

**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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EMS TRANSMISSION 08/10/2006  
Instruction Memorandum No. CO-2006-045  
Expires: 09/30/2007

To: Associate State Director, Deputy State Directors, Public Land Center Managers,  
and Field Office Managers

From: State Director

Subject: Delegation of Authority to Initiate or Cooperate in Environmental Impact  
Statements (EISs)

### **Background**

It is Bureau of Land Management (BLM) policy, as stated in BLM Manual 1203.02 to “assure that authority is delegated to the lowest practical level.” Manual 1203.1.11B also provides that any official to whom authority is delegated may, in writing, re-delegate unless re-delegation of authority is specifically prohibited or is limited. In the case of Environmental Impact Statements (EISs) and Records of Decision (RODs), there is no specific provision limiting delegation of authority to the Deputy State Directors (DSDs), Public Land Center Managers (PLCM) or Field Office Managers (FOMs).

Therefore, authority for signing EISs and RODs **that do not contain land use plan decisions** is re-delegated to the DSDs and FOMs. Where Public Land Centers exist, the PLCM is re-delegated authority for EIS and RODs that do not contain land use planning decisions. Please refer to attached Form 1203-2 that amends the Colorado Supplement to BLM Manual 1203, Appendix 1. Pursuant to 43 CFR 1601.0-4(b) and 43 CFR 1610.5-5(a) signature authority for all land use planning decisions resides with the State Director, and therefore cannot be re-delegated.

### **Delegation of EIS Authority**

The authority to initiate EISs, or participate in an EIS as a cooperator, is hereby delegated to the DSDs, PLCMs or FOMs, as appropriate based on the type of decision being made. It is anticipated that PLCMs and FOMs will be the authorized officers for most EIS level decisions, but DSDs may occasionally be the authorized officers for decisions regarding such activities as leasing of oil and gas, approval of mine plans, or granting an interstate right-of-way.

FOMs, PLCMS, DSDs, and environmental coordinators should discuss projects of potential significance, complexity, or controversy with the Chief, Branch of Social, and Cultural Services, who can direct appropriate staff to assist in the National Environmental Policy Act (NEPA) screening process to determine whether preparation of an EIS is necessary. This step is recommended when the proposed action is one: 1) that normally requires an EIS (Departmental Manual 516, Chapter 11), 2) where initial staff review suggests impacts from a proposed action may be significant, or 3) when the complexity and controversy of the project may warrant an EIS.

Authority for EISs and RODs is delegated to FOMs for actions that are proposed within their respective boundaries. If a project crosses field office or Public Land Center boundaries, the responsibility for leadership in the preparation of the EIS will be assigned to one manager by the State Director. In these cases, all affected PLCMs or FOMs will sign the ROD.

### **Process for Determining the Delegated Level of EISs**

Prior to initiating an EIS or cooperating in the preparation of an EIS, the authorized officer (DSD/PLCM/FOM) must prepare a briefing paper for the State Director concerning the proposal. This briefing paper shall identify the proponent, the purpose and need for the proposal, the anticipated complexity and controversy concerning the proposal, funding source or budget impact, need for scarce or unique skills, staff commitment and/or contracting needs. The State Director will decide the appropriate level of delegation for the preparation of the EIS.

The authorized officer will keep the State Director, the DSDs, and the Chief Branch of Social and Cultural Services fully informed of the status and progress of the EIS. At a minimum, briefings must be conducted at: 1) initiation of the project, 2) in conjunction with the State Office quality assurance review of the preliminary Draft EIS, 3) in conjunction with the State Office quality assurance review of the preliminary Final EIS, and 4) prior to release of the ROD. Additional briefings may be required depending on the controversial or sensitive nature of the project.

If you have questions regarding this memorandum or need additional information, please contact Dennis Zachman, Supervisory Land Use Planning Coordinator, at 303-239-3883.

Signed by:  
Sally Wisely  
State Director

Authenticated by:  
Cathy Cooney  
Branch of IRM & Access

1 Attachment

1 – Form 1203-2 (1p)