

LAND WITHDRAWAL CASES REVIEWED UNDER FLPMA, SEC. 204(i)

ID	Serial Number	County	Agency	Project/Purpose	Total Acres	Acreage Recommendations		Acres Available for Land Use Planning Determinations			Remarks
						Continue	Not to Continue	Surface Entry	Mining Location	Mineral Leasing	
(1-1)	IDI-14655 IDI-14926 IDI-14980 IDI-15076	Owyhee Canyon Valley	BR	Boise, Boise Valley, and Owyhee Projects	505	445	60	60	60	60	Acreage needed to protect existing facilities. 60 acres no longer needed.
(1-2)	IDI-15066 IDI-15068	Ada Canyon	BR	Boise Project	803	160	643	643	0	0	The withdrawal only closed the lands to surface entry.
(1-3)	1-15071 1-15072 1-15077	Boise Adams Elmire Valley	BR	Boise Project	22,851	4,919	17,932	17,932	17,932	17,932	Needed for protection of existing facilities and feasibility studies for proposed facilities.
(1-4)	IDI-2214 IDI-15069 IDI-15253	Canyon Owyhee	BR	Boise and Owyhee Projects	159	159	0	0	0	0	Needed for protection of a mineral materials source for maintenance of existing projects.
(1-5)	1-14894 1-14939	Ada Elmire	BR	Boise and Mountain Home Projects	363	123	240	240	240	240	Minimum needed for protection of existing facilities.
(1-6)	IDI-18784	Elmore Owyhee	BR	Mountain Home Project	6,302	0	6,302	6,302	6,302	6,302	The lands are no longer needed for project purposes.
(1-7)	IDI-14940	Elmore	BR	Mountain Home Project	125	0	125	125	125	125	National Forest System lands that are no longer needed for project purposes.
(1-8)	IDI-14938	Elmore	BR	Mountain Home Project	80	0	80	80	80	80	The lands are no longer needed for project purposes.
(1-9)	IDI-14647	Ada Elmire	BR	Mountain Home Project	155,665	0	155,665	30,428	30,428	30,428	125,237 acres not to continue are within an overlapping withdrawal and not available for land use planning determinations.
(1-10)	IDI-15255	Power	BR	Minidoka Project	99	89	10	0	0	10	The 10 acres not to continue remain closed to surface entry by an overlapping withdrawal.
(1-11)	1-2013 1-016758	Bonneville Madison	BR	Minidoka Project	1,149	1,149	0	0	0	0	Needed for protection of existing facilities.
(1-12)	IDI-15557	Minidoka Cassia	BR	Minidoka Project	3,060	2,580	480	160	160	160	320 acres to be terminated are within an overlapping withdrawal and not available for land use planning determinations.

*Partial reevaluation 1/01 - No change in Package*

*2,580 480 160 160*

*Change made 3-30-2008*

BR = Bureau of Reclamation

\* Indicates the lands were never closed to mineral leasing.

LAND WITHDRAWAL CASES REVIEWED UNDER FLPMA, SEC. 204(I)

