

# United States Department of the Interior

## BUREAU OF LAND MANAGEMENT

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To: Field Managers, Nevada  
Surprise Field Office Manager, California

From: State Director, Nevada

Subject: Wilderness Legal Boundary Descriptions and Wilderness Maps

The purpose of this instruction memorandum is to refine, expand, and clarify previous guidance contained in Instruction Memorandum No. NV-2004-023, dated February 2, 2004 and titled "Official Wilderness Maps and Legal Boundary Descriptions." That instruction memorandum consisted of a process for preparing wilderness legal boundary descriptions and wilderness maps as required in the Nevada Wilderness Preservation Act of 1989, the Black Rock Desert – High Rock Canyon Emigrant Trails National Conservation Area Act of 2000, the Clark County Conservation of Public Lands and Natural Resources Act of 2002, the Lincoln County Conservation, Recreation, and Development Act of 2004, and the White Pine County Conservation, Recreation, and Development Act of 2006. These laws mandate that wilderness legal boundary descriptions and wilderness maps for each wilderness designated by these acts be prepared and filed with the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

This instruction memorandum provides a statewide, standardized, eight-step process for preparing wilderness legal boundary descriptions and wilderness maps for designated wilderness areas in the State of Nevada. This process is fully described in Attachment 1. While the instruction in Attachment 1 and in the remainder of this memorandum primarily benefits the Winnemucca, Ely, and Las Vegas Field Offices at this time, it is just as applicable to new wilderness areas subsequently designated through wilderness legislation in the coming years.

The completion of wilderness maps and wilderness legal boundary descriptions is a high priority. It is important for virtually every phase of wilderness and wilderness-related management including, but not limited to, such responsibilities as posting wilderness boundaries, law enforcement of wilderness regulations, mineral-related withdrawals, disposal of lands and resources adjacent to wilderness boundaries, monumentation of boundaries, and initiation of wilderness management planning. The statutory requirement to complete wilderness legal boundary descriptions and wilderness maps reflects the importance of this task.

## **CONCEPT**

The product to be developed to meet the statutory mandate in the various public land and wilderness acts cited in the first paragraph of this instruction memorandum, and any future wilderness legislation, is the wilderness map packet. The wilderness map packet will contain a legal boundary description and map for each designated wilderness within the geographic area covered by the designation/enabling legislation. The starting point is the legislative map that accompanied the act. The legislative map is found in the State Office serialized case file for each wilderness. A listing of State Office serialized case files for wilderness areas designated as of this date is found in Attachment 2. The serialized wilderness case files will be organized as described in Attachment 3.

A principle of this process for preparing wilderness legal boundary descriptions and wilderness maps is that the legislative maps and any relevant portion of the written legislative record are controlling and the ultimate point-of-reference for developing the wilderness legal boundary descriptions. A second principle is that legal boundary descriptions will be produced from the legislative maps prior to and as a basis for constructing the wilderness maps. These two principles will ensure that “hidden” assumptions do not become embedded in the wilderness maps. Such assumptions could lead to boundary delineations that are unexplainable and/or incorrect.

## **INTERIM GUIDANCE**

Legislative maps will be the only maps cited and used for wilderness management decisions until wilderness maps are approved. Neither draft versions of the legislative maps nor derivative administrative or publicly disseminated maps (e.g., public law maps, recreation maps) may be used for wilderness management decisions. When proposed actions are in the vicinity of an “ambiguous” boundary, any clarification of the boundary for such proposed actions should be undertaken judiciously, so as not to preempt or challenge the legislative maps or the substantive content of the wilderness map packets to be filed with Congressional committees. Wilderness legal boundary descriptions and wilderness maps are not final until filed with the appropriate House and Senate committees.

It is important to sign wilderness boundaries on-the-ground as soon as possible after wilderness legislation is passed by Congress and signed by the President. These interim wilderness boundaries, as depicted on appropriate legislative maps, shall be delineated on-the-ground in accordance with the protocol and examples found in Attachment 4. This protocol contains standards and guidelines for interim posting of wilderness boundaries until final wilderness boundaries are filed with the Congressional committees. Field Office wilderness specialists are responsible for accurate and timely delineation of interim boundaries as soon as wilderness legislation is enacted by Congress and signed by the President.

