

United States Department of the Interior Bureau of Land Management

Record of Decision

March 2016

Final Environmental Impact Statement and Land and Resource Management Plan, National Forests in Mississippi

Location:

National Forests in Mississippi
Bienville National Forest, Delta National Forest, De Soto National Forest
(Chickasawhay Ranger District and De Soto Ranger District), Holly Springs
National Forest (Includes the Yalobusha Unit), Homochitto National Forest,
Tombigee National Forest (includes the Ackerman and Trace Units)
Forest, Rolling Fork, Laurel, Wiggins, Oxford, Meadville, and Ackerman,
Mississippi

Eastern States
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Washington, DC 20003



Bureau of Land Management Record of Decision for Adoption of the Final Environmental Impact Statement and Revised Land and Resource Management Plan, National Forests in Mississippi

In August 2014, the United States Forest Service (USFS) completed a Final Environmental Impact Statement (FEIS) and issued a Record of Decision (ROD) to approve the Revised Land and Resource Management Plan for National Forests in Mississippi. The Plan provides management direction for approximately 1.2 million acres of national forest land in Mississippi. With this ROD the Bureau of Land Management (BLM) formally adopts the FEIS and Revised Land and Resource Management Plan for National Forests in Mississippi. The BLM concurs with the approval of the Revised Plan and selection of Alternative C from the FEIS, as documented by the USFS ROD.

The BLM, which served as a cooperating agency in the preparation of the aforementioned FEIS, has conducted an independent review and determined that the suggestions and comments it provided during the preparation of the FEIS have been satisfied and that the FEIS was prepared in a manner that complies with all requirements of the National Environmental Policy Act (NEPA), 42 United States Code (USC) Section 4321 et seq., the Council on Environmental Quality regulations that implement the NEPA, Title 40 Code of Federal Regulations (CFR) Parts 1500 – 1508, and all policies of the Department of the Interior and the BLM for the preparation of NEPA documents. In light of these determinations, the BLM has elected to adopt the USFS-issued FEIS and Revised Plan without recirculation, as is provided for by 40 CFR Part 1506.3(c). The USFS FEIS and Final Revised Land and Resource Management Plan for National Forests in Mississippi may be found on the following website: <http://www.fs.usda.gov/main/mississippi/landmanagement/planning>.

This BLM ROD will primarily be used to facilitate future oil and gas leasing decisions on national forest lands in Mississippi. Additional environmental analysis will be prepared for all proposed post leasing actions and prior to any proposed ground disturbance, as appropriate and in compliance with NEPA.

Purpose and Need

The proposed action analyzed in the FEIS is to produce a revised forest plan which will guide resource management activities on the National Forests in Mississippi for the next 10-15 years. Forest plans are required by the Forest and Rangeland Renewable Resources Planning Act of 1974 (RPA), as amended by the National Forest Management Act of 1976 (NFMA). The NFMA regulations require forest plans to be revised on a 10-15 year cycle or sooner when significant changes in conditions or demands occur in the forest plan coverage area. The original forest plan for the National Forests in Mississippi went into effect in 1985 and has been amended 18 times to date. Periodic reviews have identified numerous areas where conditions have changed since

1985. In some cases, new scientific understanding evolved, monitoring direction needed to shift to more important resource concerns, or current direction was not having the intended outcome. For other issues, there were new public priorities, and new desired conditions were needed. In recent years, restoration and maintenance of biodiversity, old-growth forest habitats, and ecosystem management have gained public and scientific interest and have emerged as forest management issues. The amount of time since the implementation of the 1985 forest plan, new scientific understanding, and shifting public interests have all contributed to the need to revise the forest plan.

The National Forests in Mississippi began revision of the 1985 forest plan in 2000 under the existing requirements of the NFMA. In July 2005, the Forests transitioned the forest plan revision process to new 2005 planning rule requirements (36 CFR Part 219). After the 2005 rule was remanded and replaced with a new planning rule in March 2008, the Forests converted to the requirements under the 2008 rule. The 2008 planning regulations were also successfully challenged in court, and the Forests subsequently elected to use the September 1982 version of the NFMA planning regulations (36 CFR Part 219) to complete the forest plan revision.