ID	Serial Number	County	Agency	Project/Purpose	Total Acres	Acreage Recommendations		Acres Available for Land Use Planning Determinations			Mineral Leasing	Remarks
						Continue	Not to Continue	Surface Entry	Mining Location			
(1-13)	ID1-15266	Power	BR	Mindoka Project	84	84	0	0	0	0	*	Needed to protect existing facilities.
(1-14)	ID1-14981 ID1-14983 ID1-16416	Ada Canyon Boise Valley Elmore	BR	Boise Valley and Payette Projects	1,200	280	920	795	795	0	*	Minimum acres needed to protect existing facilities.
(1-15)	ID1-15249 ID1-15251	Bonneville	BR	Palisades and Upper Snake River Projects	7,831	6,312	1,519	1,519	1,519	0	*	Minimum acres needed to protect existing facilities.
(1-16)	1-14925	Boise	BR	Owyhee Project	7,773	0	7,773	7,773	7,773	0	*	Lands no longer needed for project purposes.
(1-17)	ID1-19495	Franklin	BR	Bear River Project	2,082	0	2,082	830	830	0	*	Only 830 acres are available for land use planning determinations.
(1-18)	ID1-09451 ID1-14984 ID1-15064 ID1-15073 ID1-15074 ID1-15078	Elmore	BR	Anderson Ranch Reservoir	7,484	7,484	0	0	0	0	*	Needed to protect existing facilities.
(1-19)	1-013281 1-15254	Power Jerome	BR	American Falls Reservoir	89	89	0	0	0	0	*	Needed to protect existing facilities.
(1-20)	1-15247	Power Bingham	BR	American Falls Reservoir	3,025	687	2,338	0	0	0	*	The acres not to continue are within the Fort Hall Indian Reservation and not available for land use planning determinations.
(1-21)	1-08956 1-14993 1-14994 1-15058 1-15062 1-15065	Gem	BR	Black Canyon Reservoir	1,056	1,056	0	0	0	0	*	Needed to protect existing facilities.
TOTAL:					221,785	25,614	196,171	66,887	66,254	0		

BR = Bureau of Reclamation

*66,887* *66,254*  
\* Indicates the lands were never closed to mineral leasing.

Withdrawal Review Report

Withdrawal Order and Effect: Secretarial Orders dated January 23, 1907; July 3, 1907; September 27, 1909; February 14, 1910; May 4, 1910; and March 14, 1912, closed the land to surface entry and mining, but not to mineral leasing.

Administering Agency: Bureau of Reclamation (BR).

Facility or Project Name/Purpose: Minidoka Reclamation Project/wildlife, maintenance materials, irrigation, and flood control.

State/County: Idaho/Minidoka, Cassia.

Acreage Involved: 3,059.92 acres.

Finding: The withdrawal should be continued on 2,5<sup>75</sup>~~79~~.92 acres with a modification to establish a 20-year term under which the lands would remain closed to surface entry and mining. The withdrawal should be terminated as to the remaining 48<sup>5</sup>~~0~~.00 acres.

Basis for Finding: The 2,5<sup>75</sup>~~79~~.92 acres are still being used for the purpose for which they were withdrawn. The site contains an operational dam and related facilities. The remaining 48<sup>5</sup>~~0~~.00 acres are not being used or planned for use for the purpose for which they were withdrawn.

Environmental Effects: There would be no significant change in use or segregative effect on the portion of those withdrawals that are recommended for continuation. The analytical process in compliance with the National Environmental Policy Act process has been completed for this withdrawal review. This recommendation for continuation has been categorically excluded pursuant to 516 DM 6, Appendix 5.4E(1), and none of the exceptions listed in 516 DM 2, Appendix 2, are applicable to this action.

Of the 480.00 acres recommended for termination and return to the administration of Bureau of Land management (BLM), 160.00 acres would be considered for opening to surface entry and all forms of mining, prior to terminating the withdrawal. This consideration would be based on the results obtained from land use planning, environmental analyses, and public participation. The recommendation for termination on this portion of the withdrawals has been categorically excluded pursuant to 516 DM 6, Appendix 5.4E(3), and none of the exceptions listed in 516 DM 2, Appendix 2, are applicable to this action.

The remaining 320.00 acres are included in an overlapping withdrawal and consequently would remain closed to surface entry and mining. This recommendation for termination of the withdrawal on these 320.00 acres would be a record-clearing action only, and has been categorically excluded pursuant to 516 DM 6, Appendix 5.4E(2), and none of the exceptions listed in 516 DM 2, Appendix 2, are applicable to this action.

There would be no significant change in the human environment as a result of the above actions for the foreseeable future.

Concurrence by Administering Agency: The BR concurs with the BLM's finding. See the attached memoranda from the BR.

