



**United States Department of the Interior**  
BUREAU OF LAND MANAGEMENT  
Wyoming State Office  
P.O. Box 1828  
Cheyenne, Wyoming 82003-1828



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October 4, 2005

Instruction Memorandum No. WY-2006-001  
Expires: 9/30/2007

To: Field Managers  
From: Associate State Director  
Subject: Consultation with Local Government

The purpose of this memorandum is to discuss consultation with local government. We have had a request to describe what constitutes consultation with County Commissioners relating to land management issues. A basic initiative for increasing and improving the consultation efforts the Bureau has with local governments has come from the President's Executive Order of

August 26, 2004, concerning the "Facilitation of Cooperative Conservation." This order mandates agencies to manage natural resources under their jurisdiction in a manner that:

- Takes appropriate account and respects the interests of persons with ownership or other legally recognized interests in land and other natural resources.
- Properly accommodates local participation in Federal decisionmaking.

As a result, the Director has instructed the agency to engage officials and staffs of other agencies in a working partnership. This interaction is described in "A Desk Guide to Cooperating Agency Relationships 2005" completed in May of this year.

Consultation is a deliberation between two interested parties to confer on subjects of mutual interest. In the context of managing public lands, this consultation is to seek advice and opinions. It may entail a formal approach including documented meetings for a public record, or a National Environmental Policy Act document. In some cases, formal consultation may result in a Memorandum of Understanding (MOU) between agencies. For the most part, consultation with local government is an informal process.

Informal discussions are part of the day-to-day management of resources in a Field Office. What constitutes consultation may be a meeting that concludes in agreement on some direction that will be followed. It may be reflected in a letter of agreement that defines in writing what actions will be taken. In many cases, the need for documentation may vary by the specific BLM requirements and local government's desire or need for written documentation.

While informal meetings are encouraged, field managers are reminded of the State of Wyoming's open meetings law (Wyo. Stat. secs. 16-4-401 to 16-4-408). While compliance with the law is the responsibility of State and local agencies, we need to be aware that certain meeting arrangements may implicate the open meetings provisions of State law, which could serve to limit cooperator involvement.

Consultation with Counties and other local agencies provides a desirable opportunity for better and more diversified data collection, analyses and document preparation. It is important that we provide for this interaction in all major efforts and keep the counties and other local agencies fully informed of our actions.

Each County operates in a manner that works for its members. To assure that our level of consultation matches the needs of the local government we need regular communication. At the first opportunity where you are meeting with units of local government within your field office jurisdiction, please ascertain the most appropriate method of consultation and establish procedures that meet their needs.

Please contact Don Simpson at 775-6113 if there are any questions or comments.

/s/ Alan L. Kesterke

1 Attachment:

1 – Pending Instruction Memorandum for BLM, Wyoming (2 pp.)