



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Oregon State Office

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In Reply Refer to:

4130 (OR-932) P

February 29, 2008

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Instruction Memorandum No. OR-2008-047

Expires: 9/30/2009

To: All District Managers

From: State Director, Oregon/Washington

Subject: Guidance for Implementing the New Categorical Exclusion for Grazing Permits/Leases

Program Area: Planning and Environmental Coordination, Rangeland Management

Purpose: The purpose of this Instruction Memorandum (IM) is to provide further guidance based on WO IM 2008-019, issued October 25, 2007, which applies to the issuance of grazing permits/leases that meet specific criteria in order to use a Categorical Exclusion (CX). To ensure that guidance and criteria are consistently applied and appropriately documented the Oregon/Washington (OR/WA) State Office will review all CXs used with the issuance of a grazing permit/lease.

Policy/Action: In addition to direction provided in WO IM 2008-019, the following guidelines apply to the use of the CX in OR/WA:

- Use the attached CX Documentation template to certify and demonstrate a written record for National Environmental Policy Act of 1969 (NEPA) purposes.
- To ensure consistent and appropriate use of the CX authority, the CX will be sent to the Oregon State Office via email for review by Margaret Langlas (OR-933) and Craig MacKinnon (OR-932). Please provide two weeks for this review.
- Notification of interested publics of grazing permit/lease renewals will continue as required by 43 CFR 4130.2
- All grazing permits/leases will continue to be implemented by decision as required by 43 CFR 4160.1

Timeframe: The use of this CX was effective on August 14, 2007. This IM is effective immediately.

Budget Impact: It is anticipated that the use of the new CX authority for grazing permit/lease renewals when appropriate will improve efficiencies in the renewal process resulting in a net cost savings.

Background: New CXs were proposed as part of the revision of the NEPA Implementing Procedures published in the *Federal Register* Notice on January 25, 2006.

On August 14, 2007, a change to the Departmental Manual's list of CXs was published in the *Federal Register* Volume 72, No. 156, 11.9(D)(11) which states: (1) Issuance of livestock grazing permits/leases where (a) the new grazing permit/lease is consistent with the use specified on the previous permit/lease such that (1) the same kind of livestock is grazed, (2) the active use previously authorized is not exceeded, and (3) grazing does not occur more than 14 days earlier or later than as specified on the previous permit/lease, and (b) The grazing allotment(s) has been assessed and evaluated and the Responsible Official has documented in a determination that the allotment(s) is (1) meeting land health standards, or (2) not meeting land health standards due to factors that do not include existing livestock grazing.

Manual/Handbook Sections Affected: The guidance results from revisions of the Department of Interior's NEPA manual, 516, DM 11, revising BLM's NEPA procedures and establishing new CXs. The BLM's NEPA Handbook (H-1790-1) provides operational guidance implementation of BLM policy regarding CX's. The WO IM also amends the Interim Management Policy under Wilderness Review (H-8550-1).

Coordination: The development of this IM has been coordinated between the Rangeland Management and Planning and NEPA staff and OR-933 and OR-932 Branch Chiefs. It is consistent with and further implements the direction contained in WO IM 2008-019 and 43 CFR Part 4100.

Contact: If you have questions or need additional information please contact Craig MacKinnon, Range Management Specialist, at 503-808-6157 or Margaret Langlas, Planner, at 503-808-6305.

Districts with Unions are reminded to notify their unions of this Instruction Memorandum and satisfy any bargaining obligations before implementation. Your servicing Human Resources Office or Labor Relations Specialist can provide you assistance in this matter.

Signed by
Michael S. Mottice
Acting, Associate State Director

Authenticated by
Paj Shua Cha
Records Section

2 Attachments

- 1 – [WO IM 2008-019](#) (4pp)
- 2 – [Categorical Exclusion Documentation Template](#) (4pp)