CHAPTER 1—PURPOSE AND NEED

This supplemental draft environmental impact statement (EIS) documents the comprehensive analyses of alternatives for the management of public lands and resources administered by the Bureau of Land Management (BLM) in the Jack Morrow Hills (JMH) area of Wyoming. The Green River Resource Management Plan (RMP) was prepared in October 1997. Because of concerns raised by the public and BLM personnel over mineral leasing and mineral location decisions within the JMH area, the Rock Springs BLM Field Office deferred those decisions in the Green River RMP to the JMH Coordinated Activity Plan (CAP) planning effort. The BLM began preparing the JMH CAP in 1998. The original draft EIS for the CAP, issued in July 2000, resulted in a great deal of public reaction, controversy, and the submission of new resource information. Accordingly, completion of the project was delayed to evaluate public comments and new information and to await BLM Washington Office (WO) direction for proceeding. The BLM WO directed Wyoming BLM to prepare a "supplemental" draft EIS for the JMH CAP and to complete the CAP planning effort. To the extent possible, existing analyses and information used to prepare the original draft EIS were updated and used in preparing this supplemental draft EIS.

The JMH CAP will provide more specific management direction for important resources values and resource uses within the planning area and to prevent or address conflicts among potential development of energy resources, recreational activities, and other resource uses. The CAP will also provide management direction for the protection of certain resources (e.g., desert elk and other big game habitat, unique sand dune-mountain shrub habitat, unstabilized-stabilized sand dunes) while allowing for recreational activities, leasing and development of mineral resources, livestock grazing, and other activities at appropriate levels.

1.1 DESCRIPTION OF THE PLANNING AREA

The general planning area for the JMH CAP includes the BLM-administered lands located north and east of Rock Springs, Wyoming, which includes portions of Sweetwater, Sublette, and Fremont counties in southwestern Wyoming (Map 1). The planning area encompasses the Steamboat Mountain, Greater Sand Dunes, White Mountain Petroglyphs, and Oregon Buttes Areas of Critical Environmental Concern (ACEC); a portion of the South Pass Historic Landscape ACEC; the Oregon Buttes, Honeycomb Buttes, Greater Sand Dunes, Buffalo Hump, Whitehorse Creek, South Pinnacles, and Alkali Draw Wilderness Study Areas (WSA); and three special recreation management areas: Greater Sand Dunes; Continental Peak Side Trail; and the Oregon, Mormon Pioneer, Pony Express, and California National Historic Trails (Map 2).

As provided by the Federal Land Policy and Management Act (FLPMA), the BLM has the responsibility to plan for and manage "public lands." As defined by the act, "public lands" are those federally owned lands, and any interest in lands (e.g., federally owned mineral estate), that are administered by the BLM. Within the planning area, there are varied and intermingled land surface ownerships and overlapping mineral ownerships. Therefore the administrative jurisdictions for land use planning and for managing the land surface and minerals are also varied, intermingled, and overlapping.

Because of this situation, the completed JMH CAP will not include planning and management decisions for lands or minerals that are owned by private individuals, the State of Wyoming, or local governments. Providing direction for the surface or minerals

management of these lands is not within BLM's jurisdiction. In addition, RMP decisions will not be made for those federally owned minerals within the planning area that underlay federally owned land surface administered by other federal agencies. Table 1-1 describes land and mineral ownership and interrelated administrative jurisdictions in the planning area (Maps 3 and 4).

1.2 INTERRELATIONSHIP WITH THE GREEN RIVER RMP

The Green River RMP deferred mineral decisions in a "core" area involving the eastern portion of the Greater Sand Dunes ACEC (not including any parts of Buffalo Hump or Sand Dunes WSAs), the entire Steamboat Mountain ACEC, and the area of overlapping crucial big game habitats surrounding and adjacent to the Greater Sand Dunes and Steamboat Mountain ACECs (Map 2). The "core" area encompasses approximately 80,000 acres. The area to be addressed and analyzed for the JMH CAP includes about 622,000 acres surrounding and including the "core" area. This represents the cumulative impact analysis area for the activity plan, because management of the core area could affect lands outside the "core" area and vice versa.

