development of BLM land use plans. These criteria ensure the planning team focuses on relevant uses and collects applicable data for analysis, and the criteria include applicable Federal laws, regulations, executive orders, and policies. As identified in the *Federal Register* on July 12, 2002, the following criteria were developed to guide the preparation of the RMP:

1. Land use planning and environmental analysis will be conducted in accordance with laws, regulations, executive orders, and manuals. Planning will be conducted for BLM-administered lands (tracts) and minerals (BLM-administered non-USFS FMO).
2. Surface tracts will be mapped and identified by legal description. Land use policy will be established for BLM-administered lands identified after the RMP is completed.
3. A reasonably foreseeable development scenario (RFDS) will be prepared for the future leasing (and development) of fluid minerals under split-estate lands (e.g., non-BLM surface and BLM minerals). The RFDS will be developed on a regional (county) basis. Areas of high, moderate, and low oil and gas potential will be identified (mapped) for each State.
4. Areas with the potential for non-energy solid mineral leasing (e.g., phosphates, sodium) will be evaluated for inclusion in the RMP.
5. Resource data needed to evaluate the impacts of future (foreseeable) mineral development will be collected on a regional basis.
6. The planning team will work cooperatively with Federal, State, county, and local governments and agencies; tribal governments; groups and organizations; and individuals.

Based on further analysis these criteria have been revised as follows:

1. Land use planning and environmental analysis will be conducted in accordance with laws, regulations, executive orders, and manuals. Planning will be conducted for BLM-administered lands (tracts) and minerals (BLM-administered non-USFS FMO).
2. Surface tracts will be mapped and identified by legal description. Lands of uncertain title will be listed. These lands could potentially be available for disposal under the Color-of-Title Act.
3. An RFDS will be prepared for the future leasing (and development) of oil and gas. The RFDS will be developed on a statewide basis. Areas of high, moderate, and low oil and gas potential will be identified (mapped) for each State.
4. The evaluation of lands based on their suitability for further coal leasing consideration will be limited to underground mining of non-USFS FMO in the Warrior Basin in Alabama.
5. Areas with the potential for non-energy solid mineral leasing (e.g., phosphates, sodium) were evaluated for inclusion in the RMP. No potential was identified for development of these minerals on non-USFS FMO; therefore, non-energy solid mineral leasing is not addressed.
6. Resource data needed to evaluate the impacts of future (foreseeable) mineral development will be collected on a statewide basis.
7. The planning team will work cooperatively with Federal, State, county, and local governments and agencies; tribal governments; groups and organizations; and individuals.

## 1.6 OVERVIEW OF THE PLANNING PROCESS

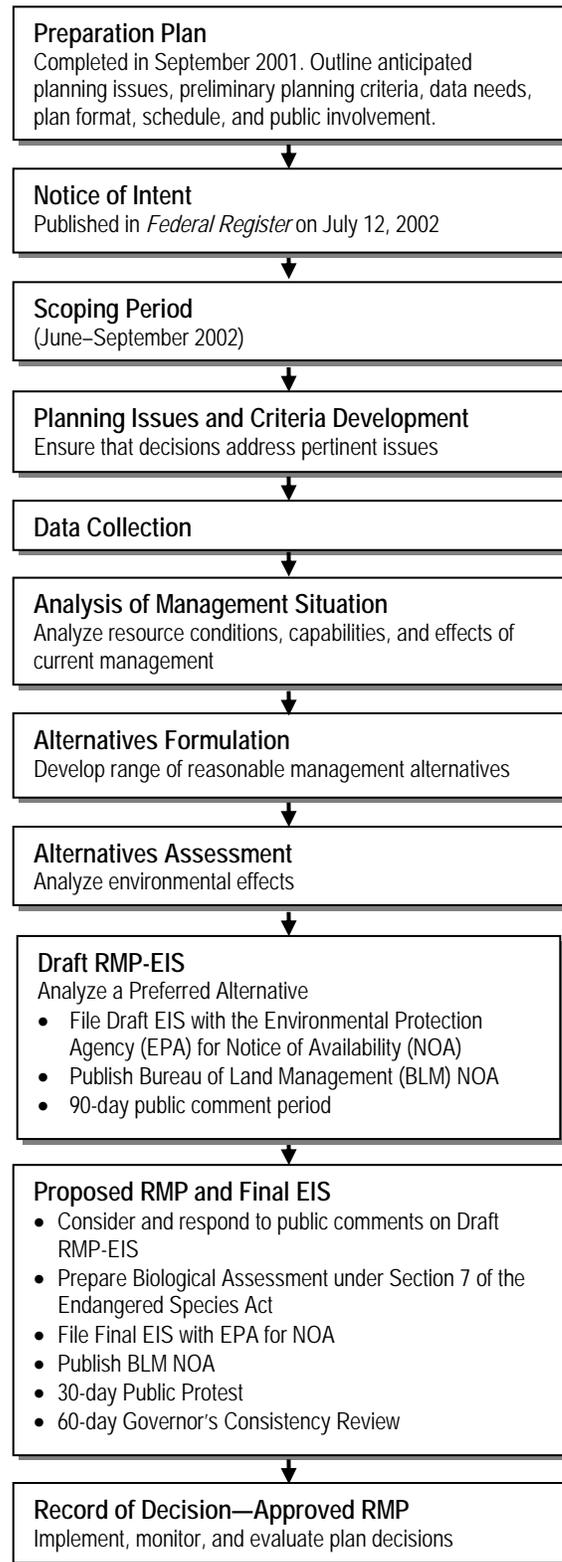
The BLM planning process is detailed in the *BLM Land Use Planning Handbook* (H-1601-1), which provides guidance to BLM employees for implementing the BLM land use planning requirements established by Section 202 of the FLPMA and the regulations in 43 Code of Federal Regulations (CFR) 1610. The process for preparing an EIS is determined by Federal regulations implementing NEPA (40 CFR 1500-1508). The major steps in the BLM planning process are shown in Figure 1-1 and are further described below.