Alternatives

A detailed discussion of the alternatives considered as well as those dismissed from further analysis is found in the USFS FEIS, Chapter 2. The alternatives analyzed in the FEIS adequately addressed the wide range of resource values under the administration of the National Forests in Mississippi, as well as the subsurface resources which the BLM is responsible for managing. The selection of Alternative C, based upon the analysis in the FEIS, provided a management decision that was responsive to all substantive resource issues identified both internally and through public and interagency participation for the project.

A. Selected Alternative and Management Considerations – Alternative C

Alternative C was the selected alternative in the USFS ROD, and the BLM concurs with the selection and adopts Alternative C herein. The proposed action alternative is biologically based and driven, with emphasis on restoring natural resources and natural processes and creating and maintaining diverse wildlife habitats. Restoration of native ecological communities would be based on the ecological potential and capability of the land. Restoration activities would provide a mix of wildlife habitat conditions favorable for game and non-game species. Restoration activities would produce both large and small openings. Water quality and riparian areas would be protected through implementation of best management practices and streamside management zone, with minor investments in priority watershed restoration projects. A variety of recreation settings and opportunities would occur in areas where they would be compatible with restoration activities and in areas where restoration is not occurring. A balanced mix of small and medium-sized old-growth forest community types would be established. Access would be reduced as needed to restore and protect aquatic systems, soils, and plant and animal communities.

As described in the USFS FEIS with regard to minerals management, Alternative C would allow approximately 1.2 million acres administratively available for oil and gas leasing (with the exception of congressionally designated wilderness areas) subject to: 1) management

direction in the National Forests in the Mississippi Forest Plan, 2) oil and gas lease stipulations, 3) the wide range of laws and regulations that require environmental protections for oil and gas exploration and development and 4) site-specific environmental analysis as detailed exploration proposals are made by lease holders. Additionally, all administratively available lands will be available for lease by the BLM, subject to the standard USFS stipulations and the environmental requirements of the standard federal lease terms detailed in Appendix B of the National Forests in Mississippi Lands Available for Oil and Gas Leasing Environmental Assessment, August 2010 (the decisions in this EA have been incorporated into the Revised Land and Resource Management Plan for National Forests in Mississippi). The 2010 EA may be found on this website:

<http://www.fs.usda.gov/detail/mississippi/landmanagement/projects/?cid=stelprdb5210346>.

A decision regarding oil and gas leasing availability on the Sandy Creek RARE II Further Study Area/IRA was evaluated and addressed in the FEIS. Alternative C would permit new oil and gas leasing in this area subject to the 2001 Roadless Area Conservation Rule restrictions. These restrictions include no new road construction or reconstruction permitted in the inventoried roadless area; therefore only existing system roads would be utilized as access for lease activities. (It should be noted that part of this area, approximately 140 acres, is currently under lease.) Additionally, the approximately 300-acre Sandy Creek Botanical Area within the Further Study Area will be available for leasing with a no-surface occupancy stipulation.

B. Other Alternatives Considered

Four other alternatives including the no action alternative were evaluated in the FEIS (Alternative A, Custodial Management; Alternative B, No-action Alternative; Alternative D, Accelerated Restoration Alternative; and Alternative E, Enhanced Forest Health Alternative). Since the primary goal of this BLM ROD is to facilitate future oil and gas leasing decisions, the comparison of alternatives focuses on minerals management. The primary difference is that Alternatives A and B would not authorize oil and gas leasing in the Sandy Creek RARE II Further Study Area, while Alternatives D and E would permit oil and gas leasing in the area subject to the 2001 Roadless Area Conservation Rule. From an oil and gas leasing perspective, Alternatives C, D, and E are essentially the same and would add 2,558 acres to the total 1.2 million acres available for leasing on the National Forests in Mississippi. However, as described in the FEIS, Alternative C (preferred alternative) is the selected alternative because it describes a level of management and direction that will move the Forest toward desired conditions at a realistic pace under current agency funding levels. BLM therefore concurs with the selection of Alternative C.

Consultation, Coordination, and Public Involvement

A detailed discussion of agency coordination and consultation as well as public involvement can be found in the USFS FEIS. Since the beginning of the planning process in 2000, the USFS has received input from thousands of Mississippi residents, visitors, conservation groups, recreation groups, industry representatives, community leaders, other agencies, and interested parties about the future they want to see for the six national forests within the state. USFS resource specialists and forest managers worked with universities, researchers, and other agencies to take into

account the latest scientific findings, consider evolving management practices, and include new emerging issues such as urban expansion and climate change. Over 40 public meetings and workshops were held at various libraries, community centers, district offices, and local auditoriums across the state. Multiple communication tools were used, including facilitated public workshops, audiovisual presentations, newsletters, flyers, posters, mailings, and the National Forests in Mississippi website. Over the course of various delays and transitions, a special effort was made to ensure that earlier public feedback was included and considered as the revision process continued. Inconsistencies with state, county, or local plans were not identified.

