



# United States Department of the Interior

## BUREAU OF LAND MANAGEMENT

Jarbidge Field Office  
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Twin Falls, Idaho 83301-7975  
<http://www.id.blm.gov/offices/jarbidge>



In Reply Refer To:

4160

ID-097-04-002

ID-097-04-003

ID-097-04-004

December 23, 2003

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

*7002 3150 0005 6265 9090*

Todd C. Tucci, Esq.  
Advocates for the West  
P O Box 1612  
Boise, Idaho 83701

RE: Your Request for Correction of Information dated October 24, 2003

Dear Mr. Tucci:

I have received and reviewed your correspondence dated October 24, 2003, requesting correction of information specifically addressed in your correspondence "relating to the Final Grazing Decisions on the Kubic Allotment, Hallelujah and Cedar Butte/Devil's Creek Allotments ("the Allotments"), as well as the Environmental Assessment # ID-097-03-040." Your request is made on behalf of your client Western Watersheds Project pursuant to Section 515 of the Treasury and Consolidated Agencies Appropriations Act of 2001, commonly known as the Data Quality Act ("DQA"). In response thereto, the Bureau of Land Management ("BLM") issued guidelines, which guide my determination of your request.

Western Watersheds Project is an interested public with respect to the Kubic, Hallelujah and Cedar Butte/Devil's Creek Allotments. Your client reviewed and submitted comments to BLM prior to the issuance of Environmental Assessment # ID-097-03-040. In addition, your client has fully participated in the public adjudicatory processes culminating in Final Grazing Decisions, ID-097-04-005, IBLA 2004-16 (Kubic Allotment), ID-097-04-004, IBLA 2004-17 (Hallelujah Allotment) and ID-097-04-02, IBLA 2004-10 (Cedar Butte/Devil's Creek Allotment). Your client filed protests to BLM's proposed decision in each case and also submitted comments to the EA. In fact, it is BLM's response to your client's protest points in the background section of final grazing decisions for which your client seeks correction. Subsequently, on October 16,

2003, your client appealed said decisions and sought stays in each case, but did not raise the issue of BLM's purported use of incorrect information as an appeal point. That adjudicatory process has not yet been resolved but would be the appropriate forum for the relief you seek.

Your request for correction under the DQA would be duplicative, unnecessary and unreasonably burdensome and disruptive to the orderly conduct of BLM business. Accordingly, your request for correction of information is not approved and the BLM will not take the corrective action requested.

If you wish to seek reconsideration of this decision, you may send a petition to Ronnie Levine, Chief Information Officer, Bureau of Land Management, 1849 C Street N.W., Mail Stop 5329, Washington, DC 20240. Ms. Levine's phone number is 202-208-7701. Her fax number is 202-208-5902. Your appeal for reconsideration should contain the following information: (1) an indication that the person is seeking an appeal of a BLM decision on a previously submitted request for correction of information, including the date of the original submission and date of BLM decision, (2) an indication of how the individual or organization is an "affected person" under the Statute, (3) Name and contact information (Organizations submitting an appeal should identify an individual as a contact), (4) an explanation of why the appealing entity disagrees with the BLM decision, and, if possible, a recommendation of corrective action, and (5) a copy of the original request for the correction of information.

Sincerely,



Edward Guerrero, Manager  
Jarbidge Field Office

Cc: Ronnie Levine, BLM Chief Information Officer, Washington DC  
Jim Horan, BLM Data Administrator, Washington DC