

DEC 07 1981

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

MANAGEMENT FRAMEWORK PLAN - STEP 1
ACTIVITY OBJECTIVES

Name (MFP)	Bruneau
Activity	Lands
Objective Number	#1

Objective #1: (This has been incorporated into Obj 5)

Reserve public lands at appropriate locations along State Highways 51 and 78 and CJ Strike Reservoir for commercial, commercial-recreational and industrial needs.

Rationale:

The Bureau of Land Management is responsible for the disposition of public lands for commercial and industrial growth or development purposes, according to BLM Manual 1602. This manual also cites a Bureau objective being to plan for and manage or dispose of public lands to contribute to the stability and orderly growth of dependent users, industries, communities and regions. BLM Manual 1603 also contains an objective to satisfy private needs for land for industrial and commercial purposes in response to demonstrated needs.

Additional agricultural development in the resource area may bring in additional people which could create demand for new facilities such as quick stop stores or boat rental and fishing tackle shops. Several locations in the resource area could be used for this.

Benefits

- Positive - Provides land to satisfy a public need
- Provides a source of revenue
- Supplements recreational uses in the area
- Negative - Precludes other uses on the areas leased or sold.

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L-1.1: Multiple Use Recommendation

Retain the lands identified as C-1 (Overlay L-3) for eventual lease or sale for commercial/industrial development (NE1/4, Sec. 27, T.6S., R.5E.).

Analysis:

This parcel encompasses the intersection of highway 51 and 78. The BLM has classified some 30,000+ acres suitable for Agricultural Development under DLA and Carey Act. We have received inquiries in the past for a convenience type store at this location. This may be allowed if development of the Ag ES area is completed and the need is recognized.

Decision:

This recommendation has been incorporated into Decision L-5.3D.

Note: Attach additional sheets, if needed

(Instructions on reverse)

Form 1600-21 (April 1975)

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L-1.2: Multiple Use Recommendation

Sell the following described lands to the parties listed:

T.5S., R.2E., B.M., Section 24, E₂NE₄, Henry L. Driskell

T.5S., R.3E., B.M., Section 34, NE₄NE₄SE₄, Sam Layton

Analysis:

Both the above parcels are being used by the named parties. Driskell was erroneously authorized to farm the land by a bureau employee who was attempting to negotiate an exchange. Driskell cultivated the land in good faith under the supposition he was going to be issued a land use permit to farm it. A prior application precluded the L.U.P. authorization which left Driskell technically in trespass. No trespass action was taken because doing so could only result in an ugly situation and embarrassment to the Bureau. Driskell has been in frequent contact with Senator McClure's office. The Senator's office is sympathetic to Driskell's plight and anxious to see the situation resolved in a just and amicable manner. The land is classified for disposal.

Layton purchased the private land surrounding the other parcel described above and was unaware of the public land being within his property. This probably occurred because the county road adjoining Layton's property is not on the section line but some distance to the east. A trespass file was opened when the situation was discovered but without a resurvey, the extent of trespass cannot be accurately assessed.

Decision:

This recommendation has been incorporated into Decision L-5.2A.

Note: Attach additional sheets, if needed

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Objective #2: (This has been incorporated into Obj 5)

Provide public lands having suitable soils to meet the demand for land to be developed for irrigated agriculture, provided it is economically feasible to do so.

Rationale:

Agriculture is the main element of Idaho's economy. It is the major contributor to income and employment in Owyhee County. Between 40,000 and 45,000 acres of public land in the planning unit have applications for desert land entries filed on them. This indicates a high demand for public land for agricultural development. The Bureau's responsibility under FLPMA is to retain and manage the public lands for multiple use purposes unless national interest dictates otherwise. As agricultural lands go out of production due to urban expansion, other lands will have to come into production if output is to remain constant. Economic feasibility will be a major determinant in reflecting the National interest.

Benefits

- Positive - Help stabilize the agricultural economy.
- Reduce DLE case backlog.
- Satisfy Carey Act commitment.
- Negative - Improper timing could cause instability in economy.
- Could precipitate a land rush.

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Objective Number

#3

Objective #3:

Provide for future communications sites, energy transportation and transportation routes as needed in the planning unit.

