

Department of the Interior Departmental Manual

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Series: Public Lands
Part 603: Land Withdrawal Program
Chapter 1: Policy and Responsibility

Originating Office: Bureau of Land Management

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1.1 **Policy.** In general, the Secretary of the Interior is vested by statute and under limited circumstances by Executive order, with the administrative responsibility for the withdrawal of lands owned or controlled by the United States for public purposes and for the modification, extension or revocation of withdrawals. The term withdrawal, as employed in this Chapter, includes not only withdrawals of public lands from the general land laws but, also, reservations, power site classifications and transfers of administrative jurisdiction. The term, however, does not include the classification of public lands for their mineral potential. The term “applicant” as used in this Chapter refers to Interior bureaus or offices filing a withdrawal application. In processing a withdrawal application, the following policy shall be observed.

A. All withdrawals shall be kept to a minimum consistent with the demonstrated needs of the applicants. This “demonstrated need” must accompany all applications for withdrawal. “Demonstrated need” means submitting the following:

(1) A 1: 24,000 topographic map(s), if available, identifying the boundaries of the proposed withdrawal and, if resources or improvements are to be protected or preserved, the location of the resource and/or improvements to be protected or preserved;

(2) The approximate value in dollars of any improvements that are to be placed on the withdrawn lands;

(3) A justification for the lands to be withdrawn--that is: how is the integrity of the resources, to be protected or preserved by a withdrawal, at risk with the active management of the lands for other public purposes? If a withdrawal is intended to protect a particular resource, a narrative describing how the resource is in terms of its rarity, significance, fragility, or irreplaceability, as well as an explanation of why existing law or regulation cannot protect or preserve the resource. If authorized, acreage will be kept to the minimum needed to protect or preserve the withdrawn resource(s).

B. Withdrawals as to which the applications are classified for national security reasons or are subject to the Military Lands Withdrawal Act of 1958 (the Engle Act) are exempt from “A” above.

C. Withdrawals expressly directed by federal legislation or by the Secretary of the Interior are exempt from the requirements of “A” above.

D. Withdrawals made to transfer custody and control of federal land, i.e., to transfer administrative jurisdiction from one department, bureau or agency to another department, bureau or agency, are exempt from “A” above.

E. In order to ensure that these policies are observed within Interior, no official or employee of any Interior bureau or office shall file a withdrawal application with the Bureau of Land Management unless and until the appropriate program Assistant Secretary for the bureau or office concerned has approved a withdrawal petition. Where such program Assistant Secretary is other than the Assistant Secretary - Land and Minerals Management, the withdrawal petition, either with or without an accompanying application, shall be referred to the Assistant Secretary - Land and Minerals Management, for his or her comment before it is considered for approval.

F. Unless exclusive use of the lands is required, lands shall be available for other public purposes to the fullest extent possible consistent with the purpose of the withdrawal. The applicant for which the lands are to be withdrawn should recognize such alternative uses and, if a withdrawal is granted, be willing to undertake the management thereof while the withdrawal remains in effect.

1.2 Responsibilities.

A. The Assistant Secretary - Land and Minerals Management is responsible for policy matters affecting land withdrawal related actions; for approving basic procedures affecting withdrawal related actions; and for establishing and maintaining relationships with other agencies necessary to the successful conduct of Interior’s land withdrawal program with respect to such agencies. All Interior directives or initiatives relating to land withdrawals shall be submitted to the Assistant Secretary - Land and Minerals Management for approval.

B. The Bureau of Land Management is responsible for processing all withdrawal related applications or proposals; for making recommendations concerning them to the Assistant Secretary - Land and Minerals Management; for developing and conducting a withdrawal review program; for assisting applicants with their withdrawal related inquiries and needs; for devising effective, uniform operating procedures; for keeping the Assistant Secretary - Land and Minerals Management informed; and recommending to that official necessary improvements with respect to Interior’s land withdrawal program.

C. The Bureaus and Offices are responsible for careful review of all withdrawals to be proposed by them to ensure that a withdrawal is the only viable mechanism available to meet the needs of the agency. They must ensure that the lands they ask to be withdrawn do not exceed

demonstrated minimum needs. They are responsible for maintaining accurate and current records of all lands withdrawn for their benefit; for periodic review of such withdrawals; and for cooperating by all possible means with the Bureau of Land Management in the general administration of Interior's land withdrawal program.

1.3 Review and Revocation of Withdrawals. The Bureau of Land Management, in cooperation with Interior bureaus or offices and other federal departments and agencies, is responsible for the systematic periodic review of withdrawals. When it appears that a withdrawal no longer serves its original purpose, these entities, in cooperation with the Bureau of Land Management, shall consider the need for an appropriate revocation order. If agreement cannot be reached on the proposed order, the matter shall be presented to the appropriate supervisory officials for settlement. If two or more jurisdictional areas are involved, and agreement cannot be reached, the matter shall be referred to higher authority for further consideration. This may include discussions with the head of the federal department or agency for which the withdrawal was made.

1.4 Reports to the Assistant Secretary - Land and Minerals Management. At the end of every two fiscal years, the Bureau of Land Management shall report to the Assistant Secretary - Land and Minerals Management concerning developments or trends in land withdrawals related matters. Such reports shall include acreages, purposes, and agencies for which withdrawals and restorations are made, and shall include also, when appropriate, recommendations for action by the Office of the Secretary for needed improvements to the federal land withdrawal program.

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