

United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Montana State Office

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In Reply Refer To:

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Instruction Memorandum No. MT-2013-046

Expires: 9/30/2014

To: Montana Dakotas Leadership
From: State Director
Subject: Withdrawal Action Package Preparation

Program Area: Lands and Realty

Purpose: This memorandum provides clarification and direction on documents necessary to support proposed withdrawal actions. It identifies documents that are required for petition/application and public land order (PLO) packages, which office is responsible for document preparation, and provides two checklists--one for new withdrawals, extensions, and modifications and one for relinquishments and revocations.

Policy/Action:

Withdrawal packages prepared by the Montana/Dakotas BLM must clearly outline the need for such action and include the documentation necessary for the Assistant Secretary of Land and Minerals Management (ASLM) to make an informed decision regarding the proposal. Attachments 1 and 2 identify the documents necessary for a complete petition/application package, and the PLO package that follows once the Bureau's petition is approved.

Field offices are generally responsible for developing the materials required for withdrawal actions since the management of lands is determined at the field level and the information necessary to prepare a complete, defensible package normally resides there. These materials include the petition/application, maps, and photos, as appropriate, accurate legal descriptions (including legal land description review (LDR) information from the Branch of Cadastral Survey), required resource reports, including all relevant summarized information, documentation of the appropriate level of environmental review (i.e., CX, EA, etc.), draft notices/PLO for publication in the Federal Register, and required briefing materials.

Packages should be submitted through the State Director (MT-924) to reach the Lands Adjudication Section, Branch of Land Resources, for review and action. All documents should be prepared using Times New Roman 12 point font. The most current guidance for preparing Federal Register notices should be consulted as well.

The State Office staff is responsible for review of documents for completeness, verification of land status, descriptions, and acreage, preparation of transmittal documents, coordination with the National Withdrawals Coordinator, BLM Withdrawals Program Lead, Regional Field Solicitor, and drafting of the final PLO. Questions may be directed to Debby Sorg, Land Law Examiner, until a specific contact is assigned to your case.

A share folder has been established with examples of relevant documents for field office reference. It is located on the Montana/Dakotas staff share directory, under ***SO Lands/Withdrawal Package Examples***. Please ensure adjustments are made to the language when using these templates to account for any particular field office situation and to include any additional information noted in the attachments. Also note that, while documents in the share folder are provided as the best examples to date, changing guidance may result in a need for additional edits or modification to meet the needs at the Bureau and Departmental level.

In addition to withdrawal actions proposed by the BLM, field managers and staff should expect to become involved in actions proposed by other agencies within their field office boundaries. The Secretary requires a BLM decision based on an independent review of the other agency proposal and environmental analysis. The most efficient manner to achieve this is for BLM to engage as a cooperating agency at the field level during the other agency's NEPA process. If this has not occurred, the field will be requested to prepare a corresponding NEPA document in order for the other agency's package to be forwarded.

Timeframe: Effective immediately.

Budget Impact: Impact to budget is unchanged. This IM provides clarification regarding ongoing work processes to ensure submitted packages are complete and contain all required information.

Background: The authority for withdrawal of lands owned or controlled by the United States lies with the Department of the Interior as provided in section 204 of the Federal Land Policy and Management Act (FLPMA). Departmental Manual 603 DM 1 establishes policy and responsibilities in the land withdrawal program. The term withdrawal includes not only withdrawal of public land from appropriation under the general land laws, but also reservations, power site classifications, and transfers of administrative jurisdiction. Unlike non-Interior agencies, agencies within the Department of the Interior must petition for approval through the ASLM before proceeding with a withdrawal proposal.

Over the last few years, retirements of key personnel in the Montana/Dakotas organization, with withdrawal processing expertise, have resulted in the need for specific guidance to clarify package requirements and responsibilities. The BLM lacks current manual guidance providing direction regarding withdrawal actions. This memorandum supplements information provided to the field under IM No. MT-2007-016, dated December 21, 2006. This guidance will assist both field office staff and Lands Adjudication staff within the Montana/Dakotas State Office, Branch of Land Resources, in efficient processing of withdrawal actions.

Manual/Handbook Sections Affected: None.

Coordination: A draft of the IM was provided to the field for review in August 2012, and modifications made to address comments received; it was also coordinated with Mike Barnes, National Withdrawals Coordinator (OR-936), and Vanessa Engle, Washington Office Withdrawals National Program Lead (WO-350).

Contact: Please contact Pete McFadden, Chief, Branch of Land Resources, (406) 896-5039, or Renee Johnson, Lands Adjudication Section Work Leader, (406) 896-5028, if you have questions or concerns.

Signed by:
Katherine P. Kitchell
for Jamie E. Connell
State Director

Authenticated by:
Kathy Iszler
Staff Assistant (MT924)

2 Attachments

- [1-New Withdrawals, Extensions, or Modifications Checklist \(4 pp\)](#)
- [2-Relinquishments and Revocations Checklist \(2 pp\)](#)