Honorable Albert Gore  
President of the Senate  
Washington, D.C. 20510

Dear Mr. President:

In accordance with the requirements of Section 204(1) of the Federal Land Policy and Management Act of 1976 (FLPMA), 43 U.S.C. 1714(1), I hereby transmit the findings and reports of the Secretary of the Interior concerning 45 Federal land withdrawals that have been reviewed in compliance with this statute. I am recommending that 23 withdrawals be continued for a specific term and that 10 withdrawals not be continued (terminated). I am also recommending that 12 withdrawals be partially continued and partially terminated. These recommendations would not be implemented until after the 90-day congressional review period specified by Section 204(1)(2) of FLPMA.

Approximately 221,785 acres of withdrawn lands are involved. Withdrawals are recommended for continuation on approximately 25,616 acres. Withdrawals for approximately 196,169 acres are recommended for termination. Some of the lands covered by withdrawals that would be terminated will be considered for opening to nonmineral and mineral uses or disposition, consistent with relevant environmental laws and land use planning requirements.

Sincerely,

Enclosures

Honorable Newt Gingrich  
Speaker of the House of  
Representatives  
Washington, D.C. 20510

Dear Mr. Speaker:

In accordance with the requirements of Section 204(1) of the Federal Land Policy and Management Act of 1976 (FLPMA), 43 U.S.C. 1714(1), I hereby transmit the findings and reports of the Secretary of the Interior concerning 45 Federal land withdrawals that have been reviewed in compliance with this statute. I am recommending that 23 withdrawals be continued for a specific term and 10 withdrawals not be continued (terminated). I am also recommending that 12 withdrawals be partially continued and partially terminated. These recommendations will not be implemented until after the 90-day congressional review period specified by Section 204(1) (2) of FLPMA.

Approximately 221,785 acres of withdrawn lands are involved. Withdrawals are recommended for continuation on approximately 25,614 acres. Withdrawals for approximately 196,<sup>174</sup>~~169~~ acres are recommended for termination. Some of the lands covered by withdrawals that would be terminated will be considered for opening to nonmineral and mineral uses or disposition, consistent with relevant environmental laws and land use planning requirements.

Sincerely,

Enclosures

The President  
The White House  
Washington, D.C. 20500

Dear Mr. President:

Enclosed for your consideration is a group of land withdrawals that have been reviewed in accordance with Section 204(1) of the Federal Land Policy and Management Act of 1976 (FLPMA), 43 U.S.C. 1714(1). The FLPMA requires that I review land withdrawals in force on October 21, 1976, in the 11 contiguous Western States (with certain exceptions, such as National Parks and Wildlife Refuges). The FLPMA also requires that I make a finding or findings as to whether and for how long each withdrawal should be continued. The 45 withdrawals in this submission are located within the State of Idaho and were reviewed at the field level by the Bureau of Land Management and the Federal administering agency for whose benefit the lands were withdrawn. I find that 23 withdrawals should be continued, as their continuation would be consistent with the statutory objectives of the programs for which the lands were dedicated and other relevant programs, or if not dedicated for a particular program, the lands are still being used for the purpose or purposes for which they were withdrawn. I find that 10 withdrawals should not be continued and, therefore, find that they should be terminated. There are 12 withdrawals which I find should be partially continued. Consequently, I find that the remainder of these withdrawals should be terminated.

This submission involves approximately 221,785 acres of withdrawn lands. I find that withdrawals should be continued on approximately 25,614 acres. There are approximately 196,171 acres where I find the withdrawals should be terminated. In general, the policy of the Congress and the Department of the Interior is to make public lands available to as many beneficial uses as possible consistent with land use planning. About 66,892 acres of the withdrawals recommended for termination would be considered for opening to nonmineral uses or disposals. Of this acreage, about 66,254 acres would be considered for opening to mineral exploration and possible development. These considerations would be based on the results obtained from land use planning, environmental analyses, and public participation. The remaining acres of the withdrawals recommended for termination are within overlapping withdrawals and, therefore, would not be considered for opening to surface entry and mining.