The JMH CAP planning effort is an integrated activity planning effort to specify a balanced level of resource use and resource protection for BLM-administered public lands in the CAP planning area. The Green River RMP planning decisions for leasing and development of fluid minerals in a portion of the JMH CAP planning area were not ready for inclusion in the Green River RMP. The Green River RMP planning decisions for mineral location in a portion of the JMH CAP area also were not ready for inclusion in the Green River RMP. These decisions were deferred for determination in the course of developing the JMH CAP. Thus a primary objective of this CAP effort is to make these decisions. Other objectives of this planning effort include determining the appropriate levels and timing of mineral leasing and development and other energy sources while sustaining the other important land and resource uses in the area. Making these Green River RMP decisions will result in amending the Green River RMP. Other management decisions resulting from this planning effort may include some refinement of designations of roads for use, grazing practices, recreational activities and facilities, identification of rights-of-way windows and concentration areas, and prescriptions for managing wildlife habitat. Determining some of these decisions may also result in amending the Green River RMP.

1.3 PURPOSE AND NEED FOR THE JMH CAP

This supplemental draft EIS documents the analyses of the consequences of current and alternative management of land and resource uses in the planning area. It provides the basis for developing decisions that resolve some of the resource and land use issues identified in the Green River RMP (i.e., the deferred RMP decisions), and also provides the basis for developing site-specific activity or implementation plans for the JMH planning area, which may also result in amending the Green River RMP.

The Green River RMP deferred certain fluid mineral leasing decisions and some locatable mineral decisions until a CAP could be completed for the Jack Morrow Hills area. As stated in the Record of Decision (ROD) for the Green River RMP:

"The fluid mineral leasing decisions and some locatable mineral decisions are deferred in a 'core' area, involving the eastern portion of the Greater Sand Dunes ACEC (not including any parts of the Buffalo Hump or Sand Dunes WSA because WSAs are closed to mineral

leasing by Congressional mandate), the entire Steamboat Mountain ACEC, and the area of overlapping crucial big game habitats surrounding and adjacent to the Greater Sand Dunes and Steamboat Mountain ACECs (Map 2). Approximately 80,000 acres are involved with this 'core' area. Because more site-specific and detailed information is needed to make the fluid mineral and locatable mineral decisions for the core area, these decisions will be deferred in this core area until a CAP covering the area is completed."

The purpose of the JMH CAP is to provide a comprehensive and environmentally adequate management framework that will allow some fluid mineral and locatable mineral activities to occur in the core and other areas in harmony with other important resource and land uses in the planning area. The objective of this activity planning effort is to determine the appropriate level and methods of all the combined land and resource uses possible that are mutually compatible and that provide for the important resource concerns in the area, such as sustainability of crucial big game habitat, air and water quality, scenic quality, vegetative cover and soil stability, recreational activities, livestock grazing and range improvement activities, mineral development, and other important resource concerns.

1.4 BLM PLANNING PROCESS

The process for the development, approval, maintenance, and amendment or revision of RMPs was initiated under the authority of Section 202(f) of the FLPMA and Section 202(c) of the National Environmental Policy Act of 1969 (NEPA). The process is guided by BLM planning regulations in Title 43 of the Code of Federal Regulations, Part 1600 (43 CFR 1600) and the Council on Environmental Quality (CEQ) regulations in 40 CFR 1500.

The preplanning phase of the BLM planning process consists of (1) compiling and reviewing the current laws, regulations, policies, Executive Orders, and directives pertaining to the planning area; and (2) developing any needed State Director's guidance specific to the planning effort and the planning area.

Development of the RMP represents the first of the two-tiered BLM planning process: the land use planning tier. As such the RMP prescribes the allocation of and general future management direction for the resource and land uses of the BLM-administered public lands in the entire RMP planning area. In turn the RMP guides the second tier of the planning process: the more site-specific activity or implementation planning tier and daily operations.

Activity or implementation planning extends the resource and land use decisions of the RMP into site-specific management decisions for smaller geographic units of public lands within the RMP planning area. Activity planning includes such things as allotment management plans, habitat management plans, interdisciplinary or coordinated activity plans issuing various land and resource use authorizations; identification of specific mitigation needs; and development and implementation of other similar plans and actions. The JMH CAP effort involves making decisions at both the RMP and activity planning tiers (Tiers I and II) of the planning process due to the mineral development decisions that were deferred at the RMP level and the needed site-specific management decisions for all other resource and land uses in the CAP area.

