

Conversation Contents

Draft Mitigation IMs

Attachments:

/56. Draft Mitigation IMs/1.1 Draft IM Mitigation Policy A.docx
/56. Draft Mitigation IMs/1.2 Other Targeted Changes to the Mitigation Policy.docx
/56. Draft Mitigation IMs/1.3 Draft IM Mitigation Policy B.docx
/56. Draft Mitigation IMs/2.1 image001.png
/56. Draft Mitigation IMs/2.2 Draft IM Mitigation Policy A (1).docx
/56. Draft Mitigation IMs/2.3 Draft IM Mitigation Policy B (1).docx
/56. Draft Mitigation IMs/4.1 Draft IM Mitigation Policy Option A 2017.06.15.docx
/56. Draft Mitigation IMs/4.2 Draft IM Mitigation Policy Option B 2017.06.15.docx
/56. Draft Mitigation IMs/4.3 1203-update.pdf

"Mead, Deborah" <dmead@blm.gov>

From: "Mead, Deborah" <dmead@blm.gov>
Sent: Tue Jun 13 2017 14:47:56 GMT-0600 (MDT)
To: Kristin Bail <kbail@blm.gov>, Karen Kelleher <kkelleh@blm.gov>, "Tryon, Steve" <stryon@blm.gov>, Kit Muller <kmuller@blm.gov>
Subject: Draft Mitigation IMs
Attachments: Draft IM Mitigation Policy A.docx Other Targeted Changes to the Mitigation Policy.docx Draft IM Mitigation Policy B.docx

Here you go--the two draft IM options you requested.
The "Other Targeted Changes" document goes with "Draft IM A"

Deborah (Deblyn) Mead
National Mitigation Coordinator
Bureau of Land Management
20 M Street
Washington, DC 20003
Phone: 202.912.7542
Mobile: 202.494.7865
Email: dmead@blm.gov

"Bail, Kristin" <kbail@blm.gov>

From: "Bail, Kristin" <kbail@blm.gov>
Sent: Wed Jun 14 2017 12:19:46 GMT-0600 (MDT)
To: "Mead, Deborah" <dmead@blm.gov>
CC: Karen Kelleher <kkelleh@blm.gov>, "Tryon, Steve" <stryon@blm.gov>, Kit Muller <kmuller@blm.gov>

Subject: Re: Draft Mitigation IMs
Attachments: image001.png Draft IM Mitigation Policy A (1).docx Draft IM Mitigation Policy B (1).docx

Hi, Deblyn -- Thanks so much for your work on this! I've made some comments on the two draft IMs; see what you are able to do to address them before our meeting tomorrow. I'm thinking that for the discussion tomorrow we would have these two IMs, the Other Targeted Changes paper, the 2005/2008/Manual compare table, and the compensatory mitigation brief we wrote along with the data call template.

Karen, Steve -- I welcome your thoughts. -K

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Deborah (Deblyn) Mead
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Email: dmead@blm.gov

Deborah Mead <dmead@blm.gov>

From: Deborah Mead <dmead@blm.gov>
Sent: Thu Jun 15 2017 05:07:01 GMT-0600 (MDT)
To: "Bail, Kristin" <kbail@blm.gov>
CC: Karen Kelleher <kkelleh@blm.gov>, "Tryon, Steve" <stryon@blm.gov>, Kit Muller <kmuller@blm.gov>
Subject: Re: Draft Mitigation IMs

Hi Kristin,
Ok. I'll work on this and see you all at 2:30 today.
- Deblyn

Sent from my iPhone

On Jun 14, 2017, at 2:20 PM, Bail, Kristin <kbail@blm.gov> wrote:

Hi, Deblyn -- Thanks so much for your work on this! I've made some comments on the two draft IMs; see what you are able to do to address them before our meeting tomorrow. I'm thinking that for the discussion tomorrow we would have these two IMs, the Other Targeted Changes paper, the 2005/2008/Manual compare table, and the compensatory mitigation brief we wrote along with the data call template.

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Email: dmead@blm.gov

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<Draft IM Mitigation Policy B (1).docx>

"Mead, Deborah" <dmead@blm.gov>

From: "Mead, Deborah" <dmead@blm.gov>
Sent: Thu Jun 15 2017 10:49:19 GMT-0600 (MDT)
To: "Bail, Kristin" <kbail@blm.gov>
CC: Karen Kelleher <kkelleh@blm.gov>, "Tryon, Steve" <stryon@blm.gov>, Kit Muller <kmuller@blm.gov>
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Kristin, Karen, Steve,

Attached are the revised IMs. Note the edits to the line officer officials. I am also attaching BLM MS-1203. Please take a look at Chapter 2.1.A.2. to see if the edits I made are appropriate and what you would like.

Would you like me to bring clean hard copies of the draft IMs, "ther targeted changes," the BLM mitigation policies comparison table, the compensatory mitigation brief and data call table? If so, how many copies would you like?

