

CHAPTER ONE
INTRODUCTION AND PURPOSE
AND NEED FOR ACTION

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This document consists of a proposed resource management plan (RMP) and a final environmental impact statement (FEIS). **The draft plan and environmental impact statement were released for public review in December of 1986. This final document incorporates comments and suggestions made on the draft during the 90-day public review period. Also included are minor corrections and needed additions identified by the Bureau of Land Management (BLM) after publishing.** The RMP has been prepared in accordance with the Federal Land Policy and Management Act (FLPMA) and the BLM's planning regulations, 43 CFR 1600. The DEIS has been prepared in accordance with the Council on Environmental Quality regulations for implementing the National Environmental Policy Act (NEPA), 40 CFR 1500.

PURPOSE AND NEED

The North Dakota RMP provides a single comprehensive land use plan for all BLM resource management responsibilities in the state. This master plan will determine the resource condition objectives, allocation of public land resources to various uses, and specific methods of managing those resources. Management decisions presented in this plan will remain in effect until the plan is amended, revised or replaced by a new plan. If significant changes occur in the proposed land uses of the planning area the RMP will be amended or revised.

This RMP will replace all management direction established in the four Management Framework Plans (MFPs) completed for BLM-administered resources in North Dakota during the late 1970s and early 1980s. In addition, the RMP will replace management decisions made following the development of the North Dakota Grazing Environmental Impact Statement (EIS) and the Dickinson District Oil and Gas Environmental Assessment (EA). Previous planning and environmental documents were prepared in a variety of formats and contained varying levels of detail **and in some cases responded to regulations or policy that have since been revised (e.g., Federal Coal Management; USDI 1985a).** In addition, portions of the lands and minerals in North Dakota for which the BLM is the managing agency were not considered in previous land use decisions. This RMP will consolidate all major land use decisions under a single format for BLM-administered lands and minerals in the state.

DESCRIPTION OF THE PLANNING AREA

This document proposes a RMP for all public lands and federal minerals in North Dakota for which the BLM is the sole management agency. A total of **67,571** acres of public lands are located in North Dakota, primarily in Dunn and

Bowman Counties. Most of the public lands in these two counties are situated in two major blocks. In Dunn County 15,989 acres make up the Lost Bridge area and in Bowman County about 22,164 acres are situated in the Big Gumbo area. The remaining public lands are situated in small, isolated tracts scattered throughout the state.

There is a total of approximately 5.8 million (MM) acres of federally-managed minerals in North Dakota. Federal minerals are located under surface lands managed by various federal agencies, including BLM, the U.S. Forest Service (USFS), and the U.S. Corps of Engineers (Table 1-1).

Federal minerals are also located under state or privately owned surface. This RMP proposes management strategies for federal minerals located under BLM-administered surface and under **state and private** lands not situated within the administrative boundaries of other federal land management agencies. Land use planning for federal minerals located within the administrative boundaries of other federal agencies is conducted by the appropriate surface managing agency.

This plan and FEIS will consider approximately 4.8 MM acres of federal minerals. Most of this acreage is located in the western one-half of the state. The bulk of this total mineral acreage, approximately 4.2 MM acres, is federal coal reservation only. An additional 460,394 acres are federal oil and gas reservation only; and the remaining federal minerals are made up of all minerals, coal and oil and gas only, or other combinations.

TABLE 1-1

**FEDERAL OWNERSHIP OF SURFACE, COAL, AND
OIL AND GAS ESTATES WITHIN NORTH DAKOTA¹**

Federal Agency	Coal Acres ³	Surface Acres ²	Oil and Gas Acres ³
Bureau of Land Management	4,200,000	67,571	460,394
U.S. Forest Service		1,105,545	963,285
Bureau of Reclamation		10,089	1,388
U.S. Fish and Wildlife Service		417,138	8,371
Army Corps of Engineers		559,077	9,807
U.S. Air Force		12,347	0
Bureau of Indian Affairs		762	0
National Park Service		71,057	10,444
TOTALS	4,200,000	2,243,586	1,453,689

¹ Agencies with minor ownership not included. Other categories of mineral ownership (e.g. acquired minerals, all minerals, restricted minerals) are not listed.

² Public Land Statistics 1984. BLM figure modified to reflect recent land pattern adjustment.

³ BLM Dickinson District Inventory Record. Includes all oil and gas rights administered by BLM and USFS and on Public Domain Lands of other agencies.