The FLPMA not only requires that I report my findings to you, but also that you transmit my report, along with your recommendations, to the President of the Senate and the Speaker of the House of Representatives. Suggested letters of transmittal have been drafted for your convenience. Appropriate congressional committee staffs have already been briefed on the general procedures for reviewing these withdrawals.

Environmental law requirements have been complied with in each case reported herewith. Lands included in a terminated or partially terminated withdrawal would not be opened to the general land laws, unless and until relevant environmental laws and land use planning requirements have been met. The findings contained in the reports are not recommendations or reports on a legislative proposal; therefore, a legislative Environmental Impact Statement is not required.

I welcome the opportunity to answer any questions that you may have regarding the foregoing or the enclosed reports.

Respectfully,

Enclosures



## **WITHDRAWAL REVIEW, BUREAU OF RECLAMATION (BR) IDAHO, PACKAGE NO. 1**

**ISSUE SUMMARY:** The proposed action transmits the findings and reports of the Secretary of the Interior to the President for 45 land withdrawals located within the State of Idaho. This submission involves approximately 221,785 acres of Federal land withdrawn for the BR. The withdrawals should be continued on approximately 25,616 acres. There are 196,169 / 174 acres for which the withdrawals should be terminated.

**BACKGROUND:** Section 204(l) of the Federal Land Policy and Management Act of 1976 (FLPMA) requires the Secretary of the Interior to review certain land withdrawals that were in force on October 21, 1976, in the 11 contiguous Western States. The purpose of the review is to determine whether and for how long each withdrawal should be continued. Currently, the withdrawals in this submission have no expiration date and some of the lands are not being used or planned for use for the purpose for which they were withdrawn.

The FLPMA also requires the Secretary to transmit his findings and reports to the President, together with statements of concurrence or nonconcurrence from the agency that administers the lands. The President then transmits the reports along with his recommendations for action by the Secretary to the President of the Senate and the Speaker of the House of Representatives. The recommendations would not be implemented until after the 90-day congressional review period specified by Section 204(l)(2) of the FLPMA.

These 45 withdrawals were reviewed at the field level by the Bureau of Land Management (BLM), acting for the Secretary, and the BR (administering agency). The BLM has made findings recommending that certain withdrawals should be continued and for how long. Typically, the withdrawals should be continued on those lands which contain improvements such as campgrounds, administrative sites, etc. The withdrawals should be terminated on those lands that were never developed and are no longer needed or planned for use for the purpose for which they were withdrawn.

**POSITION OF MAJOR CONSTITUENCIES:** The review of these withdrawals is mandated by Section 204(l) of the FLPMA. As part of the review process, a Notice of Proposed Continuation was published in the Federal Register for those lands where there was a finding to continue the withdrawals. However, the FLPMA does not require the administering agency (COE) to conduct a formal public review and comment period prior to effectuating a withdrawal continuation or termination. Consequently, since public comment is not solicited and not received, the position of major interest groups, including Native Americans, is unknown.

2355 (260)  
IDI-14655  
IDI-14926  
IDI-14980  
IDI-15076  
(ID 1-1)

Withdrawal Review Report

Withdrawal Order and Effect: Secretarial Orders dated March 28, 1925; January 22, 1914; February 21, 1946; and June 22, 1915, closed the lands to surface entry and mining, but not to mineral leasing.

Administering Agency: Bureau of Reclamation (BR).

Facility or Project Name/Purpose: Boise, Boise Valley, and Owyhee Projects/irrigation.

State/County: Idaho/Owyhee, Canyon, and Valley.

Acreage Involved: 509.80 acres.

Finding: The withdrawal should be continued on 449.80 acres with a modification to establish a 100-year term under which the lands would remain closed to surface entry and mining. The withdrawals should be terminated on the remaining 60.00 acres.

Basis for Finding: The 449.80 acres are still being used for the purpose for which they were withdrawn. There is an operating irrigation canal on site. The withdrawals should be continued for a 100-year term which coincides with the life of the projects. The remaining 60.00 acres are no longer being used or planned for use for the purpose for which they were withdrawn.

