

Item #48 -Mineral Development

Evaluation Objectives: To evaluate effects of mineral extraction activities on the management of National Forest surface resource management, and to review Forest Service projects that may have an adverse effect on mineral operations.

Methods: Review of land status records kept by the Forest Service and Department of Interior's Bureau of Land Management, forms the basis of information regarding the acres of mineral lands availability. A comparison of the net effect of legislative actions, land exchanges, withdrawals, etc., on the number of available mineral acres over time would be documented by changes in that data.

Official documents within the Flathead Forest's files system – Contracts for Sale of Mineral Material, yearly in-service mineral material use reports, official oil and gas files and associated lease interest abstracts, Final Title Opinions, free use mineral material agreements - provides the basis for identifying agency actions and Forest Service projects that may have had an effect on the permitting of mineral activities and/or mineral lands availability. Additional data sources are operating plans and for proposed mineral and mineral material projects.

Minerals and Geology Program outputs provide a measure of mineral activities on the forest. These outputs are obtained from the agency's annual Management Attainment Report that is reported at the close of each fiscal year.

Results: Hardrock minerals are not a significant resource on the forest. There are no current Plans of Operation or Notices of Intent in operation.

A 1980 decision to lease most areas of the forest for oil and gas exploration was found insufficient in U.S. Court of Appeals, Ninth Circuit (Conner vs. Burford) in 1988. Meanwhile, approximately 480 leases covering 970,000 acres were issued. The decision suspended all oil and gas leases pending completion of a court-mandated EIS. No funding has been provided to the forest to complete the EIS. Between 2001 and 2006 the forest acquired 5,710 acres from Plum Creek Timberlands in the Swan Valley. The oil and gas estate is held by Burlington Resources. In December 2006, with the passing of the Tax Relief and Health Care Act of 2006 a moratorium was placed on new oil and gas leases and the provision for the purchase and donation of existing leases in T. 29 N., R. 13-16 W. and T. 18 N., R. 13-14 W. Some areas of the Flathead Forest has been rated at moderate to high potential for oil and gas.

Common variety minerals along with decorative and landscaping stone are currently being produced from the Forest. The majority of rock removal operations have been limited to personal free-use and/or small-sale personal-use permits. An average of 30-40 free-use permits for decorative stone is issued yearly. Permittees are limited to 4 tons each and not allowed to utilize motorized equipment to collect the stone. In 2007, the Federal Highway Administration, Western Lands Highway Division was issued a Contract for Mineral Material for up to 40,000 cubic feet of raw material to provide 4,000 cubic feet of shaped stone for Glacier National Park's Going to the Sun Road.

During the five-year period from 2003 – 2007 annual sand, gravel and decorative rock production ranged between 5,000 and 26,000 tons per year.

Evaluation:

The recent increase in the price of oil and gas along with the oil and gas potential on the Flathead, may increase the interest in completing an oil and gas leasing EIS. With the onset of the 2004 Forest Plan Revision effort, all leasees were contacted regarding the non-pressing status of a stand-alone oil and gas analysis and the subsequent low priority for funding of the project. Very little comments were received. Indications are that similar legislation to that of December, 2006 may be introduced that, if passed, would withdraw the forest from future oil and gas leasing and termination of the suspended leases.

To provide for road maintenance, the forest needs mineral material sources. Most of the Flathead production of mineral materials comes from established quarries. Quarry site management plans – of which only 2 have been prepared - would provide known quantities of material. The closing and reclamation of quarries with available materials may prove to be detrimental in providing for future needs of mineral material.

Recommended Action: Continue to monitor this item.