Public lands in North Dakota constitute about three percent of all federally-administered surface in the state. Other major federal land systems in the state include the Little Missouri and Sheyenne National Grasslands, Theodore Roosevelt National Park, Corps of Engineers lands surrounding Lakes Sakakawea and Oahe, and National Wildlife Refuges and Waterfowl Production Areas.

There are five Indian Reservations in North Dakota: Standing Rock, Fort Totten, Turtle Mountain, Sisseton, and Fort Berthold. Of these, Fort Berthold and Standing Rock Reservations are closest in proximity to major BLM land and mineral responsibilities.

THE PLANNING PROCESS

The BLM resource management planning process has nine steps. Figure 1-1 lists the planning steps and highlights where public participation is needed.

Step 1. Identification of Issues

This step identifies resource management concerns, conflicts, and opportunities that can be resolved through the planning process. This process is called scoping and involves public participation.

Step 2. Development of Planning Criteria

This step identifies the information needed to resolve issues, formulate and evaluate alternatives, and select the preferred alternative. The criteria are circulated for public review.

Step 3. Collection of Inventory Information

This step collects the data needed to resolve resource issues and other environmental, social, and economic concerns.

Step 4. Analysis of the Management Situation

This step assesses the current situation and provides a baseline for development of a RMP. A Management Situation Analysis (MSA) document is produced that describes the physical situation, current management guidance, and resource problems and opportunities. The MSA is generally a reference document, only, and is not distributed to the public.

Step 5. Formulation of Alternatives

This step prepares several complete, reasonable resource management alternatives. A "no action" alternative describes present management while other alternatives place emphasis on environmental protection or resource production.

Step 6. Analysis of Impacts of Alternatives

This step analyzes the physical, biological, economic, and social impacts of implementing each alternative.

Step 7. Selection of the Preferred Alternative

This step compares the impacts of each alternative and selects the preferred alternative. The interdisciplinary process used in Steps 5 through 7 is documented in a draft RMP/EIS and circulated for public review.

Step 8. Selection of the Resource Management Plan

This step analyzes public comments, modifies the alternatives as appropriate, and serves as a basis for the management plan. The proposed RMP and final EIS is distributed

to the public in the final RMP/EIS document. A 30-day protest period is allowed before the RMP is adopted. A Record of Decision is published after consideration of any protests.

Step 9. Monitoring and Evaluation

This step involves monitoring and evaluating the resource conditions as the plan is implemented. If monitoring shows that resource issues are not being satisfactorily resolved or that the desired results outlined by the RMP are not being met, the plan may be amended or totally revised.

Coal Planning

In addition to the BLM planning process, there are four land use planning requirements of the federal coal management regulations (43 CFR 3420.1-4). Prior to the leasing of federal coal, the following four screens must be applied during land use planning:

- (1) Identification of areas with coal development potential,
- (2) Application of the 20 unsuitability criteria (43 CFR 3461.1),
- (3) Identification of multiple-use tradeoffs, and
- (4) Identification of significant surface owner opposition to the surface mining of federal coal.

Based on the application of these four screens, a determination is made in the land use plan of lands acceptable for further consideration for the leasing of coal. The decisions to lease and allow mining are not made during the development of a RMP but are further analyzed through detailed environmental analysis following land use planning (**Appendix A to this document**). Detailed discussions of the four coal screens and their application in this planning effort are provided in **Appendix B to this document**.

ISSUES

The BLM planning process is issue driven. The development of management proposals is based on the issues identified through public input, resource monitoring and regulatory or policy mandate.