Environmental Effects: There would be no significant change in use or segregative effect for the portion of those withdrawals that are recommended for continuation. The analytical process in compliance with the National Environmental Policy Act has been completed for these withdrawal reviews. The recommendation for continuation has been categorically excluded pursuant to 516 DM 6, Appendix 5.4 E(1), and none of the exceptions listed in 516 DM 2, Appendix 2, are applicable to this action.

The remaining 60.00 acres recommended for termination would return to the administration of the Bureau of Land Management (BLM).

Prior to termination, these lands would be considered for opening to surface entry and mining. This consideration would be based on results obtained from land use planning, environmental analyses and public participation. This recommendation for termination has been categorically excluded pursuant to 516 DM 6, Appendix 5.4E(3), and none of the exceptions listed in 516 DM 2, Appendix 2, are applicable to this action.

There would be no significant change in the human environment as a result of the above actions for the foreseeable future.

Concurrence by Administering Agency: The BR concurs with the BLM's finding. See the attached memoranda from the BR.

BUREAU OF RECLAMATION  
WITHDRAWAL REVIEW

Rejustification for the Continuation of Withdrawal

State: Idaho  
Project: Boise  
Project Office Submitting Information: Central Snake Projects Office  
Withdrawal Serial Number, Order & Date I-14655 SO 6/22/15

1. Total Acres in this Withdrawal 30  
a. Acreage to be relinquished  
(Description on Exhibit A) 20  
b. Acreage to be retained  
(Description on Exhibit B) 10

(a and b are not required if current withdrawal acreage is to be continued in its entirety)

2. General description of geographic location and physiographic features of the land included in the withdrawal:

The tract to remain under withdrawal is about 2 miles east of Marsing, Idaho on a bench slope of the Snake River about a mile east of the River.

3. The withdrawal will be needed for 100 years. (Life of the project.)

4. Purpose or purposes for which the lands were withdrawn including a showing of how all of the lands withdrawn are being or will be used, the location of improvements, the necessity for and the extent of buffer and safety zones; and, how the acreage involved is the minimum necessary to meet program needs. Attached are appropriate maps, pictures, improvement value estimates, development plans, studies or reports to support this explanation.

The 10 acre tract is a material site presently utilized for the maintenance of facilities of the Boise Project. The south half (5 acres) of the tract has been depleted of gravel and contains improvements constructed with the approval of the irrigation district. The south half is being considered for disposal by sale.

The withdrawal on the 20 acre tract requested for revocation overlaps an earlier second form withdrawal. This material site will be included in another rejustification.

5. The following is an explanation as to why a right-of-way or an interagency agreement, in lieu of a withdrawal, would not be sufficient for the type of use considered and why this agency requires administrative jurisdiction:

The Bureau of Reclamation requires administrative jurisdiction in order to have unrestricted access and use of the materials for maintenance of the Boise Project facilities in that vicinity. There has also been a disposal initiated.

6. The following is an explanation as to why the surface management regulations (43 CFR 3809 for lands outside the National Forest System and 36 CFR 252 for lands within the National Forest System) are not adequate to protect this agency's uses and facilities from exploration and development under the United States' mining laws:

The Bureau of Reclamation would have no objections to a mineral entry on this tract.

There are no known minerals of value other than the gravel in this area. Mineral entry may be allowed in accordance with the Act of April 23, 1932 (47 Stat. 136; 43 U.S.C. 154). Stipulations to protect the gravel resource would be included in the contract as provided for in the Act.

7. Continuation of the withdrawal meets the categorical exclusion criteria contained in 516 DM, Appendix 5.4 B. It does not meet any of the nine criteria for exceptions contained in 516 DM 2.3A(3). Accordingly, it has been determined that neither an Environmental Impact Statement nor Environmental Assessment is required.



