

promptly as is possible. The requirement for notification where action must be taken without delay is not a requirement for prior notification.

ANNEX A—DoD LIST OF CATEGORICAL EXCLUSIONS

1. Preparation of regulations, directives, manuals, or other guidance documents that implement, without substantial change, the regulations, directives, manuals, or other guidance documents from higher headquarters or another Federal agency.
2. Preparation of regulations, directives, manuals, and other guidance documents related to actions that qualify for categorical exclusion.
3. Routine installation maintenance and grounds-keeping activities.
4. Minor construction conducted in accordance with an approved installation master plan that does not significantly alter land use, provided that the operation of the completed project would not of itself have a significant environmental impact.
5. Studies that involve no commitment of resources other than manpower and funding.
6. Proposed actions that, based on sound judgment, are of such an environmentally insignificant nature as clearly not to meet the threshold for requiring an environmental assessment or environmental impact statement.
7. Other categories as identified by DoD Components in their regulations implementing this part.

PART 189—MINERAL EXPLORATION AND EXTRACTION ON DoD LANDS

Sec.

- 189.1 Purpose.
 189.2 Applicability and scope.
 189.3 Definitions.
 189.4 Policy.
 189.5 Responsibilities.
 189.6 Procedures.
 189.7 Summary of mineral leasing authorities.

AUTHORITY: 30 U.S.C. 21a, 22, 181 *et seq.*, 351 *et seq.*, 601 *et seq.*, 1001 *et seq.*, 1601 *et seq.* 40 U.S.C. 471. 43 U.S.C. 155 *et seq.*

SOURCE: 48 FR 48824, Oct. 21, 1983, unless otherwise noted. Redesignated at 56 FR 64481, Dec. 10, 1991.

§ 189.1 Purpose.

Under 30 U.S.C. 21a, 22, 181 *et seq.*, 351 *et seq.*, 601 *et seq.*, 1001 *et seq.*, and 1601 *et seq.*, 40 U.S.C. 471, and 43 U.S.C. 155 *et seq.*, this rule establishes policy, assigns responsibilities, and provides procedures for making DoD lands avail-

able for mineral exploration and extraction.

§ 189.2 Applicability and scope.

(a) This Directive applies to the Office of the Secretary of Defense and the Military Departments (including their National Guard and reserve components).

(b) It applies to DoD-controlled lands acquired or withdrawn from the public domain (including Army civil works lands) within the United States and its territories and possessions for which the mineral rights are owned by the United States, with the following exceptions:

(1) Mineral leasing of lands situated within incorporated cities, towns, and villages (30 U.S.C. 351 *et seq.* and 181 *et seq.*).

(2) Mineral leasing of tidelands or submerged lands (30 U.S.C. 351).

(3) Certain hardrock minerals known as locatables (30 U.S.C. 22).

(4) A class of minerals composed of sand and gravel known as saleables (30 U.S.C. 601 *et seq.* and 41 CFR 101-47.302-2).

§ 189.3 Definitions.

(a) *Leasable minerals.* Minerals, such as oil and gas, that are owned by the United States and that have been authorized under statute as potential minerals for extraction under a mineral lease (30 U.S.C. *et seq.*, 181 *et seq.*, and 1001 *et seq.*).

(b) *Locatable minerals.* Minerals, such as gold and silver, that are owned by the United States, that are on public domain lands, that are subject to discovery and claim, and that are not leasable or saleable (30 U.S.C. 22).

(c) *Mineral lease.* A grant of a right to explore for and extract leasable minerals. No surface occupancy, drilling, or other mineral extraction is permitted until an operations plan is approved by the DoI in consultation with the Military Department concerned.

(d) *Multiple-use principle.* The integrated management of all resources, each with the other, to achieve their optimum use and enjoyment while maintaining environmental and other qualities in balance.

(e) *Permit.* Temporary permission to conduct seismic or other geological