- **Preparation Plan.** BLM developed a preparation plan to outline anticipated planning issues and management concerns, preliminary planning criteria, data needs, process participants, plan format, schedule, and public involvement.
- **Notice of Intent.** BLM published a Notice of Intent (NOI) in the *Federal Register* on July 12, 2002, to announce its intention to prepare an RMP and EIS. The NOI also solicited coal information for BLM-administered coal in Alabama and Mississippi and identified planning criteria to guide the preparation of the RMP.
- **Scoping Period.** Public scoping was conducted from June through September 2002. The objectives of scoping were to involve the public in the planning process and to comply with FLPMA and NEPA. Scoping is a process of soliciting public input and identifying concerns regarding management of public lands and BLM-administered non-USFS FMO in the planning area. Scoping consisted of public notification through the *Federal Register* (i.e., publication of the NOI) and by letter and e-mail. Letters of invitation to participate as cooperating agencies were sent to government agencies in Alabama and Mississippi. BLM also notified local, State, and Federal agencies and Native American tribes during this period.
- **Analysis of Management Situation.** As part of preparing this Draft RMP-EIS, BLM analyzed the resource conditions, capabilities, and effects of current management for use as a reference throughout the planning process. As contained in Chapter 3 of the Draft RMP-EIS, this analysis

included a description of the physical and biological characteristics and condition of the resources within the planning area and how they are being used and/or protected.

- **Draft RMP-EIS.** This Draft RMP-EIS considers public and agency comments received during the scoping period, includes a description of alternatives and the affected environment, and offers an assessment of potential impacts from implementing the alternatives. A Notice of Availability (NOA) for the Draft RMP-EIS will be published in the *Federal Register*.
- **Comment Period and Public Meetings.** The public and local, State, and Federal agencies and Native American tribes may review and comment on the Draft RMP-EIS during a 90-day comment period, beginning the date the Environmental Protection Agency (EPA) publishes their NOA in the *Federal Register*. BLM will hold public meetings, as necessary, to receive comments from the public. Opportunities for public involvement are further described in Chapter 5, Consultation and Coordination.
- **Proposed RMP and Final EIS.** The purpose of the Proposed RMP-Final EIS is for BLM to assess, consider, and respond to public and agency comments received on the Draft RMP-EIS. An NOA will be published in the *Federal Register* by BLM when the Proposed RMP-Final EIS becomes available. A 30-day public protest period, beginning the date the Environmental Protection Agency (EPA) publishes their NOA in the *Federal Register*, will follow the release of the Proposed RMP-Final EIS. A 60-day Governor’s consistency review will also occur at this time.
- **Biological Assessment (BA).** Section 7 of the Endangered Species Act (ESA; 16 U. S.C. Section 1536(a)(2)) requires all Federal agencies to determine whether their actions may affect listed or proposed species and designated and proposed critical habitat. A BA is prepared for the purpose of analyzing the potential effects of the project on Federally-listed species and critical habitat in order to establish and justify an “effect determination.” The BA is reviewed by the U. S. Fish and Wildlife Service (USFWS) under the ESA Section 7 consultation requirements.

**Figure 1-1. RMP-EIS Process**



- **Record of Decision.** The Record of Decision (ROD) is a separate and concise public record that clearly identifies and describes the approved RMP and links BLM's decision to the analysis presented in the EIS. The ROD addresses how environmental impacts and other factors were considered in the decision making process.