1.5 PLANNING ISSUES AND CRITERIA

1.5.1 Planning Issues

Planning issues are determined from demands, concerns, conflicts, or problems concerning the use or management of public lands and resources. They are usually expressed in terms of the effects that some land and resource uses have on other land and resource uses or resource values. The following planning issues have been identified through public scoping and information gathered in analyzing the existing management situation in the planning area. They are based on the input of BLM personnel, the public, and interagency consultation.

Issue 1: Effects of Minerals Resource Management and Rights-of-Way

Special attention is needed to address mineral development (i.e., oil/gas, coal bed methane, coal, diamonds, and gold) and related transportation network conflicts with other land and resource uses and values. Principal considerations include disruptive activities and human presence in elk, deer, and fisheries habitat, big game (i.e., moose, elk, deer, antelope) crucial habitat (crucial winter range and birthing areas), and other important wildlife species habitats (e.g., Greater Sage-Grouse, plovers, raptors); and on recreation values, forage uses, air quality, sensitive vegetation types, and sensitive watersheds. Areas where surface-disturbing activities (e.g., mineral exploration and development activities, right-of-way construction activities, etc.) are suitable, not suitable, or should be restricted, need to be identified.

Issue 2: Effects of Land and Resource Uses on Vegetation, Soils, Air, and Watershed Values

There are conflicting demands for consumptive and nonconsumptive uses of the vegetation resources in the planning area. The basic problem is providing for resource values and nonconsumptive uses while allowing for consumptive uses. Resource values include maintenance of general vegetative cover, watershed protection, maintenance and enhancement of riparian areas, soil stabilization, maintenance and enhancement of wildlife habitat (particularly big game crucial winter range and habitat for candidate or threatened and endangered wildlife and vegetative species), and air quality protection. Consumptive uses include livestock grazing; off-highway vehicle (OHV) use; and vegetation removal by mineral development, rights-of-way construction, and other surface-disturbing activities.

Issue 3: Effects of Land and Resource Uses on Recreation and Cultural Resource Management

There are certain resources and areas that need protection, while others need to be considered for more public and recreational uses. Off-highway vehicle (OHV) use can conflict with other land and resource uses and can cause damage to resources, including wildlife, watershed values, and other recreation values. Principal considerations include providing for suitable and sufficient recreation uses and facilities (both dispersed and commercial, and particularly in the Greater Sand Dunes Recreation Area), visual resource management direction, road designations (transportation planning), and management of cultural and historical resources (the need for protection of Native American-respected places is of particular concern). Providing for visitor health and safety in areas with mineral development (i.e., OHV recreation area and oil/gas development) is also a concern.

Issue 4: Designation and Management of Special Management Areas

There are unique areas or sensitive lands and resources in the planning area that meet the criteria for protection and management under special management designations. There are five areas designated as ACECs (Greater Sand Dunes, Steamboat Mountain, Oregon Buttes, White Mountain Petroglyphs, and a portion of the South Pass Historic Landscape) that contain unique resources requiring special management attention. There are three special recreation management areas (SMRA)—the Greater Sand Dunes; Continental Peak Side Trail; and the Oregon, Mormon Pioneer, Pony Express, and California National Historic Trails)—that contain recreation values requiring special management attention. There are also concerns that special management area designations may result in too many restrictions on the use of public lands.

Some issues that directly or indirectly apply to the planning area were addressed in the Green River RMP planning effort. These issues will not be addressed in the supplemental draft EIS for the CAP.

1.5.2 Planning Criteria

Planning criteria are the conditions and guidelines or parameters for conducting the planning effort for preparing the JMH CAP supplemental draft EIS and for developing the approved CAP. The planning criteria serve the following purposes:

1. To ensure that the planning effort is focused on the issues, follows and incorporates legal requirements, addresses management of all public land resources and land uses in the planning area, and that plan preparation is accomplished efficiently;
2. To identify the scope and parameters of the planning effort for the decision maker, the interdisciplinary planning team, and the public; and
3. To inform the public of what should and should not be expected from the completed JMH CAP. This includes identification of any planning issues that are not ready for decision-making and that will be addressed only through subsequent activity or implementation planning efforts or in approving public land and resource use authorizations (e.g., livestock grazing allotment management plans, wildlife habitat management plans, other coordinated activity planning, watershed management plans, processing applications for permits for mineral exploration, rights-of-way, etc.).