Rationale:

BLM Directives establish the processing of energy related rights-of-way as number one case work priority in an effort to help alleviate the nation's energy shortage. BLM Manual 1603 also calls for the satisfaction of needs for right-of-way, and other permitted uses. Current BLM Advices contain statements regarding elimination of casework backlog, and keeping future casework on a "pipeline" basis. Although no specific needs for rights-of-way were recognized in the PAA, with rapidly changing land ownerships, as contemplated in the development of agricultural lands, suitable areas should be identified and reserved to meet future demands for various types of rights-of-way. The need for cross country type utility corridors, and a need for a review of potential communications sites, was also recognized in Step 4 of the URA. The need to provide lands for construction of public roads was also recognized.

A cross country utility corridor will help concentrate large utility projects, thus reducing unsightly sprawl and environmental degradation. It will also help to eliminate unnecessary title encumbrances on lands that might go into private ownership.

Benefits

- Positive - Results in orderly utility development.
- Results in minimal environmental impacts.

Negative - Corridors can become cluttered looking.

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#4

Objective #4: (This has been incorporated into Obj 5)

Provide opportunities for State and local government to acquire lands for the following:

1. Urban-suburban expansion
2. Residential sites
3. R&PP sites
4. Land Quality Improvement
5. Exchanges
6. Sale of isolated tracts

Rationale:

Our own research findings coincide with the information in Owyhee County's Comprehensive Land Use Plan that future growth in Owyhee County will be relatively insignificant. Approximately 120 acres county-wide will be needed for urban-suburban expansion by 1990. Private lands can meet projected needs for expansion. No demand has been shown for sites for recreation and public purposes.

However, the lack of need for recommendations should not be misconstrued as a negative recommendation. Quite the contrary is intended. Any proposal under these six items should be considered on its merits and not be automatically rejected unless there is some overriding resource conflict.

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Name (MFP)

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Objective Number
#5

Objective #5 (Replaces Objectives #1, 2, & 4)

Determine through the land use planning process what public lands are suitable for retention in federal ownership and those lands which are not needed to meet public land management objectives.

Rationale:

Section 102(a)(1) of the Federal Land Policy and Management Act (FLPMA) of 1976 (Public Law 94-579) declares that it is the policy of the United States that "the public lands be retained in Federal Ownership, unless as a result of the land use planning procedure provided for in this Act, it is determined that disposal of a particular parcel will serve the national interest."

Executive Order #12348 established the Property Review Board which directed all Federal Agencies to review the assets under their jurisdiction and identify those that were excess to Federal needs. In the BLM this program is referred to as the Asset Management Initiative and involves identifying and disposing of public land that is no longer necessary to meet management objectives. Disposal of public land is authorized according to the criteria Section 203 of FLPMA.

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Step 1

Step 3 D-1

L-5.1: Multiple Use Decision (Replaces L-4.1)

A. The lands within the Bruneau Planning Unit are designated for retention in public ownership (Category I on Overlay D-1) except as noted in Multiple Use Decisions L-5.2 and L-5.3. These lands cannot be considered for sale without a plan amendment. However, Category I lands may be considered under the Recreation and Public Purposes Act of FLPMA for unforeseen community expansion or other public purposes and for exchanges which (1) would benefit management programs of the BLM to a greater extent than would be realized through retention of the public lands in Federal ownership, (2) instances in which the exchange has been directed by specific legislation, or (3) the exchange will aid in blocking State and Federal management units (see Instruction Memo W.O. 83-204).

(See W/L-2.8, 4.4, 5.2; W/L-aq-1.2, 1.3, 2.4, 3.3; WN-1.1-1.8, 2.1, 3.1, 4.1; R-1.1, 1.2; RM-1.2)

B. Agricultural Development in Category I:

Category I land is to be retained in federal ownership and therefore should not be disposed of under the agricultural land laws. Existing and future applications should be processed as follows:

1. Reject existing applications on #5 Lands on Overlay D-1.
2. Action on applications inside the BOP Area - PLO 5777, #5A lands on Overlay D-1, will be suspended until either Congress acts or until the Sagebrush Rebellion, Inc. vs the Secretary of Interior lawsuit is decided.
3. Discourage any new applications on Category I lands within the Bruneau Planning Unit.
4. Applications received after 11/1/82 on Category I lands can be rejected as work priorities permit based upon this land use decision.