This Draft RMP-EIS provides a comprehensive evaluation of BLM's potential management and land tenure adjustment actions for public lands in Alabama and Mississippi and their natural resources. A comprehensive RMP-EIS that includes all of BLM's management programs is needed to address potential conflict among interrelated management actions. This EIS also allows for tiering (40 CFR 1505.28) subsequent activity or project-specific EISs or EAs conducted on public lands within Alabama and Mississippi. Subsequent lower-level EISs or EAs will reference and adopt relevant information and goals from this broader, two-State RMP-EIS as formal NEPA documentation, thereby avoiding duplication of effort and reducing costs associated with completing future NEPA analyses.

## 1.7 READER'S GUIDE TO THIS DOCUMENT

This Draft RMP-EIS is organized according to BLM's land use planning guidance (H-1610-1 and 43 CFR 1601 *et seq.*), the *BLM NEPA Handbook* (H-1790-1), CEQ guidelines, and Federal regulations implementing NEPA (40 CFR Parts 1500–1508). This Draft RMP-EIS has been developed to address issues, concerns, and conflicts within the planning area and to provide guidance for management of BLM-administered lands in both States. It contains the following major chapter headings and information:

**Chapter 1—Purpose and Need.** Contains background and introductory material such as the purpose and need for the Draft RMP-EIS and the BLM planning process.

**Chapter 2—Alternatives.** Identifies BLM-administered surface tracts and non-USFS FMO and describes alternative development and management guidance common to all alternatives. The chapter presents specific management actions proposed under the alternatives and a comparative summary of the impacts of the alternatives that have been analyzed in detail. It also identifies the Preferred Alternative.

**Chapter 3—Affected Environment.** Describes the affected environment, focusing on the existing environmental conditions that would be affected by implementation of the alternatives.

**Chapter 4—Environmental Consequences.** Describes the impacts of the alternatives. This section forms the scientific and analytic basis for the comparison of impacts presented in Chapter 2.

**Chapter 5—Consultation and Coordination.** Describes the overall EIS scoping process and other agency consultation and public involvement activities. A list of agencies, organizations, and individuals who were sent the Draft EIS is also presented.

**List of Abbreviations and Acronyms.** Provides an alphabetized list of abbreviations and acronyms used in this Draft RMP-EIS.

**Glossary.** Provides definitions of terms used in this Draft RMP-EIS.

**References.** Provides information for all references cited, most of which are available to the public at libraries or on the Internet. Many of the documents cited are available for public review at JFO.

**Appendices.** Provide additional supporting information as follows—

- Appendix A—Recreation and Public Purposes Act Lands

- Appendix B—Lands of Uncertain Title
- Appendix C—Relevant Statutes, Regulations, Orders, and Guidelines
- Appendix D—Proposed Conservation Measures and Best Management Practices
- Appendix E—Special Status Species in Alabama and Mississippi
- Appendix F—Soils
- Appendix G—Socioeconomic Figures
- Appendix H—Water Resources
- Appendix I—Withdrawn Lands.
- Appendix J—Summary of the Reasonably Foreseeable Development Scenario

## 1.8 TOPICS NOT ADDRESSED IN THIS RESOURCE MANAGEMENT PLAN

Laws, regulations, policies, and executive orders require specific resource topics be examined during the NEPA process. In some instances, initial evaluation reveals topics that are not relevant to the planning area or do not require further analysis. These topics that are not addressed in this RMP are listed below.

**Native American Concerns.** Sites of concern to Native Americans are not known to occur on BLM administered surface lands or FMO in Alabama and Mississippi. Known sites, such as Nanih Waya in Mississippi and Hickory Ground in Alabama, would not be affected by any of the alternatives considered in this plan. Therefore, Native American concerns are not analyzed in detail.

BLM will continue consultation and coordination to identify and consider Native American concerns where future actions might affect cultural or religious values. Consultation with Federally-recognized tribes would take place in accordance with Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, and would occur before planned excavations or undertakings on BLM-administered lands and FMO in compliance with the Native American Graves Protection and Repatriation Act (NAGPRA). BLM would protect and preserve Native American religious and cultural rights and practices on Federal lands in accordance with the American Indian Religious Freedom Act of 1978(AIRFA).

**Areas of Critical Environmental Concern (ACEC).** There are no designated ACECs within the scope of this plan and no ACECs were proposed internally or externally for designation.

**Wilderness.** There are no designated or proposed wilderness areas on lands administered by BLM in the planning area.

**Minerals Underlying USFS Lands.** 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 FMO,” which refers to BLM-administered Federal minerals where the surface estate is in non-Federal ownership and Federal agencies excluding USFS.

**Locatable and Salable Minerals.** There is no reasonable foreseeable development for locatable and salable resources; therefore, such resources in Alabama and Mississippi are not discussed herein. Types of locatable minerals include gold, silver, and copper. Examples of salable minerals include stone, sand, and gravel.