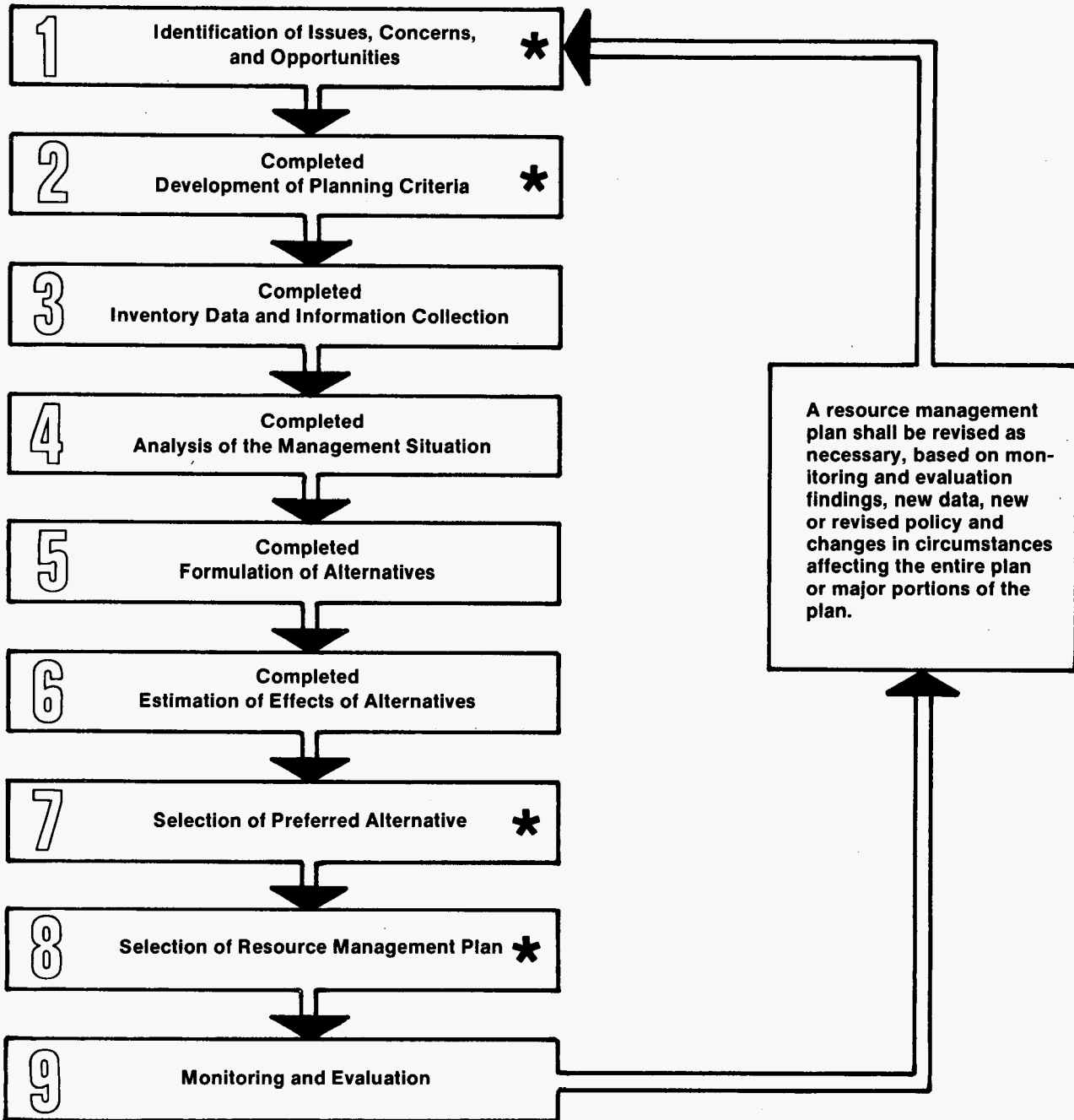
Four issues were identified during the scoping process for this RMP: Coal Leasing, Land Pattern Adjustment, Oil and Gas Leasing, and Off-road Vehicle (ORV) Use Designations. Many related concerns identified through public comment have been included in the four basic issues.

Coal Leasing

The federal coal leasing process, opinions expressed by the public, and the principles of multiple resource management require that areas with potential for the leasing and development of federal coal be analyzed through a comprehensive land use plan and environmental analysis. Areas of federal coal will be screened for coal development potential, unacceptable environmental conflicts, and significant surface owner opposition to mining.

The four coal screens (43 CFR 3420.1-4) need to be applied to coal administered by the BLM in North Dakota except for areas underlying surface administered by other federal agencies. The application of the coal screens must include

FIGURE 1-1
STEPS IN THE
RESOURCE MANAGEMENT
PLANNING PROCESS



*** Steps Requiring Public Participation**

consideration of all resources included in the unsuitability criteria (43 CFR 3461) as well as other resources not specifically addressed by the criteria.

Land Pattern Adjustment

Small scattered and isolated tracts of Bureau-administered surface are difficult or uneconomic to manage. Land pattern adjustments need to be made to enhance multiple-use management and to increase multiple resource values on public lands in the state.

Oil and Gas Leasing

The uncertain nature of the timing, location, and resource impacts of oil and gas development require that potential impacts be analyzed during the land use planning process and that appropriate measures be prescribed to ensure protection of significant resource values. Efficient development of federal oil and gas should be encouraged through the use of the least restrictive leasing stipulations necessary.