All required agency consultations and coordination have been completed for compliance with the Endangered Species Act and National Historic Preservation Act, among other regulatory requirements. A summary of this information is documented in the FEIS and Revised Plan.

Decision and Rationale

With this ROD, the BLM Eastern States formally adopts the USFS FEIS and the Revised Land and Resource Management Plan for National Forests in Mississippi and concurs with the selection of Alternative C from that FEIS, as documented in the ROD issued by the USFS in August 2014. This ROD also serves to formally document the conclusions by the BLM that the comments and suggestions it provided while serving as a cooperating agency in the preparation of the FEIS have been satisfied and that the FEIS was prepared in a manner that complies with all requirements imposed by the NEPA, the CEQ regulations implementing the NEPA, and all applicable requirements and policies of the BLM and the Department of the Interior. This ROD also documents the BLM's concurrence with the determination by the USFS regarding the consistency of the USFS ROD and FEIS with other applicable laws, regulations and policies. As a result of these determinations, the BLM has elected to adopt the FEIS and Revised Plan without recirculation, as is provided for by 40 CFR Part 1506.3(c).

This ROD does not, by itself, authorize the issuance of any oil and gas leases. However, if in the future the USFS provides the BLM with its consent as well as the surface use restrictions required to lease specific national forest lands under the administration of the National Forests in Mississippi, the decisions and determinations made with this ROD may be used to support future decisions by the BLM to issue oil and gas leases for certain USFS lands. The BLM cannot offer lands within the National Forests in Mississippi for oil and gas leasing without the USFS first providing its consent to lease in accordance with the procedures and requirements described in 36 CFR Section 228.102(e). 30 USC Section 226 (h); 43 CFR Section 3101.7; 36 CFR Section 228.102(a)-(e).

This ROD also does not authorize any ground-disturbing operations on USFS lands in Mississippi. Specific surface-disturbing activities to develop oil and/or gas from national forest lands under the administration of the National Forests in Mississippi would be considered for approval only after additional environmental analysis has occurred pursuant to a lease and/or application for permit to drill (APD). Additional environmental analysis may involve additional resource impact analysis, consultations, and or surveys as appropriate.

The CEQ regulations at 40 CFR Part 1505.2(c) require that decision documents, such as this

ROD, state whether all practicable means to avoid or minimize environmental harms that may result from the selected alternative have been adopted, and if not, why they were not. Mitigation for resource impacts that may result from oil and gas development operations on National Forests in Mississippi would occur through the stipulations and lease notices identified in the FEIS, as well as any mutually agreed upon protections identified during the leasing and/or APD stage.

For the reason discussed above and in the USFS ROD and FEIS, the BLM concurs with the determination by the USFS that the selection of Alternative C from the FEIS includes all of the practicable mitigation and other protective measures needed to avoid or minimize environmental harms that may result from the decisions made with this ROD and the USFS ROD. The BLM has also determined that, of the alternatives considered in detail, Alternative C from the FEIS best met the purpose and need for action discussed in the FEIS. These determinations were based upon, among other things, considerations of the statutorily imposed mineral leasing responsibilities of the BLM and the USFS, the identification and analysis of non-mineral and mineral resources within the FEIS and USFS ROD and the stipulations that would be imposed upon any oil and gas operations pursuant to the selected alternative as described in the FEIS.

Approval

In consideration of the information above, I approve this BLM ROD with which the BLM formally adopts the USFS FEIS and Revised Land and Resource Management Plan for National Forests in Mississippi. I concur with the selection of Alternative C from the FEIS, as documented by the USFS ROD of August 2014.

Recommended by:

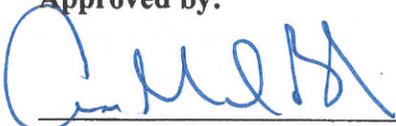


Bruce Dawson, District Manager
Southeastern States

3/4/2016

Date

Approved by:



Ann DeBlasi, Acting State Director
Eastern States

3/23/16

Date