Planning criteria are based on standards prescribed by laws and regulations; guidance provided by the BLM Wyoming State Director; the results of consultation and coordination with the public and with other agencies, governmental entities, and Indian Tribes; analysis of information pertinent to the planning area; public input; and professional judgment. The general planning criteria described in Appendix 1 have been developed to help focus the preparation of planning and management alternatives and the analysis of their impacts, and to guide selection of the preferred alternative for the supplemental draft EIS. Additional planning criteria may be identified as the planning process proceeds.

1.6 RELEVANT STATUTES, LIMITATIONS, AND GUIDELINES

The following provides a description of the authorities that apply to the selection and implementation of the management actions for the JMH CAP.

1.6.1 Environmental Policy

NEPA (42 U.S.C. 4321, et seq.) requires the preparation of EISs for federal projects that may have a significant effect on the environment. It requires systematic, interdisciplinary planning to ensure the integrated use of the natural and social sciences and the environmental design arts in making decisions about major federal actions that may have a significant effect on the environment. The procedures required under NEPA are implemented through the CEQ regulations at 40 CFR 1500.

The Endangered Species Act of 1973 (ESA), as amended (16 U.S.C. 1531, et seq.), directs federal agencies to ensure that their actions do not jeopardize threatened and endangered species, and that through their authority they help bring about the recovery of such species.

Federal Compliance with Pollution Control Standards (Executive Order [EO] 12088) states that federal agencies must comply with applicable pollution control standards.

Protection and Enhancement of Environmental Quality (EO 11514, as amended by EO 11991) establishes the policy for federal agencies to provide leadership in environmental protection and enhancement.

1.6.2 Land Use and Natural Resources Management

FLPMA, as amended (43 U.S.C. 1701, et seq.), provides for public lands to be generally retained in federal ownership for periodic and systematic inventory of the public lands and their resources; for a review of existing withdrawals and classifications; for establishing comprehensive rules and regulations for administering public lands statutes; for multiple-use management on a sustained yield basis; for protection of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archaeological values; for receiving fair market value for the use of the public lands and their resource; for establishing uniform procedures for any disposal, acquisition, or exchange; for protecting areas of critical environmental concern; for recognizing the nation's need for domestic sources of mineral, food, timber, and fiber from the public lands, including implementation of the Mining and Mineral Policy Act of 1970; and for payments to compensate states and local governments for burdens created as a result of the immunity of federal lands from state and local taxation. The general land management regulations are provided in 43 CFR 2000, Subchapter B.

The General Mining Law of 1872, as amended (30 U.S.C. 22, et seq.), provides for locating and patenting mining claims where a discovery has been made for locatable minerals on public lands in specified states. Regulations for staking and maintenance of claims on BLM-administered lands are listed in 43 CFR 3800.

The Mineral Leasing Act of 1920, as amended (30 U.S.C. 181, et seq.), provides for the leasing of deposits of coal, phosphate, sodium, potassium, oil, oil shale, native asphalt, solid and semisolid bitumen, bituminous rock or gas, and lands containing such deposits owned by the United States, including those in national forests but excluding those acquired under other

acts subsequent to February 25, 1920, and those lands within the national petroleum and oil shale reserves. Regulations for onshore oil and gas leasing are provided in 43 CFR 3100.

The Federal Coal Leasing Amendments Act of 1976 (30 U.S.C 201, et seq.) requires competitive leasing of coal on public lands and mandates a broad spectrum of coal operations requirements for lease management. Coal leasing regulations for BLM-administered lands are provided in 43 CFR 3400.

The Materials Act of 1947, as amended (30 U.S.C. 601–604, et seq.), provides for the sale of common variety materials for personal, commercial, or industrial uses and for free use for local, state, and federal governmental entities. The sales of mineral materials are controlled by the regulations listed in 43 CFR 3600.

The Taylor Grazing Act of 1934, as amended (43 U.S.C. 315), provides authorization to the Secretary of the Interior to establish grazing districts from any part of the public domain of the United States (exclusive of Alaska) which, in the Secretary's opinion, are chiefly valuable for grazing and raising forage crops; to regulate and administer grazing use of the public lands; and to improve the public rangelands. Regulations for grazing permits are provided in 43 CFR 4100.

The Public Rangelands Improvement Act of 1978 (43 U.S.C. 1901, et seq.) provides for the improvement of range conditions on public rangelands, research on wild horse and burro population dynamics, and other range management practices.