Oil and gas development may cause impacts to habitats used by threatened or endangered species, migratory bird species of high federal interest, or wildlife species of high interest to the state. Impacts can also occur to other important resources such as air and water quality. Appropriate lease stipulations necessary to avoid or mitigate impacts to these important resources need to be developed while, at the same time, ensuring that multiple-use objectives are met.

Off-Road Vehicle Travel Restrictions

The BLM has been mandated by executive order (EO 11644) to study and designate Bureau-administered surface as either open, limited or closed to ORV uses.

Areas where ORV use may cause significant adverse environmental impacts need to be protected by appropriate use designations. These use designations can either close an area to ORV use or limit ORV use by restricting use to specific kinds of vehicles, season of year, etc. Areas where ORV use does not cause significant impacts to other resources or users need to be designated as open to ORV use to ensure the availability of ORV recreational opportunities.

PLANNING CRITERIA

Planning criteria were used in this RMP as the basis for the development of alternatives and as guidelines to help focus the analysis and resolution of issues. Criteria were developed during the scoping process and made available for public review. Additions and adjustments were made to the planning criteria throughout the preparation of the RMP/DEIS. The following are the major planning criteria, organized by issue, which guided the development of this plan.

Coal Leasing

Areas of significant oil and gas production will not be considered acceptable for coal leasing until coal values outweigh the oil and gas values.

Areas containing cultural resources of regional or national significance will not be considered acceptable for further consideration for the leasing of coal.

Areas having high concentrations of woody draws or wetlands which are valuable for wildlife habitat and/or the maintenance of key watershed values will be excluded from further consideration for the leasing of coal.

Other areas containing regionally significant or unique resources which are not covered by the unsuitability criteria and either: (1) would experience unmitigable impacts, or (2) contain other resource values which exceed the value of the foregone coal resource, will be excluded from further consideration for the leasing of coal.

The determination of areas of significant opposition under the Surface Owner Consultation screen will be based on the following factors:

- a. Number of landowners over federal coal within the coal study area (CSA) opposed to leasing;
- b. Acreage included under "opposed";
- c. Distribution of "opposed" comments;
- d. Percent of federal coal in the CSAs;
- e. Distribution of federal coal;
- f. Location, size, and number of existing federal leases;
- g. Location, size, and number of surface lease agreements on lands over federal coal;
- h. Location, size, and number of private and state coal leases.

Factors dealing with the distribution of leases, coal and opposition to coal leasing will be used to identify patterns and assess relative significance in terms of the portions of the CSA and federal coal resource which are involved. Areas where significant opposition to federal coal leasing is patterned in clusters will be excluded from further consideration.

The existence of surface lease agreements and coal leases will be used as a measure of the extent of financial commitment of both coal developers and those owning or managing the coal resource.

Land Pattern Adjustment

Land pattern adjustments should occur at a steady rate.

Public lands that would maximize the public benefit if held in private ownership or managed by another agency should be transferred.

Exchanges are to be preferred over sales as a method of land **ownership adjustment**. All exchange or acquisition proposals will be evaluated according to the criteria listed in the State Director's Guidance for Land Pattern Review and Land Adjustment. Local review criteria should be developed to establish a mechanism for site specific review of potential disposals and acquisitions.

Oil and Gas Leasing

Lease stipulations will be developed for all areas of federal oil and gas where BLM has primary responsibility for surface and/or subsurface protection under 40 CFR 1500 and 43 CFR 3100.

All areas known to contain natural resource values of regional or national importance should be identified in the plan and appropriate lease stipulations should be developed.

Wetlands and riparian areas should be protected through the use of lease stipulations.

Necessary ORV designations should be incorporated into oil and gas leasing stipulations.

Off-Road Vehicle Use Designations

ORV use designations should be made on all BLM-administered surface lands.

ORV use in areas containing high wildlife values should be restricted to minimize disruption of wildlife habitats or population needs.

ORV use in areas having excessively erosive soils or moderately steep or steeper slopes should be restricted.

ORV use within riparian areas should be restricted as appropriate.

Non-restrictive "open" ORV use designations should be made on all BLM-administered surface lands which would not be significantly adversely impacted by ORV use.

Nonissue Resources and Programs

All nonissue resources and programs should be addressed by the RMP.

Objectives, goals, and general management guidance should be prescribed for nonissue resource programs.