CHAPTER 1

PURPOSE OF AND NEED FOR THE PLANNING EFFORT

INTRODUCTION

This draft environmental impact statement (EIS) evaluates alternative land use plans for the management of public lands and resources administered by the Bureau of Land Management (BLM) in the Jackson Hole area of the Pinedale Field Office (PFO). The Snake River planning area is located approximately 80 miles northwest of Pinedale, Wyoming. Each alternative analyzed in detail represents a complete and reasonable resource management plan (RMP) which could be used to guide the management of BLM-administered public lands and resources in the planning area. Each alternative also considers the land use plans of local and state governments and other Federal agencies in and around the Jackson Hole area to assure that the approved RMP will be compatible with them.

Original surveys of the Jackson Hole area conducted in the late 1800s ended at "meander lines" established near the then-banks of the very wide, braided channel of the Snake River. At some points, this channel was a mile or more wide. These "omitted lands" (omitted from the official U.S. survey) remained in public ownership as the Jackson Hole valley was settled. As levee construction proceeded in the 1950s, the lands began to be separated from the active channel of the Snake River. In the 1970s and 1980s, after long litigation, many of the "omitted" parcels were titled to the adjacent private landowners, resulting in the scattered nature of the parcels that remain in public ownership today (Map 1). See Appendix 4 and Maps 3-9 for descriptions of the individual public land parcels. For most of the parcels that did go into private ownership, recreation easements on the river channel were granted to the United States. Some of these easements include access to the riverbank levees. These easements do not actually enhance access to the river, but allow activities on the river that are generally not allowed on navigable waters crossing private lands in Wyoming. For instance, on the Snake River through the planning area, recreationists can anchor boats, wade, hike, picnic, and fish on the river as it crosses private lands.

Because ownership of the lands was still in litigation at the time BLM's Pinedale Field Office RMP was completed in 1988, the lands were not included in that RMP. The Snake River RMP will be the first land use plan implemented for these public land parcels and mineral estate.

The process for the development, approval, maintenance, and amendment or revision of RMPs was initiated under the authority of Section 202(f) of the Federal Land Policy and Management Act of 1976 (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 first tier of the three-tiered 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) development of any needed State Director's guidance, specific to the planning effort

and the planning area. Development of the RMP represents the second of the three-tiered BLM planning process, the land use planning tier. As such, the approved RMP will prescribe the future resource and land use management for the BLM-administered public lands in the planning area. It is this process of planning for the management of the public land and resources, and allocating their uses, that guides activity planning and daily operations. Activity planning, the third tier of the BLM planning process, incorporates the resource and land use decisions of the RMP into the specific management guidance for administering the public lands in the planning area. During activity planning, the management prescriptions in the RMP are applied (1) to specific geographic areas in developing and implementing site-specific activity plans (e.g., recreation or river management plans); (2) in issuing various land and resource use authorizations; (3) in identifying mitigation needs; and (4) in developing and implementing other similar plans and actions.

After completion, the Snake River RMP will be kept current through maintenance actions, amendments, or revision as defined in 43 CFR 1610.5. Maintenance, amendment or revision of the RMP will be considered as demands on public lands and resources change, as the land and resource conditions change, or as new information is acquired.

PURPOSE AND NEED

The purpose for developing the Snake River RMP is to provide a comprehensive and environmentally adequate framework for managing and allocating uses of BLM-administered public lands and resources, including mineral estate, in the Jackson Hole area. This draft environmental impact statement (DEIS) documents the description of alternatives analyzed (current and alternative management plans) for the planning area and their consequences. The DEIS provides the basis for developing an RMP that resolves the resource and land use issues involved with current management and that provides direction for site-specific activity planning and implementation of management actions in the future. Until the Snake River RMP is completed, existing authorized practices and uses of the public lands and resources in the Jackson Hole area will continue, with most decisions on new actions or resource uses postponed until completion of the RMP.

DESCRIPTION OF THE PLANNING AREA

The general planning area for the Snake River RMP is the Jackson Hole area, a portion of Teton County in northwestern Wyoming (Map 1). The planning area is bounded on the east, south, and west by the Bridger-Teton National Forest boundary, and on the north by the Grand Teton National Park boundary.

As provided by the Federal Land Policy and Management Act (FLPMA), the BLM has the responsibility to plan for and manage the public lands. As defined by the Act, the *public lands* are those Federally owned lands, and any interest in lands (e.g., Federally owned mineral estate), that are administered by the Secretary of the Interior, specifically through the Bureau of Land Management. Within the Snake River RMP 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 also are varied, intermingled, and overlapping.

