



OFFICE OF
INSPECTOR GENERAL
U.S. DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT ACTIVITIES RELATED TO SECRETARIAL ORDER 3310—WILD LANDS



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Memorandum

To: Don Simpson
Wyoming State Director, Bureau of Land Management

From: *for* Kimberly Elmore *Melanie Horvath*
Assistant Inspector General for Audits, Inspections, and Evaluations

Subject: Inspection – Bureau of Land Management Activities Related to Secretarial
Order 3310 – Wild Lands
Report No. ZZ-SP-BLM-0001-2011

This memorandum transmits the results of our inspection of the U.S. Department of the Interior Bureau of Land Management (BLM) Secretarial Order 3310, “Protecting Wilderness Characteristics on Lands Managed by the Bureau of Land Management.”

Background

In December 2010, the Secretary of the Interior signed Secretarial Order 3310, “Protecting Wilderness Characteristics on Lands Managed by the Bureau of Land Management” (Secretarial Order). This Secretarial Order affirmed that protecting the wilderness characteristics of public lands was a high priority for BLM and was an integral component of its multiple-use mission. The Secretarial Order directed BLM, based on input from local communities through existing land management planning processes, to designate appropriate areas with wilderness characteristics under BLM jurisdiction as “wild lands” and to manage and protect those characteristics. Since the “wild land” designation is administrative, it can be made and then later modified through BLM’s internal processes. A “wild land” differs from both —

- a “wilderness area,” which is designated by Congress and cannot be modified except by legislation; and
- a “wilderness study area,” which is an area recommended before Congress for determination of whether it should be permanently protected as a “wilderness area” and that BLM must manage to protect its wilderness characteristics until Congress makes its determination.

On April 15, 2011, Public Law 112-10 was enacted, entitled “Department of Defense and Full-Year Continuing Appropriations Act, 2011” (Act). Section 1769 of the Act states “For the fiscal year ending September 30, 2011, none of the funds made available by this division or any other Act may be used to implement, administer, or enforce Secretarial Order 3310 issued by the Secretary of the Interior on December 22, 2010.” Therefore, BLM was no longer allowed to perform any work specifically related to the Secretarial Order.

Objective

On April 27, 2011, the Westport News reported that BLM would wait to issue six oil and gas drilling leases near the scenic Adobe Town badlands of southwest Wyoming while it studied the area's wilderness characteristics. The study was reported to be a direct result of the Secretarial Order, suggesting that this may be in violation of the Act. Therefore, the Office of Inspector General inspected activities being conducted related to the Secretarial Order to ensure that BLM's Wyoming State Office was in compliance with the Act.

Results

Our inspection disclosed that the BLM Wyoming State Office was in compliance with the Act. We determined that the Westport News article contained inaccurate information about the cause of the delay in issuing the six oil and gas drilling leases. Instead, timing and poor weather conditions caused the pre-lease wilderness evaluations to be delayed, which in turn resulted in a delay in issuing the leases.¹ Specifically, poor weather conditions in Wyoming postponed the study required under the Secretarial Order from February 2011 until the weather improved enough for BLM staff to safely enter the area and perform their work.

During the postponement, the Secretarial Order was defunded. As a result, BLM changed from determining whether the lands should be designated as "wild lands" under the Secretarial Order, to performing the traditional inventory of Lands with Wilderness Characteristics required by the Federal Land Policy and Management Act of 1976 (FLPMA).

Scope and Methodology

We performed our inspection in accordance with the "Quality Standards for Inspections" adopted by the Council of Inspectors General on Integrity and Efficiency. We believe that the work performed provides a reasonable basis for our conclusion.

The inspection focused on BLM's Wyoming State Office and its activities being conducted related to Secretarial Order 3310. As part of our inspection, we —

- reviewed Secretarial Order 3310 and other applicable laws and regulations;
- reviewed BLM manuals relating to "wild lands";
- reviewed the Federal Land Policy and Management Act of 1976;
- reviewed the Wilderness Act of 1964; and
- interviewed Wyoming State Office personnel.

Our inspection did not identify any issues to suggest that BLM is not in compliance with the Act. If you have any questions about this report, please contact me at 202-208-5512.

¹ The Westport News article referred to six oil and gas leases scheduled for issuance in February 2011, when the Secretarial Order was still in effect.

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