Note: Attach additional sheets, if needed

(Instructions on reverse)

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L-5.1

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Step 1

Step 3 D-1

5. Any future agricultural development of Category I lands would first require a land use plan amendment, land report, EA or EIS, and done in accordance with the criteria listed in L-5.3.

Reason:

The lands identified for retention are those needed for multiple use management. These lands are generally in block federal ownership and include environmental and/or economic assets of national significance. Included in Category I lands are WSAs, wild and scenic study rivers, ACECs, national historic trails, research natural areas, archaeological districts and sites which qualify for the National Register of Historic Places, crucial wildlife habitat, and known Geothermal Resource Areas, as well as other multiple use lands. Limited adjustments in land ownership is available through exchanges and the recreation and public purpose act in cases which are beneficial to BLM management programs or which are essential for some unforeseen public purpose.

On Overlay D-1 the Category I lands south of the C&MU line are blocked federal lands to be retained for multiple use management. The Category I lands between the C&MU line and the Snake River are within the BOP Area - PLO 5777 (#5A on Overlay D-1) or have been field examined as part of the classification process for agricultural development and have been found to be suitable for retention in federal ownership according to the criteria in the Agricultural Development EIS Document (#5 on Overlay D-1).

Note: Attach additional sheets, if needed

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L-5.2: Multiple Use Decision (Replaces Recommendations 1.1, 1.2, 2.1, 2.2 & 4.1)

The lands identified as Category II on Overlay D-1 have been found suitable for disposal. These lands include potential competitive and non-competitive sales, and lands suitable for agricultural development.

(A) Non-Competitive Sales: (#7 on Overlay D-1)

T.5S., R.2E., BM, Section 24, E1/2NE1/4 (Driskell), 80 acres

T.5S., R.3E., BM, Section 34, NE1/4NE1/4SE1/4 (Layton), 10 acres (see L-1.2 for discussion)

(B) Lands suitable for agricultural development:

Agricultural development on Category II lands will occur as follows:

1. Action will first be taken on applications on lands classified suitable (#1 on Overlay D-1) in the Ag EIS area.
2. Disposal and development in the Ag EIS area will be in blocks as much as possible and coordinated with county and state officials, utility suppliers and existing users to allow optimum orderly development with minimum disturbance to existing users.
3. As time permits, process any applications on Category II lands outside the Ag EIS area.
4. Category II lands with applications as of 11/1/82 which have been classified as suitable for agricultural development and which are subsequently rejected will be considered under the Bureau's Asset Management Initiative after further public involvement.

Note: Attach additional sheets, if needed

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5. Desert Land or Carey Act applications will be rejected in areas designated as water management areas by the Idaho Department of Water Resources unless the Idaho Department of Water Resources allows a water permit in a reasonable time.

(C) Competitive Sales:

Disposal of the lands inside the Ag ES area that have been classified suitable and don't have applications existing as of 11/1/82 (#2 on Overlay D-1) should be considered for competitive sale as a first priority with exchange second. Where these actions don't work or are unfeasible, continue to leave open under DLE/Carey Act unless the area is designated a Critical Ground Water Area and/or surface water is not available or feasible. Then they should be retained for management.

Reasons:

The lands identified for disposal are primarily lands suitable for agricultural development in accordance with the Agricultural Development EIS Decision Document.

There was no consideration in the Ag EIS or MFP 1 and 2 that the lands identified in part B4 above would automatically be sold or disposed of if the DLE or Carey Act applications were denied for reasons other than soil suitability. Therefore, further public involvement will be required prior to disposition of these lands by any method other than the agricultural land laws.

The Layton and Driskell tracts involve non-intentional occupancy situations which should be resolved by non-competitive or direct sale to the parties involved if there are no conflicts with potential geothermal development.

