



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

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IN REPLY REFER TO:
1792 (930) P

November 7, 2014

EMS Transmission: 11/10/22014
Instruction Memorandum No. WY-2015-013
Expires: 09/30/2015

To: District Managers

From: State Director

Subject: Designation of the State of Wyoming as a Cooperating Agency on all NEPA and Planning Documents and Review Procedures of Environmental Documents

Program Area: Planning and National Environmental Policy Act (NEPA)

Purpose: This Instruction Memorandum (IM) transmits the Memorandum of Understanding (MOU) with the State of Wyoming designating them as a Cooperating Agency on all NEPA and Planning Documents in Wyoming (See Attachment 1).

Policy/Action: The Bureau of Land Management (BLM), Wyoming State Office and the State of Wyoming have entered into a MOU (BLM-MOU-WY-930-1501) on October 3, 2014 for all Planning and NEPA Analyses for which the BLM is the Lead Federal Agency. The MOU establishes a Cooperating Agency relationship between the BLM and the State of Wyoming by and through the Office of the Governor ("Cooperator" or Cooperating Agency"), for the purpose of preparing all Resource Management Plans (RMP) and associated Environmental Impact Statements (EIS) or Environmental Assessments (EA) under the NEPA. Additionally, this MOU establishes a Cooperating Agency relationship between the BLM and the State for all NEPA Analyses in which the BLM is the lead Federal Agency. This MOU applies only to EISs and EAs. Categorical Exclusions and Determinations of NEPA Adequacy and Land Use Plan Conformance are not covered in the MOU. An attachment to the MOU will be developed by the District Resource Advisors and maintained by WY 933. At the start of each NEPA document to which the MOU is applied, Project Leads will send to WY 933, the title and NEPA number. Another email will be sent to WY 933 at the conclusion (DR/ROD) of each NEPA document to which the MOU is applied.

Following recent discussions with the State of Wyoming's Policy Office and staff, the review procedures of Environmental Documents have been updated to reflect the State's current staffing. This IM supersedes WY IM No. 2010-014.

The following environmental documents for review are to be sent to State Agencies listed in Attachment 2:

1. All Resource Management Plans and Draft and Final EISs
2. All Draft and Final Project EISs
3. Potentially controversial EAs, unique proposals, or other actions specifically requested State Agencies

Effective immediately – Send one electronic copy of all Environmental Documents requiring review, as identified in Attachment 2, directly to each of the appropriate State Agencies. An updated list of the State Agency addresses and electronic mail contacts are also included (Attachment 3). Please note, one copy of the Environmental Documents will always be sent to the Governor's Policy Office, the Wyoming Game and Fish Department, State Historic Preservation Office (SHPO), Department of Agriculture, and the Office State Lands and Investments. Field Offices will continue to send review and comment copies of Environmental Documents to their associated Regional Game and Fish Offices as before. The State prefers an electronic copy of or link to the Environmental Document be sent to the electronic in boxes of the contacts listed in Attachment 3. To comply with BLM e-mailing conventions, only send electronic documents through the mail if they meet the BLM email size requirements. The State's second preferred medium would be to have a CD sent to the individual State Agencies.

Provide the State with the same comment period that you have established for public review. If no comments are provided by the State Agencies within the allotted time, assume no comments will be provided and move forward with the NEPA process.

Background: The Council on Environmental Quality (CEQ) regulations at 40 CFR 1501.6 and BLM Planning Regulations at 43 CFR 1610.3 requires Federal Agencies to coordinate with other Federal, State and Local Agencies in the development of planning and NEPA documents.

Timeframe: This IM is effective immediately.

Budget Impact: Compliance with the policy of this IM will not have any budget impacts.

Manual/Handbook Sections Affected: None.

Coordination: This IM was coordinated with the Deputy State Director, Resource Policy and Management and the State of Wyoming.

Contact: Questions concerning this IM should be directed to Mike Abel, WY 933 Branch Chief at 307-775-6092.

Signed by:
Donald A. Simpson
State Director

Authenticated by:
Sherry J. Dixon
Support Services Assistant

3 Attachments:

- 1 – MOU (8 pp)
- 2 - Agency Addresses and Contacts (3 pp)
- 3 - Document Request Matrix (1 p)

Distribution:

Director (210), Rm. 20 M Street
Central Files

1 w/atch.
2 w/atch.