United States Department of the Interior

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BUREAU OF RECLAMATION  
PACIFIC NORTHWEST REGION  
FEDERAL BUILDING & U.S. COURTHOUSE  
BOX 043 - 550 WEST FORT STREET  
BOISE, IDAHO 83724 - 0430

STATE DIRECTOR'S OFFICE  
BLM - IDAHO

JAN 1 0 1983

IN REPLY  
REFER TO PN 420  
720.

ELM-1080

JAN 6 1984

910	SD
<i>PM</i>	ASST
912	PAO
920	MIN
930	L&RR
940	OPS
950	ADM
Additional Routing	
Copy Sent	

Memorandum

To: State Director, Bureau of Land Management,  
Idaho State Office, 3380 Americana Terrace,  
Boise, Idaho 83706

From: *Assistant* Regional Director, Boise, Idaho

Subject: Withdrawal Review, I-14980--Boise Project, Idaho

Enclosed is our review of the subject withdrawal. This information is provided in accordance with Section 204 of FLPMA and meets the requirements outlined in the Withdrawal Review Procedure Manual 2355.

*John W. Keys, III*

Attachment

BUREAU OF RECLAMATION  
WITHDRAWAL REVIEW

RECEIVED

1981 JUN -9 AM 7:45

Rejustification for the Continuation of Withdrawal

ELM-1030

State: Idaho  
Project: Boise Project - Arrowrock Division  
Project Office Submitting Information: Central Snake Projects Office  
Withdrawal Serial Number: I-14980

1. Total Acres in this Withdrawal 5.0 (probably only 3.48 acres)
- a. Acreage to be relinquished  
(Description on Exhibit A) \_\_\_\_\_
- b. Acreage to be retained  
(Description on Exhibit B) 5.0

(a and b are not required if current withdrawal acreage is to be continued in its entirety)

2. General description of geographic location and physiographic features of the land included in the withdrawal:

This small tract of land lies within the City of Wilder, Idaho and is occupied by an administration building, numerous maintenance buildings and additional facilities which serve as headquarters for Camp 5. It is from this facility that the northwest end of the Boise Project, Arrowrock Division is operated and maintained under a repayment contract with the Boise Project Board of Control.

This tract of land is flat and contains little vegetation.

3. The withdrawal will be needed for 100 years. (Life of the project.)
4. Purpose or purposes for which the lands were withdrawn including a showing of how all of the lands withdrawn are being or will be used, the location of improvements, the necessity for and the extent of buffer and safety zones; and, how the acreage involved is the minimum necessary to meet program needs. Attached are appropriate maps, pictures, improvement value estimates, development plans, studies or reports to support this explanation.

The land was withdrawn for a "permanent watermaster's quarters for Division 5". It is currently being used as such. The Project Plat book shows a reserved easement; the files indicate an outright purchase, yet the files are not complete. There is no indication of a withdrawal in our records.

Estimated value of improvements - \$100,000  
Zoned city.



5. The following is an explanation as to why a right-of-way or an interagency agreement, in lieu of a withdrawal, would not be sufficient for the type of use considered and why this agency requires administrative jurisdiction:

The United States Bureau of Reclamation and the Boise Project Board of Control have a large investment in the improvements and additional layered administrative jurisdiction would be counter-productive.

6. The following is an explanation as to why the surface management regulations (43 CFR 3809 for lands outside the National Forest System and 36 CFR 252 for lands within the National Forest System) are not adequate to protect this agency's uses and facilities from exploration and development under the United States' mining laws:

The parcel of land is zoned city and additionally has numerous improvements constructed thereon. Mining would absolutely not be compatible.

7. Continuation of the withdrawal meets the categorical exclusion criteria contained in 516 DM, Appendix 5.4 B. It does not meet any of the nine criteria for exceptions contained in 516 DM 2.3A(3). Accordingly, it has been determined that neither an Environmental Impact Statement nor Environmental Assessment is required.

7. The retention of this withdrawal, or lands indicated, qualifies as a categorical exclusion under 516 DM 6.