The Federal Noxious Weed Act of 1974, as amended (7 U.S.C. 2814), provides for the designation of a lead office and a person trained in the management of undesirable plants, establishment and funding of an undesirable plant management program, completion and implementation of cooperative agreements with state agencies, and establishment of integrated management systems to control undesirable plant species.

The Wild Free Roaming Horse and Burro Act of 1971 provides for the management, protection, and control of wild horses and burros on public lands and authorizes "adoption" of wild horses and burros by private individuals. Regulations applicable to wild horse and burro management on BLM-administered lands are provided in 43 CFR 4700.

Executive Order 12548 provides for establishment of appropriate fees for the grazing of domestic livestock on public rangelands and directs that the fee shall not be less than $1.35 per animal unit month.

The Wilderness Act of 1964 (16 U.S.C. 1131, et seq.) provides for the designation and preservation of wilderness areas.

1.6.3 Air Quality

The Clean Air Act of 1990, as amended (42 U.S.C. 7401, 7642), requires BLM to protect air quality, maintain federal- and state-designated air quality standards, and abide by the requirements of the state implementation plans.

Wyoming Air Quality Standards and Regulations, Chapters 1 to 11, specify the requirements for air permitting and monitoring to implement Clean Air Act and state ambient air quality standards.

1.6.4 Water Quality

The Clean Water Act of 1987, as amended (33 U.S.C. 1251), establishes objectives to restore and maintain the chemical, physical, and biological integrity of the nation's water. The act also requires permits for point source discharges to navigable waters of the United States and the protection of wetlands, and includes monitoring and research provisions for protection of ambient water quality.

Wyoming Water Quality Regulations implement permitting and monitoring requirements for the National Pollutant Discharge Elimination System, operation of injection wells, groundwater protection requirements, prevention and response requirements for spills, and salinity standards and criteria for the Colorado River Basin.

Protection of Wetlands (EO 11990) requires federal agencies to take action to minimize the destruction, loss, or degradation of wetlands and to preserve and enhance the natural and beneficial values of wetlands.

Floodplain Management (Executive Order 11988) provides for the restoration and preservation of national and beneficial floodplain values, and enhancement of the natural and beneficial values of wetlands in carrying out programs affecting land use.

1.6.5 Cultural Resources

The Historic Sites Act (16 U.S.C. 461) declares national policy to identify and preserve historic sites, buildings, objects, and antiquities of national significance, thereby providing a foundation for the National Register of Historic Places.

The National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), expands protection of historic and archaeological properties to include those of national, state, and local significance. It also directs federal agencies to consider the effects of proposed actions on properties eligible for or included in the National Register of Historic Places.

The Archaeological Resources Protection Act of 1979, as amended (16 U.S.C. 470a, 470cc, 470ee), requires permits for the excavation or removal of federally administered archaeological resources, encourages increased cooperation among federal agencies and private individuals, provides stringent criminal and civil penalties for violations, and requires federal agencies to identify important resources vulnerable to looting and to develop a tracking system for violations.

Protection and Enhancement of the Cultural Environment (Executive Order 11593) directs federal agencies to locate, inventory, nominate, and protect federally owned cultural resources eligible for the National Register of Historic Places and to ensure that their plans and programs contribute to preservation and enhancement of non-federally owned resources.

The National Trails System Act of 1968, as amended (16 U.S.C. 1241–1249), establishes a national trails system and requires that federal rights in abandoned railroads be retained for trail or recreation purposes, or sold with the receipts to be deposited in the Land and Water Conservation Fund.

1.6.6 Hazardous Materials

The Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended by the Superfund Amendments and Reauthorization Act of 1986 (42 U.S.C. 9601–9673), provides for liability, risk assessment, compensation, emergency response, and cleanup (including the cleanup of inactive sites) for hazardous substances. The act requires federal agencies to report sites where hazardous wastes are or have been stored, treated, or disposed, and requires responsible parties, including federal agencies, to clean up releases of hazardous substances.

The Resource Conservation and Recovery Act (RCRA), as amended by the Federal Facility Compliance Act of 1992 (42 U.S.C. 6901–6992), authorizes the Environmental Protection Agency (EPA) to manage, by regulation, hazardous wastes on active disposal operations. The act waives sovereign immunity for federal agencies with respect to all federal, state, and local solid and hazardous waste laws and regulations. Federal agencies are subject to civil and administrative penalties for violations and to cost assessments for the administration of the enforcement.

