

**UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
COLORADO STATE OFFICE
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In Reply Refer To:
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22 November, 2016

EMS TRANSMISSION 11/29/2016
Instruction Memorandum No. CO-2017-004
Expires: 09/30/2020

To: District and Field Managers

From: State Director

Subject: Consultation, Cooperation and Coordination (CCC) with Affected Parties
and Interested Publics for Livestock Grazing Decisions

DD: 12/16/2016

Program Areas: Rangeland Management and Planning/National Environmental Policy Act (NEPA).

Purpose: The purpose of this Instruction Memorandum (IM) is to ensure a consistent approach to public notification and public involvement opportunities, applying the CCCs, when issuing proposed/final grazing decisions based on the 43 C.F.R. 4100 series.

Policy/Action: Field offices will, on an annual basis (by December 16, 2016, and annually by October 31, thereafter), send affected parties and interested publics a letter advising them of potential grazing management actions that will require a grazing decision as outlined by 43 C.F.R. 4160 – Administrative Remedies. Interested public is defined as an individual, group or organization that has requested to be part of the decision making process; while affected parties refer to those individuals, groups or organizations with a financial interest in the decision. If an interested public requests to be involved after October 31, field offices should provide notice to the new individual or group at that time. The letter should only list the allotments the interested public has requested and direct them to the ePlanning website for updates on NEPA documents under development for grazing decisions during the year. Interested publics that have submitted a written request or comment, as defined above, will be kept on a list at the field office level.

A formal scoping and/or public comment period on a preliminary environmental assessment (EA) are at the discretion of the Authorized Officer (AO). If the field office

has a formal scoping period or releases a preliminary EA for comment, the BLM should notify affected parties and interested publics either by mail, email or a posting on ePlanning.

Field offices must serve a proposed grazing decision to affected parties by certified mail or personal delivery. Copies of proposed decisions should also be sent to interested publics (43 C.F.R. 4160.1 (a)). The BLM will provide a 15-day protest period, which begins on the day of receipt of the proposed decision, for affected parties and interested publics on all proposed decisions (43 C.F.R. 4160.2). Although not required, the AO may consider sending by certified mail proposed decisions to interested publics to document receipt, which begins the 15-day protest period for that party.

If a protest is timely, the field office would issue a final grazing decision explaining the BLM's rationale and how the statement of reasons were addressed as well as resolving the protest. The BLM will serve the AO's final decision to the protesting party, her/his agent, or both along with the interested public (43 C.F.R. 4160.3(b)).

Timeframe: This IM is effective upon receipt. Where grazing decisions have not been issued, it may be prudent to apply the CCCs in conformance with the 43 C.F.R. 4100 - Grazing Administration.

Budget Impact: Budget impacts will be minimal.

Background: Notification of grazing decisions in Colorado has not always followed the regulations as established in 43 C.F.R. 4160 and the process for notifying the interested public about grazing decisions and the opportunity for involvement has been inconsistent.

Directives Affected: None.

Coordination: This IM was developed in coordination with the Deputy State Director, Resources and Fire, and BLM Colorado DMs.

Contact: For further information contact Laria Lovec, Rangeland Program Lead, at (303) 239-3717; Bruce Rittenhouse, Branch Chief for Natural Resources, at (303) 239-3804; or Megan Stouffer, Branch Chief for Planning and Assessment, at (303) 239-3936.

Signed by:
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Authenticated by:
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