Interim wilderness boundaries, as depicted on appropriate legislative maps, shall also be delineated on Master Title Plats and on Historical Indices as soon as possible. Field Offices shall submit a formal request for these services to the State Office Chief of the Branch of Geographic Sciences, Title Records Section. The Chief of the Branch of Geographic Sciences is responsible for ensuring that interim wilderness boundaries are properly recorded on Master Title Plats and on Historical Indices utilizing the legislative maps found in the serialized wilderness case files.

As soon as possible after wilderness legislation is enacted by Congress and signed by the President, the State Office Wilderness Coordinator shall submit a formal request to the State Office Chief of the Branch of Geographic Sciences, Geographic Sciences Section, to prepare and submit to the U.S. Geological Survey (USGS), interim wilderness boundary maps as depicted on appropriate legislative maps. Should the USGS choose to accept them, wilderness area interim boundaries could be identified on future versions of 1:24,000 scale USGS topographical quadrangles, until final wilderness maps have been filed with Congressional committees.

### **EXISTING GUIDANCE**

The various acts cited in the first paragraph of this instruction memorandum contain specific language and direction concerning the requirements for legal boundary descriptions and maps for wilderness areas within the Winnemucca, Ely, and Las Vegas Field Office jurisdictions. Chapter II of BLM Handbook H-8560-1 entitled, Management of Designated Wilderness Areas, includes relevant guidance pertaining to standards and procedures for preparing and submitting final wilderness legal boundary descriptions and wilderness maps to Congressional committees. All of these sources of guidance should be carefully examined prior to commencement of work on the wilderness map packets.

### **SHARED WILDERNESS AREAS**

Under special circumstances, for BLM wilderness areas that share a boundary with another Federal wilderness management agency (i.e., USFS, NPS, USFWS), it may be possible for one agency to take the lead in preparing wilderness legal boundary descriptions and wilderness maps. In such instances, there may be a potential to “pool” limited agency resources, save time, avoid duplication and “overlap” to produce a standardized product while achieving greater benefits to agencies in terms of coordination, consistency, efficiency, and effectiveness.

For example, the Las Vegas Field Office shares a wilderness boundary with the NPS in the Spirit Mountain Wilderness where the BLM manages only 605 acres while the NPS manages 32,913 acres. It may make some sense if the NPS took the lead in preparing the wilderness legal boundary descriptions and wilderness maps, with the Bureau providing timely review and approval of the BLM portion(s). In other wilderness areas where the BLM is the predominant wilderness manager, it may occasionally be possible for the BLM to prepare wilderness legal boundary descriptions and maps. Adequate checks and balances, reviews and approvals must be factored into any process to ensure that maps and legal boundary descriptions meet the Bureau’s standards and specifications.

The Bureau will still be responsible for assembling and submitting wilderness map packets to Congress covering BLM-managed portions of shared wilderness areas. This will be done in accordance with this instruction memorandum, the H-8560-1 handbook and other guidance, even if another Federal wilderness management agency is the predominant wilderness manager.

## **CADASTRAL SURVEY**

Official (formal, professional) cadastral survey of designated wilderness boundaries can occur at any time after wilderness areas are designated. For a variety of reasons, it may be necessary to request an official survey to resolve disputes and boundary issues. However, it is important to reemphasize that boundaries are not “final” until wilderness maps and wilderness legal boundary descriptions are filed with the appropriate House and Senate committees.

After maps and legal descriptions have been filed, Field Offices should decide if there is a need for official, legally defensible surveys of wilderness boundaries. If so, these needs should be justified, prioritized, approved by the Field Manager, and submitted to the State Office Chief of the Branch of Geographic Sciences, Cadastral Survey Section. The Nevada BLM will not attempt to officially survey entire wilderness area boundaries, only those with identified existing or anticipated conflicts such as the examples given in Step #1 under Attachment 1.

If you have questions or concerns about the contents of this instruction memorandum, please contact Steve Smith, Wilderness Coordinator, in the Nevada State Office at 775-861-6477.

Signed By:  
Ron Wenker  
State Director, Nevada

Authenticated By:  
Ellyn Darrah  
Administrative Assistant

### 4 Attachments

1. Eight-step Process for Preparing Maps and Legal Descriptions (4 pp)
2. Serialized Wilderness Case File Names and Numbers (1 p)
3. Organization of Serialized Wilderness Case Files (1 p)
4. Protocol for Interim Wilderness Boundary Delineation (5 pp)

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