Because of this, the completed Snake River RMP will not include planning and management decisions for lands or minerals within the planning area that are privately owned or owned by the State of Wyoming, U.S. Fish and Wildlife Service, or local governments. Table 1-1 summarizes

the land surface and mineral ownership and administrative relationships for the area (also see Map 2). In areas where the Federal land surface is administered by the USFWS, and the Federal mineral estate is administered by the BLM, the land surface planning and management decisions are the responsibility of the USFWS. Any BLM administrative responsibilities within these areas (for example, actions concerning the Federal mineral estate) are handled case by case and are guided by the policies, procedures, and plans of the USFWS.

The 23 surface parcels of public lands are also shown in a series of close-up maps (Maps 3-9).

TABLE 1-1
LAND AND MINERAL OWNERSHIP AND ADMINISTRATIVE JURISDICTIONS WITHIN THE SNAKE RIVER RMP PLANNING AREA

Jurisdiction	Approximate Acres
Areas the Snake River RMP Decisions Will Cover:	
A. Federal surface/federal minerals[1]	1,073
B. Private surface/federal minerals[2]	14,050
Total BLM-administered federal land surface to be covered by RMP decisions	1,073
Total BLM-administered federal mineral estate to be covered by RMP decisions	15,123
Areas the Snake River RMP Decisions Will NOT Cover:	
C. USFWS land/federal minerals[3]	12,500
D. State land/nonfederal minerals[4]	2,540
E. Private land/nonfederal minerals	42,120
F. USFWS/nonfederal minerals	13,360
Total BLM-administered federal mineral estate that will NOT be covered by RMP decisions	12,500
Total land surface areas in the Snake River RMP planning area (all ownerships)	85,643

[1] In areas where the Federal land surface and Federal mineral estate are both administered by the BLM, the RMP will include planning and management decisions for both the land surface and the mineral estate.

[2] In areas where the land surface is privately owned, and the minerals are Federally owned, the RMP will include planning and management decisions for only the BLM-administered Federal mineral estate. While 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 planning and management decisions, these decisions will not pertain to the 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 Snake River RMP EIS.

[3] In areas where the Federal land surface is administered by the USFWS, and the Federal mineral estate is administered by the BLM, the land surface planning and management decisions are the responsibility of the USFWS. Any BLM administrative responsibilities within these areas (for example, actions concerning the Federal mineral estate) are handled case by case and are guided by the policies, procedures, and plans of the USFWS. 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 Snake River RMP EIS.

[4] The Snake River RMP will not include any planning and management decisions for areas where the land surface and minerals are both privately owned, or owned by state, local, or other federal government agencies.

PLANNING ISSUES AND PLANNING CRITERIA

Planning Issues

The process for developing an RMP EIS begins with identifying the issues (40 CFR 1501.7; 43 CFR 1610.4-1). Issues express concerns, conflicts, and problems with the existing management of public lands. Frequently, issues are based on how land uses affect resources. Some issues are concerned with how land uses can affect other land uses, or how the protection of resources affects land uses.

Planning issues for the Snake River RMP have grown, in part, from lack of management of the parcels. Because ownership of the lands was still in litigation during the production of the Pinedale RMP, the parcels were excluded from that plan and have never been covered by a land use plan. In the absence of a land use plan, most management decisions for the parcels have been deferred until completion of the Snake River RMP. In particular, these include decisions on management of recreation use, mineral extraction, and land ownership (whether the BLM should retain or dispose of the parcels).

Issue 1: Cooperative Management

Public lands administered by the BLM along the Snake River are interspersed with private and state lands and bounded upstream and downstream by lands administered by the National Park Service, USDA-Forest Service, and Teton County. Some of the private and state lands are affected by recreational easements administered by the BLM. The Army Corps of Engineers and Teton County also have jurisdictional responsibilities including cooperative maintenance of levees for flood control. Several organizations are interested in cooperating with private landowners and government agencies for maintaining open space and public access. Because of these intermingled ownerships, agreements, and management interests, it is important that the Snake River RMP be coordinated with the plans of other managing agencies in and around Jackson Hole. Opportunities for cooperation include coordination by BLM, National Park Service, and USDA-Forest Service in addressing river floating, consideration of landownership adjustments, and leasing public lands for parks and pathways. Other benefits of cooperation could include sharing scientific information and preparing joint studies and recommendations on matters such as wild and scenic river potential.

