

United States Department of the Interior

BUREAU OF LAND MANAGEMENT

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6310 (NV-930) P

March 27, 2002

EMS TRANSMISSION 3-18-02
Information Bulletin No. NV-2002- 059

To: Field Managers, Nevada

From: State Director, Nevada

Subject: Wilderness Inventory and Study Procedures Handbook, H-6310-1

On January 10, 2001 the Washington Office issued to all Field Offices Information Bulletin No. 2001-043 entitled, "Final Wilderness Inventory and Study Procedures Handbook." The Washington Office Information Bulletin provides new policy, guidance, and general procedures for all future wilderness inventories and future designations of Wilderness Study Areas (WSAs) under provisions of Sections 201 and 202 of the Federal Land Policy and Management Act of 1976. We would like to clarify and supplement some of the new policies in the .06 Policy section of the Washington Office Information Bulletin.

A. The Policy of the Bureau of Land Management . . . , page 4 -

Section 201 of the Federal Land Policy and Management Act (FLPMA) requires the Secretary to ". . . prepare and maintain on a continuing basis an inventory of all public lands and their resource and other values . . ." This section further requires that, "This inventory shall be kept current so as to reflect changes in conditions and to identify new and emerging resource and other values." Section 201 does not require the BLM to conduct new wilderness or other resource inventories during the land use planning process, but rather it acknowledges that inventories for any reason, including wilderness, may be conducted as the BLM deems appropriate, and as resources and funding are available.

Section 202 of FLPMA directs that "The Secretary shall, with public involvement and consistent with the terms and conditions of this Act, develop, maintain, and, when appropriate, revise land use plans . . ." The new handbook provides an approach for performing wilderness inventories when necessary, and incorporating the results into land use planning efforts consistent with the new planning procedures.

The handbook was developed to consolidate and replace a number of State-specific wilderness inventory policies developed after the expiration of the 603 inventory process, and to implement a ruling by the Interior Board of Land Appeals that BLM needed to develop a consistent policy on dealing with wilderness and other resource uses on lands identified as having wilderness values by members of the public.

It is important to emphasize that handbook procedures apply **only** to **new** inventory and land use planning efforts initiated after the release of the handbook on January 10, 2001. Any ongoing wilderness inventories or wilderness-related land use planning efforts in progress on January 10, 2001 should be completed using the guidance and procedures developed for those projects. Lands that were inventoried prior to January 10, 2001, and found to have wilderness characteristics, should be managed under the BLM's Land Use Planning Handbook regarding appropriate analysis of discretionary proposed actions in areas that could qualify as WSAs.

B. Inventory of Acquired Lands, page 4 -

This section requires that all lands acquired through exchange shall undergo a wilderness inventory. Wilderness values should be considered as part of the environmental analysis prepared to process the exchange. Initial screening of the parcel for the minimum size criterion should be conducted and documented in the environmental analysis prepared for the acquisition. If the lands proposed for acquisition do not meet the size criterion, the wilderness inventory requirement would be satisfied and no further wilderness inventory would be necessary. However, acquired lands of less than 5,000 acres may fulfill the size criterion if those lands: 1) are contiguous to designated WSAs and/or wilderness areas, 2) cumulatively total 5,000 acres or more when adjoined with neighboring BLM-administered roadless lands, or 3) are bordering other agency roadless lands under wilderness review. The Inventory Area Evaluation form on page 7 of Appendix B should be used to meet the National Environmental Policy Act requirement for documenting the size criterion of the acquired lands.

To the extent possible, the wilderness inventory should be initiated at the time the environmental analysis is prepared for the acquisition, but in all cases, the wilderness inventory should be completed no later than 90 days after the acquisition. After 90 days, parcels acquired through exchange are subject to mineral entry and to the public land laws. The 90-day time period after acquisition is necessary to allow time to implement protective measures, such as a withdrawal request, if needed. In exchanges where acquisitions are supporting threatened and endangered species, riparian, or other environmentally sensitive management, withdrawal actions are common. In these cases, a Field Manager must first approve exchanging lands in a "Public Interest Determination." The "Public Interest Determination" must state the objective(s) of the acquisition, which may include wilderness considerations. If wilderness considerations are identified as an objective of acquisition, this would lend further support for wilderness inventory. Lands acquired other than by exchange, and not specifically acquired for wilderness purposes, can subsequently be inventoried to determine if they contain wilderness characteristics.

Due to the time frames which dictate inventorying new acquired lands for wilderness values, early coordination and communication among the Wilderness, Lands, and Planning-/Environmental staffs is essential to ensure the maximum amount of time is available to conduct the inventory and to document conclusions. In cases where a wilderness inventory is to be conducted, the Field Office Wilderness Specialist should be engaged in assisting with the acquisition process and should have oversight responsibility during the acquisition process.

C. Inventory Requirements for Acquired WSA and Wilderness Inholdings, page 4 -

A wilderness inventory should be conducted for all inholdings acquired within Section 603 Wilderness Study Areas because such inholdings are not automatically designated as part of the WSA. However, a wilderness inventory is not required for inholdings acquired by exchange within Section 202 WSAs that have been designated administratively through a land use plan. 43 CFR 2200.0-6(g) states, "Lands acquired by an exchange that are located within the boundaries of . . . or other area having an administrative designation established through the land use planning process shall automatically become

part of the unit or area within which they are located, without further action by the Bureau of Land Management, and shall be managed in accordance with all laws, rules, regulations, and land use plans applicable to such unit or area.” A wilderness inventory is required for inholdings acquired other than by exchange within Section 202 WSAs.