The Emergency Planning and Community Right-To-Know Act of 1986 (42 U.S.C. 11001–11050) requires the private sector to inventory chemicals and chemical products, to report those in excess of threshold planning quantities, to inventory emergency response equipment, to provide annual reports and support to local and state emergency response organizations, and to maintain a liaison with the local and state emergency response organizations and the public.

Table 1-1. Land and Mineral Ownerships and Administrative Jurisdictions Within the JMH CAP Planning Area

Areas the CAP Decisions WILL Cover:	**Approximate Acres[1]**
A. Areas where the land surface and mineral estate are both federally owned and are both administered by the BLM[2]	567,080
B. Areas where the land surface is federally owned and administered by the BLM and the mineral estate is owned and administered by the State of Wyoming[3]	7,720
C. Areas where the land surface is owned and administered by private individuals and the total mineral estate is federally owned and administered by the BLM[4]	4,950
D. Areas where the land surface is owned and administered by private individuals and the coal is federally owned and administered by the BLM[4]	2,010
E. Areas where the land surface is owned and administered by private individuals and the oil and gas is federally owned and administered by the BLM[4]	30
F. Areas where the land surface is owned and administered by private individuals and the other federal minerals are federally owned and administered by the BLM[4]	40
G. Areas where the land surface is owned and administered by the State of Wyoming and the mineral estate is federally owned and administered by the BLM[4]	640
H. Areas where the land surface is owned and administered by the State of Wyoming and the coal is federally owned and administered by the BLM[4]	80
Total BLM-administered federal land surface to be covered by CAP decisions (A + B)	574,800
Total BLM-administered federal mineral estate to be covered by CAP decisions (A + C + D + E + F + G + H)	574,830
Areas the CAP Decisions Will NOT Cover:	
I. Areas where the federal land surface is administered by the Bureau of Reclamation and the federal mineral estate is administered by the BLM[5]	1,980
Total BLM-administered federal mineral estate that will NOT be covered by RMP decisions	1,980
J. Areas where the land surface and minerals are both owned by private individuals and the BLM has no administrative authority[6]	8,800

K. Areas where the land surface and minerals are both owned by the State of Wyoming and the BLM has no administrative authority[6] 29,000

Total Land Surface Acres in the JMH CAP Planning Area (All Ownerships)[1] 622,330

[1] Because of land surface and mineral ownership overlaps and administrative responsibility overlaps, acreage figures are not additive.

[2] In areas where the federal land surface and federal mineral estate are both administered by the BLM, the CAP decisions will cover both the land surface and the mineral estate.

[3] In areas where the federal land surface is administered by the BLM, and the minerals are privately owned or owned by the State of Wyoming, the CAP decisions will cover only the BLM-administered federal land surface. Although these surface management decisions may have some effect on the ability to manage and develop the non-federally owned minerals, the CAP decisions will not pertain to the non-federal mineral estate. At the same time, surface and minerals management actions and development activities anticipated in these areas will be taken into account for purposes of cumulative impact analysis in the CAP.

[4] In areas where the land surface is privately owned or owned by the State of Wyoming, and the minerals are federally owned, the CAP 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 not pertain to the state- and privately owned land surface. At the same time, surface and minerals management actions and development activities anticipated in these areas will be taken into account for purposes of cumulative impact analysis in the CAP.

[5] In areas where the federal land surface is administered by the Bureau of Reclamation, and the federal mineral estate is administered by the BLM, the land surface planning and management decisions are the responsibility of the Bureau of Reclamation. Any BLM administrative responsibilities on these lands (for example, actions concerning the federal mineral estate) are handled case by case and are guided by the other surface management agencies' policies, procedures, and plans. Thus the CAP will not include management decisions for the federal minerals on these lands. 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 in the CAP.

It is also important to note that, while other BLM responsibilities include surface management of the lands withdrawn for purposes of the Bureau of Reclamation, they are carried out in accordance with an interagency agreement between the two agencies. Administrative jurisdiction (including land use planning) for these lands lies with the Bureau of Reclamation.

[6] The CAP will not include any management decisions for areas where the land surface and minerals are both privately owned or owned by the State of Wyoming.