Issue 2: Recreational Opportunities

Public lands along the Snake River are accessible, with no fees charged for recreation activities, and are used by the residents of Teton County and surrounding counties for high quality recreation. Activities include hiking, horseback riding, cross country skiing, boating, fishing, picnicking, and watching wildlife.

Recreational use is growing, with the result that some public lands are experiencing crowding and associated resource problems, such as increases in noxious weeds and other invasive species, and declines in the quality of the recreational experience. In addition, unregulated commercial float outfitting is occurring, leading to concerns about overcrowding, health, and safety of river users. Questions to be addressed in the Snake River RMP EIS involve how best to accommodate the demand for recreation on these public lands, while protecting important natural resources and recreational experiences.

Issue 3: Development of Construction Materials

Special attention is needed to address the mining of sand and gravel on public lands in the planning area. These materials are needed primarily to maintain levees along the Snake River for flood control, and for road construction around Jackson Hole. The availability of gravel is limited in Jackson Hole, and resources from federal mineral estate could help to supply a growing need in the area. Questions to be addressed in the Snake River RMP EIS include whether mining of sand and gravel is appropriate on public lands, and what conditions should be applied to protect recreational opportunities, watershed resources, and important wildlife habitat.

Issue 4: Land Ownership Adjustment

At issue is whether the public land parcels should be retained in public ownership. Because of the small size, irregular shape, and scattered nature of the parcels, and their distance from the BLM Pinedale Field Office, they are difficult and costly for the BLM to manage. In addition, the Pinedale Field Office has received many requests and expressions of interest from adjacent private landowners in purchasing the parcels. For these reasons, disposal of the parcels must be considered as an option. This decision is central to the future management of the lands. Questions to be addressed in the Snake River RMP EIS include whether the parcels should be retained in public ownership and what criteria should be used to determine whether parcels are suited for disposal.

Planning Criteria

Planning criteria are the conditions and guidelines or parameters for conducting the planning effort, for preparing the RMP EIS, and for developing the approved RMP. 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 RMP, including identification of any planning issues that are not ready for decision-making in the RMP and that will be addressed only through subsequent planning efforts. 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 and governmental entities, and Indian Tribes; analysis of information pertinent to the planning area; public input; and professional judgment of the Planning Team.

The planning criteria focus on the preparation of alternatives, the analysis of their effects, and the selection of a preferred alternative. Additional planning criteria may be developed as the process proceeds.

Criteria for Developing Alternatives

The following will be considered in one or more of the alternatives:

- Management of significant cultural, historic, and scenic resources.
- The protection and enhancement of riparian areas.
- The protection of habitat for threatened, endangered, proposed, and candidate species and other important plants and animals.
- Identification of lands suitable for sand and gravel mining, motorized vehicle use, rights-of-way construction, and other activities that may result in surface disturbance.
- Identification of lands where rights-of-way construction and other surface-disturbing activities would be avoided.
- Livestock grazing practices that are compatible with other resource management objectives.
- Opportunities for enhancing recreation.
- Opportunities for adjusting land ownership to meet goals for resource management and public access (e.g., transfer land to other public or private ownership).
- Opportunities for maintaining open space.
- The protection and enhancement of natural resources and ecological processes.
- Management of recreational use and designation of special recreation management areas (SRMAs).

Criteria for Analyzing Environmental Consequences

The following potential environmental consequences will be addressed:

- The effects of opening or closing public lands to development.

- Effects of surface-disturbing activities on air and scenic quality, cultural resources, recreational opportunities, vegetation, watershed, and wildlife.

- Effects of recreational activity on cultural resources, recreational experiences, vegetation, watershed, and wildlife.

- Effects of landownership adjustments on recreational opportunities and open space.

- Economic impacts of land use restrictions.

- Effects on private land.

Criteria for Selecting the Preferred Alternative

The following considerations will guide selection of the preferred alternative:

- The level of land use restrictions needed to protect resources and keep lands and resources available for public use.

- The potential for the occurrence of mineral resources such as sand, gravel, oil and gas, and gold.

- Consistency with the land use plans, programs, and policies of other federal agencies, state and local governments, and Native American tribes.

- The potential eligibility of public lands along the Snake and Gros Ventre rivers and their tributaries to be included within the National Wild and Scenic Rivers System.

- The protection of habitat for threatened, endangered, proposed, and candidate species and other important plants and animals.

- Efficiency of management of the parcels.

- Responsiveness to the planning issues.