



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
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EMS TRANSMISSION 10/14/10
Instruction Memorandum No. NV-2011-003
Expires: 09/30/2012

To: District Managers, Nevada
Northern California District Manager, California
Field Managers, Eagle Lake and Surprise Field Offices,
Deputy State Director, California (CA-920)

From: Deputy State Director, Minerals Management

Subject: Fluid Mineral Leasing of Lands Adjacent to Wilderness and Wilderness Study Areas

The purpose of this Instruction Memorandum (IM) is to detail and authorize a setback around Wilderness and Wilderness Study Areas (WSA) to compensate for the uncertainty in establishing the legal description of the lease parcels in relation to the largely unsurveyed boundaries of the Wilderness and WSA's. Specifically, the IM reinforces in part Nevada IM 2004-093, which describe the circumstances, where leasing may be authorized, the appropriate set back and the process by which lands were excluded from the parcel nomination.

The Branch of Minerals Adjudication has received numerous Expressions of Interest (EOI) to lease for oil, gas and geothermal where lands nominated are within or overlap WSA boundaries. Bureau policy via legislation from Congress is to not offer any lands "within" Wilderness or WSAs. However, the Bureau of Land Management (BLM) may offer lands for lease up to the Wilderness or WSA boundary. A large portion of these Wilderness and WSA boundaries do not have an official survey. Without an official survey, the issue becomes the legal description of the parcel offered, and ultimately the legal description of the lease. Parcels offered and leases issued must be described by accurate legal descriptions.

Previously, Nevada's policy Nevada IM 2004-093 dated September 24, 2004, states that the BLM will offer and issue fluid mineral leases within one quarter mile of a Wilderness or

WSA boundary. Any quarter-quarter sections intersected by and including a portion of Wilderness or WSA boundary will be excluded from the parcel nominated.

Based on past practices in the Branch of Adjudication, it was determined that we have offered parcels and issued fluid mineral leases that are within one quarter mile of a WSA boundary. Any quarter-quarter section (1320 ft.) intersected by a Wilderness or WSA boundary was excluded from the parcel nomination.

Therefore, Nevada's policy is that we will still offer and issue fluid mineral leases to within one quarter mile of a Wilderness or WSA boundary. Any quarter-quarter sections intersected by a and including a portion of a Wilderness or WSA boundary will be excluded from the parcel nominated. However, exceptions to this policy can be made on a case-by-case basis as determined by the availability and accuracy of an official Cadastral Survey.

Contact: If there are any questions regarding this directive, please contact Atanda Clark, Branch Chief, Minerals Adjudication at 775-861-6632.

Signed by:
Gary Johnson
Deputy State Director
Minerals Management

Authenticated by:
Pam Collins
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Attachment

1 – [Example of setback for leasing \(1 p\)](#)