A wilderness inventory should be completed for inholdings acquired within designated wilderness areas unless the Act establishing the wilderness area automatically designates acquired inholdings as part of the wilderness area or unless the acquired inholdings have been accepted as a gift, bequest, or donation in accordance with Section 6(a) of the Wilderness Act of 1964.

D. Other Public Lands That May Require a Wilderness Inventory, page 5 -

Public lands that may require a wilderness inventory include: 1) lands identified by BLM as possibly having wilderness character (e.g., lands contiguous to WSAs/Wilderness areas, lands adjoining roadless areas), 2) lands encompassed in proposed wilderness legislation, 3) lands within externally generated citizen proposals that document new or supplemental information regarding resource uses and condition of the lands not addressed in current land use plans and/or prior wilderness inventories, and 4) lands bordering other Federal agency roadless lands under wilderness review.

E. Evaluation of New Information Suggesting That an Area of Public Land Has Wilderness Characteristics, page 5 -

The Federal Land Policy and Management Act (FLPMA) and the BLM planning manual require that BLM provide opportunity for public participation in federal public land use decision-making conducted under FLPMA. A Field Office may occasionally receive a proposal from the public suggesting that existing land use plans and/or wilderness inventories do not adequately identify public lands that may have wilderness characteristics. In order for such a proposal from the public to be considered, the proposal should be accompanied by: (1) a high quality, large scale map such as a 7.5 minute (1:24,000) U.S. Geological Survey quadrangle map or a series of such maps, depending on the size of the proposal, that identify specific boundaries of the area(s) in question; (2) a detailed narrative that describes the wilderness characteristics of the area(s), changes in land status, changes in resource conditions (e.g., naturally rehabilitated roads are now ways, developments no longer used or needed, etc.), and documents how that information significantly differs from the information in prior inventories conducted by the Field Office regarding the wilderness values of the area; and (3) photographic documentation in support of the proposal.

After reviewing and field checking the proposal, as necessary, the Field Office should compare the previous wilderness inventories with the new proposal and make a determination whether the conclusion reached in previous wilderness inventories (i.e., that the area in question lacked wilderness characteristics) remains valid or whether instead there is a reasonable probability that the area in question, or a significant portion thereof, may have wilderness characteristics.

If the Field Office determines that the conclusion reached in previous wilderness inventories (i.e., that the area in question lacked wilderness characteristics) remains valid, the Field Office should notify in writing the person(s) who submitted the proposal that previous wilderness inventories remain valid and indicate that a new wilderness inventory will not be conducted by the Field Office. The Field Office should retain the information in the proposal, together with other documentation and evidence of the Field Office’s consideration.

If the Field Office determines that the area in question, or a significant portion thereof, may have wilderness characteristics but there are presently no proposed actions that could degrade the wilderness values or the roadless character of the area so as to disqualify the area from further consideration as a WSA, the Field Office should notify in writing the person(s) who submitted the proposal that a new wilderness inventory will not be conducted by the Field Office at the present time but that a wilderness inventory will be conducted at the time a new plan or plan amendment is initiated.

If the Field Office determines that the area in question, or a significant portion thereof, may have wilderness characteristics, and if actions are proposed that could degrade the wilderness values or the roadless character of the area so as to disqualify the area from further wilderness consideration as a WSA, the Field Office should notify in writing the person(s) who submitted the proposal that a new wilderness inventory will be conducted by the Field Office. The Field Office must then initiate a new wilderness inventory, as soon as practicable, to address the wilderness values.

F. Evaluation of Actions Proposed in Areas that May Have Wilderness Characteristics, page 6 -

When an action is proposed in an area that the Field Office determines may have wilderness characteristics, and the proposed action could degrade the wilderness values or the roadless character of the area so as to disqualify the area from further wilderness consideration as a WSA, the Field Office should follow the process outlined below:

1. The Field Office should first determine if the proposed action is consistent with the land use plan in effect for that area. If it is not in conformance with the land use plan, then further consideration of the proposed action can not proceed without a new land use plan or plan amendment.
2. If the proposed action is consistent with the land use plan, the Field Office should prepare a National Environmental Policy Act (NEPA) document for the proposed action. A new wilderness inventory should be conducted either prior to or during preparation of the NEPA document for the proposed action. The NEPA document should consider available new information on wilderness characteristics as discussed in .06E.
3. If, after completing the new wilderness inventory, the Field Office determines that the area in question does not contain wilderness characteristics, the Field Office may approve the proposed action subject to applicable requirements of law and other resource management considerations.
4. When the new wilderness inventory indicates the area in question does contain wilderness characteristics, and the NEPA document shows that a proposed action would not degrade the wilderness values or the roadless character so as to disqualify the area from further consideration as a WSA, the Field Office may approve the proposed action with any necessary protective wilderness stipulations, if consistent with applicable requirements of law and other resource management considerations.
5. If, after completing the new wilderness inventory, the Field Office determines that the area in question does contain wilderness characteristics, and impacts from the proposed action could degrade the wilderness values or the roadless character so as to disqualify the area from further consideration as a WSA, the Field Office must consider in the NEPA document an alternative of mitigating or relocating the proposed action to avoid impacts to wilderness values. Proposed actions that can not be mitigated or relocated should be postponed, subject to valid existing rights, until the wilderness values can be addressed through a new expedited land use plan or plan amendment.

If you have questions regarding these clarifications and supplements to the new policies in the .06 Policy section of Information Bulletin No. 2001-043, please contact Steve Smith in the State Office at (775) 861-6477.

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