

## **Detering Mineral Trespass**

Preventing mineral trespass depends on sufficient deterrents, a fully informed public, and Bureau of Land Management (BLM) personnel involvement. The following measures should serve to discourage and minimize mineral trespass cases:

- A. Field Presence – The BLM’s personnel will establish a regular and visible field presence, aided by the recent addition of inspectors. As operators and contractors become more aware of the scope of the BLM’s responsibilities and area of jurisdiction, the likelihood of a violation decreases.
  
- B. Timely and Appropriate Response – The BLM will endeavor to quickly identify Federal and Indian mineral trespass cases, address them aggressively with appropriate enforcement action, and process them in a timely manner. This will communicate the message that the BLM is serious about identifying, enforcing, and resolving these cases. The BLM will ensure that the DOI fulfills its statutory, regulatory, and trust responsibilities; carefully stewards public resources; and obtains fair market value for all Federal and Indian minerals.
  
- C. Publicize Enforcement Actions – The BLM will work with the Department of Justice (DOJ), Solicitor’s Office and local BLM public affairs group to publicize successful trespass enforcement actions through outreach meetings, local papers, trade magazines, and BLM websites. Consider going to local papers, trade publications, and the BLM website to tell the story. For example, in 2015, the DOJ and the Solicitor’s Office negotiated settlement agreements with companies to resolve civil claims related to mineral trespass. The companies agreed to pay \$950,000 and \$2,000,000, respectively, for trespass on Federal minerals for production and private gain. In 2019, DOJ resolved Federal mineral trespass investigations beneath the railroad rights-of-way belonging to the United States against two Colorado oil and gas companies. In each case, the company failed to seek and obtain a Federal lease, or to file, and obtain a permit to drill with the BLM. The companies agreed to pay \$723,236 and \$214,706, respectively, to resolve the cases. In each of the above cases, BLM posted the news releases to the BLM state websites.
  
- D. Outreach/Education – The BLM will provide information to users and operators, the public, Resource Advisory Councils, etc., as the opportunities arise, to include: information on the enforcement actions taken, the environmental and public costs of illegal trespass, and the BLM’s intent to prosecute offenders aggressively.
  
- E. Collaboration – The BLM will maintain and expand strong, cooperative relationships with other State and/or Federal agencies, including law enforcement, to identify additional actions to deter trespass drilling operations.