

UNITED STATES DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
WASHINGTON, D.C. 20240  
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Instruction Memorandum No. 2013-142  
Expires: 09/30/2014

To: All State Directors  
From: Director  
Subject: Interim Policy, *Draft - Regional Mitigation Manual Section - 1794*

DD: 01/17/2014

**Program Areas:** All Resource Programs.

**Purpose:** This Instruction Memorandum (IM) and the attached *Draft - Regional Mitigation, Manual Section 1794* outline interim policy for taking a regional approach to mitigating project impacts. This IM and the draft manual replace IM-WO-2008-204, Offsite Mitigation (September 30, 2008). The draft manual promotes consideration of mitigation within a broader regional context and clarifies the 2008 offsite mitigation policy.

**Policy/Action:** The *Draft - Regional Mitigation Manual Section (MS)-1794* (attachment 1), provides policy, procedures, and instructions for:

- 1) Regional Mitigation Strategies – developing strategies that identify and facilitate mitigation opportunities at the regional (or landscape) scale, including opportunities on both BLM-managed public lands and non-BLM-managed lands (other Federal, Tribal, State, and private lands);
- 2) Regional Mitigation Planning – using the BLM's land use planning process to identify potential mitigation sites and measures (e.g., land treatments, infrastructure modification or removal) on BLM-managed lands at a regional level (including by considering and potentially incorporating any Regional Mitigation Strategies); and
- 3) Mitigation Implementation – identifying and implementing appropriate mitigation within (onsite) or outside of the area of impact for particular land-use authorizations.

The BLM is issuing this manual section in draft format as interim policy. The intent is to begin implementation of the interim policy and then improve elements of the policy, as necessary, when finalizing it. Each state office will provide its lessons learned and recommendations for enhancing this manual section to the Assistant Director for Minerals and Realty Management by January 17, 2014. These lessons learned will inform any adjustments that the BLM might make in the final policy. When developing a final policy, the BLM also intends to develop an associated handbook containing detailed instructions for implementing certain aspects of the policy.

Because the BLM has limited discretion to reject proposed plans of operation or proposed use or occupancy under the Mining Law of 1872 that do not cause unnecessary or undue degradation, this IM does not apply to authorizations under 43 CFR subparts 3809 or 3715.

**Timeframe:** This IM is effective upon issuance. Each state office will provide its lessons learned and recommendations for enhancing this manual section to the Assistant Director for Minerals and Realty Management by January 17, 2014.

**Budget Impact:** The BLM may incur initial costs related to planning and implementing regional mitigation. There is likely to be a net savings to the BLM from planning mitigation on a regional basis versus identifying appropriate mitigation practices and sites on a case-by-case basis.

**Background:** The BLM initially issued an interim Offsite Mitigation policy, WO-IM-2005-069, on February 1, 2005, and a revised policy, WO-IM-2008-204, on September 30, 2008. The 2005 policy limited the interim policy scope to oil, gas, geothermal, and energy rights-of-way programs while excluding all other resource programs. The BLM issued the 2008 policy to broaden the scope of offsite mitigation by including other BLM program areas and further defining appropriate use of the policy.

The draft manual section further defines the policy issued in 2008 and promotes a regional approach to mitigation planning and implementation. The updated draft policy will clarify how the BLM should consider and apply mitigation to meet BLM multiple-use and sustained-yield management principles while reducing short- and long-term impairment to the environmental quality of the public lands.

**Manual/Handbook Sections Affected:** None at this time. The final Regional Mitigation Manual, when released, will likely affect the BLM *National Environmental Policy Act (NEPA) Handbook* (H-1790-1) and the *Land Use Planning Handbook* (H-1601-1).

**Coordination:** The Division of Fluid Minerals coordinated preparation of this IM with the Renewable Resources and Planning (WO-200) Directorate, Minerals and Realty Management (WO-300) Directorate, the National Landscape Conservation System and Community Partnerships (WO-400) Directorate, and the Office of the Solicitor.

**Contact:** State Directors may direct any questions related to this IM or Draft MS-1794 to Michael D. Nedd, Assistant Director, Minerals and Realty Management, at 202a€208a€4201; or Edwin L. Roberson, Assistant Director, Renewable Resources and Planning, at 202-208-4896; or Carl Rountree, Assistant Director, National Landscape Conservation System and Community Partnerships, at 202-208-3516. Staff may contact Jim Perry, Senior Natural Resource Specialist, Division of Fluid Minerals (WO-310), at 202-912-7145 or at [jperry@blm.gov](mailto:jperry@blm.gov); Matt Preston, National Science Coordinator, National Landscape Conservation System (WO-410), at 202-912-7175 or at [mpreston@blm.gov](mailto:mpreston@blm.gov); or Kerry Rodgers, Senior Planning and Environmental Analyst, Division of Decision Support, Planning and NEPA (WO-210), 202-912-7158 or [kerodgers@blm.gov](mailto:kerodgers@blm.gov).

Signed by:  
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Principal Deputy Director

Authenticated by:  
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Division of IRM Governance, WO-560

1 Attachment  
1 – *Draft - Regional Mitigation, MS-1794 (23 pp)*

