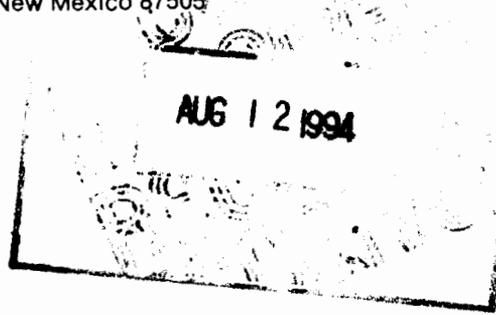


State of New Mexico
ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT
Santa Fe, New Mexico 87505



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GOVERNOR



Barbara
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ANITA LOCKWOOD
CABINET SECRETARY

August 10, 1994

MEMORANDUM

To: State of New Mexico Interagency Review Group,
WIPP Land Management Planning Documents

From: Chris Wentz, Co-Coordinator *CGW*
N.M. Radioactive Waste Consultation Task Force

Subject: **REVISION #1 OF THE DRAFT WIPP LAND MANAGEMENT
IMPLEMENTATION PLAN, DOE/WIPP 94-026**

Enclosed for your review and comment is Revision #1 to the draft WIPP Land Management Implementation Plan (LMIP). I received this revised LMIP yesterday from Doug Lynn, Westinghouse-Waste Isolation Division. He stated this version of the LMIP reflects their efforts to address our written comments on the original draft, as well as those presented verbally at the meeting on June 30.

I am respectfully requesting that you provide me any comments you have on this document as soon as possible, but no later than Friday, August 26. If I don't hear from you by then, I'll assume you can live with what's in this revised draft. You may send your comments over to me in writing, by phone, or simply mark up the text and get that over--whatever's most convenient for you.

To assist you in your review, I offer the following notes about this version of the LMIP and a few other comments:

1. None of the Figures are included; they are in the process of being revised in accordance with our comments.
2. Only Appendix A (Land Management Council Charter), Appendix C (Memorandum of Understanding between BLM and DOE), and Appendix D (WIPP Statement of Work for BLM) are included in your copy of the LMIP. All other appendices are either being revised (Appendix B) or remain essentially unchanged from the original (Appendices E-I).

VILLAGRA BUILDING - 408 Galisteo
Forestry and Resources Conservation Division
P.O. Box 1948 87504-1948
827-5830
Park and Recreation Division
P.O. Box 1147 87504-1147
827-7465

*Enclosure
not
found*

LAND OFFICE BUILDING - 310 Old Santa Fe Trail
Oil Conservation Division
P.O. Box 2088 87504-2088
827-5800

940804



Please note that the MOU found in Appendix C is a copy of the final executed document now in effect. (I used a binder clip instead of staples on the enclosed LMIP so you could more easily make a copy of the MOU for your files.) Some of the language in this MOU, which we helped write, will be used as a model in revising the proposed Joint Powers Agreement (JPA) between our agencies and the DOE on WIPP land use. Revision #1 of the original draft JPA should be available for your review in late August or early September.

3. Some of the wording in Chapter 2, Environmental Compliance, still needs work, specifically Section 2.2.1 on pages 2-4 through 2-10. Please look carefully at these pages and recommend any language you believe improves the clarity.

In talking with Doug Lynn yesterday about this section, it is now my understanding that the process outlined in Section 2.2.1.1, Waste Isolation Pilot Plant Project Requests, is intended to apply to all land use requests affecting lands **within** the boundaries of the WIPP Land Withdrawal Area. The Land Management Council, comprised of representatives from DOE, Westinghouse, and affected stakeholder groups (including our agencies), would be convened under this process if the potential impact of the proposed land use warranted it.

Section 2.2.1.3, Project Requests Through the Bureau of Land Management, is intended to apply to all proposed land uses affecting those lands outside--but primarily adjacent to--the boundaries of the WIPP Land Withdrawal Area which are managed by BLM or the State Land Office. Doug stated Section 2.2.1.3 would largely involve issues concerning access, rights-of-way, easements, and energy/mineral resources. From what I gathered, the proposed land use request process in this section is not intended to obviate the need to acquire any requisite permits; it is meant to complement existing requirements and improve coordination and communications among land use agencies and existing/potential users.

4. In reviewing this revised LMIP, first look and see if your previous comments are adequately addressed. If not, please provide the specific language you want included. After that, feel free to address any other sections you have time to.

Sorry for the length of this memo, but this will probably be our final review and therefore I want it to be a good one. Please call me at 827-5950 (fax: 438-3855) if you have any questions. Thanks for all of your outstanding efforts in this process to date.

c: Secretary Anita Lockwood, Task Force Chairman
Jim Firkins, Task Force Co-Coordinator