Note: Attach additional sheets, if needed

(Instructions on reverse)

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L-5.3: Decision (Replaces L-1.1 and L-2.1)

- A. Public lands which require further study in terms of site specific analyses and public involvement, but which appear to be suitable for disposal under the agricultural land laws and/or public sale laws have been identified as Category III lands on Overlay D-1.
- B. After further study, including public involvement and on-the-ground inspection, Category III lands which are found to have important wildlife, cultural, historic, recreational, mineral or other public values will be placed in Category I and retained in federal ownership (see L-5.1).
- C. Category III lands must meet the sale criteria of Section 203 of FLPMA and any of the general criteria listed below before placement in Category II for disposal).
- 1) Lands which are proximate to cities, towns, or development areas.
 - 2) Scattered non-urban tracts so located as to make effective and efficient management impractical.
 - 3) Lands designated for agricultural, commercial, or industrial development at the highest value or otherwise most appropriate use.
- D. Tract #6 on Overlay D-1 should be studied further for its potential as a commercial site. See L-1.1 for discussion.
- E. Category III lands will be classified for agricultural development and placement in Category II as follows.
- 1) Class I, II and III soils will be classified as suitable for agricultural development in accordance with the 1980 Decision Document for the Agricultural Development EIS unless identified for retention according to part

Note: Attach additional sheets, if needed.

BLM Form 100-107 (Rev. 10-1-79)

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B above. Unclassified lands with present DLE or CA applications will be studied first to determine if they should be placed in Category I or II. Unclassified lands without applications will be studied as funding permits for placement in the retention or disposal category.

- 2) Any disposal should be made in an orderly manner, such as in blocks. BLM should coordinate with county officials, state agencies, utility suppliers and existing users to determine a proper disposal sequence in order to allow for optimum orderly development with minimum disturbance to existing users. Upon completion and identification of a new block, an EIS or EA will be written. The classification system will include the same criteria as used in the Decision Document for Ag EIS area.
- 3) Disposal of agricultural lands through sale or exchange under provisions of the Federal Land Policy and Management Act should be considered a priority, whenever possible, over disposal through Desert Land and Carey Act applications.
- 4) Desert Land and Carey Act applications will be rejected in areas designated as water management areas by the Idaho Department of Water Resources unless the Idaho Dept. of Water Resources allows a water permit in a reasonable time.
- 5) Category III lands within the Castle Creek KGRA must be studied further to determine if surface ownership is necessary for geothermal development. Normally, the surface estate would be retained in Federal ownership per W.O. Inst. Memo No. 83-203. However, this KGRA has limited potential and may be declassified in the near future.
- 6) The tracts marked MPA (Mineral Patent Application) will become Category III lands if they do not go mineral patent.

Reasons:

These tracts, while appearing suitable for disposal, need public input and further on-the-ground study to determine their resource values and their ultimate placement in Categories I or II. See Part B above.

ote. Attach additional sheets, if needed.

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Objective Number

#6

Objective #6:

Review classifications and restore lands in the planning unit from withdrawal that are not suited or needed for the purpose for which they were originally withdrawn. Open them to operation of the public land laws; where management could be better accomplished under another agency's jurisdiction, initiate transfer through withdrawal procedures.

Rationale:

This is a Bureau-wide lands programs activity policy and objective (Sec. 202(d) of FLPMA). Step 4 URA states there may be good opportunities for withdrawal restoration. In some instances, withdrawals and classifications are outdated or no longer needed and prevent full resource utilization on the lands affected. Bureau policy is to reduce the number of existing withdrawals, or the size to absolute minimum acres necessary.

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Decision:

Accept with the following addition:

Review the C&MU classification within two years to determine retention or revocation of the classification, subject to the following conditions:

- a) The land now under the C&MU classification will be designated as Category I Land (retention).
- b) That the C&MU designation be retained on the Indian Bathtubs, Camus Creek, Dear Water Springs, and Hole-in-Rocks sites (see CRM-1.1).
- c) The review and potential revocation of C&MU classification will be with full public participation.

Reasons:

Instruction Memo ID 82-39 on the relationship of the C&MU Act Classification Review to the planning system was not issued until after completion of MFP Step II. All review of the C&MU classification prior to MFP 2 indicated a need to retain the classification. Since there has been no public involvement on possible revocation of the C&MU classification, the decision is to retain the classification according to the above conditions.

Note: Attach additional sheets, if needed

(Instructions on reverse)

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