Deblyn

Deborah (Deblyn) Mead
National Mitigation Coordinator
Bureau of Land Management
20 M Street
Washington, DC 20003
Phone: 202.912.7542
Mobile: 202.494.7865
Email: dmead@blm.gov

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Email: dmead@blm.gov

UNITED STATES DEPARTMENT OF THE INTERIOR
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WASHINGTON, D.C. 20240
<http://www.blm.gov>

[date]

In Reply Refer To:

EMS TRANSMISSION [date]
Instruction Memorandum No. 2017-xxx
Expires: [date]

To: All State Directors

From: Assistant Director for Resources and Planning

Subject: Revisions to BLM Mitigation Manual (MS-1794) and Handbook (H-1794-1)

DD: [date]

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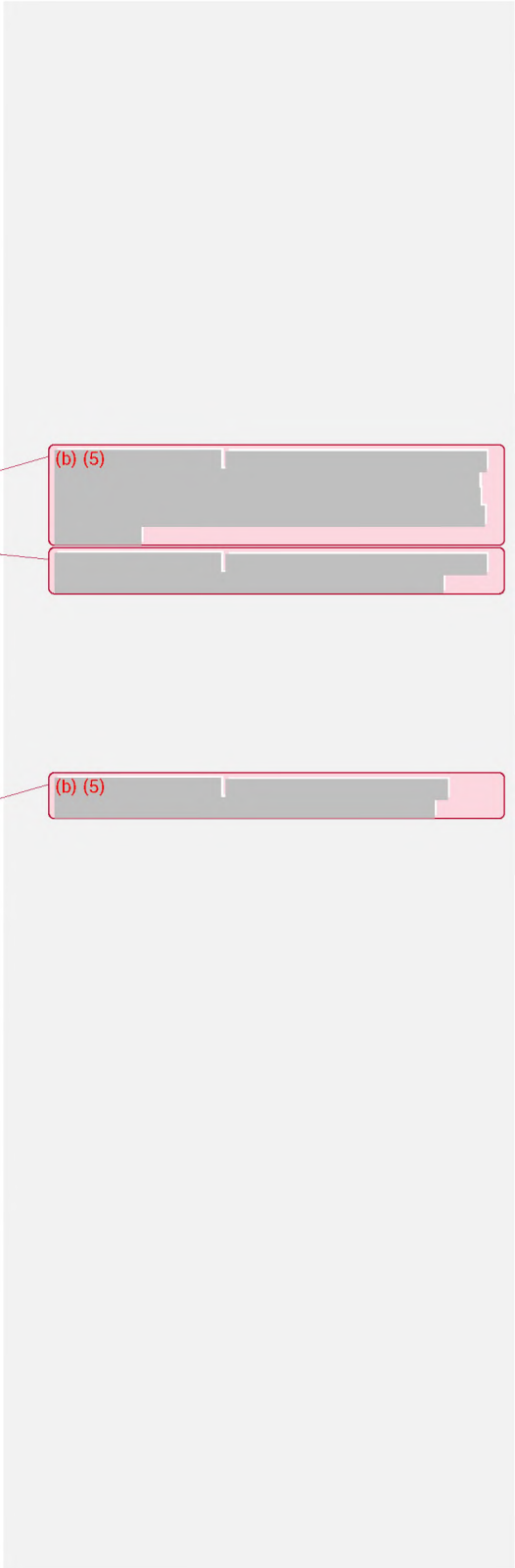
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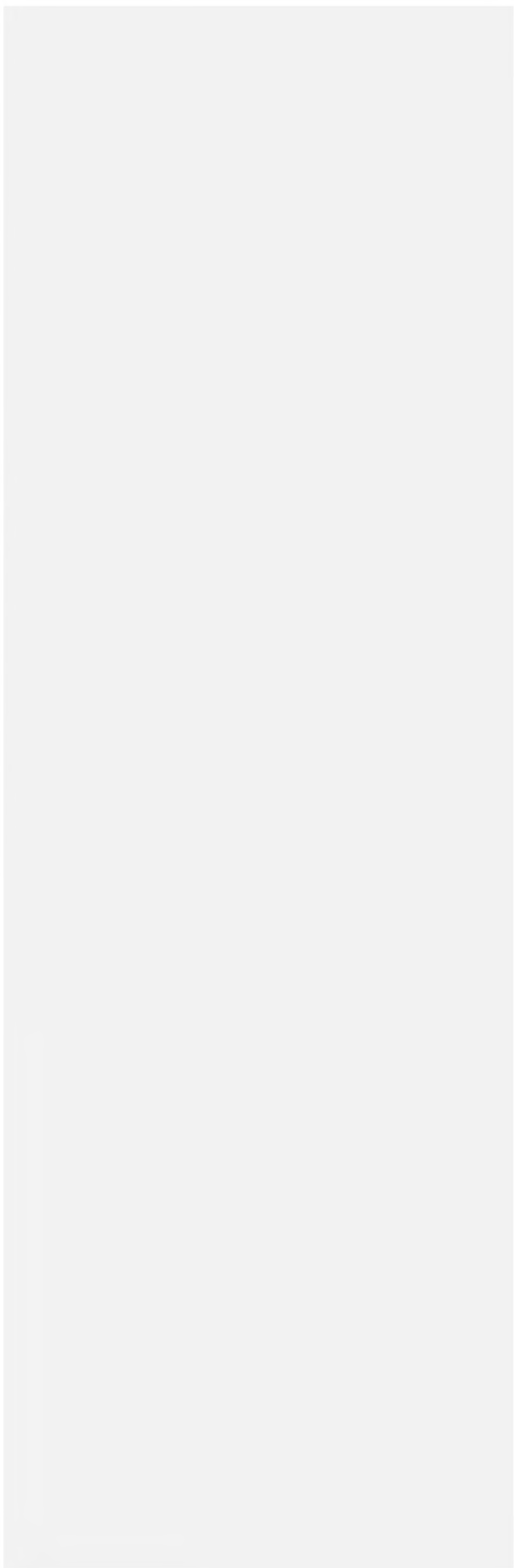
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Targeted Changes for a Revised Bureau of Land Management's Mitigation Policy to follow an Instruction Memorandum.

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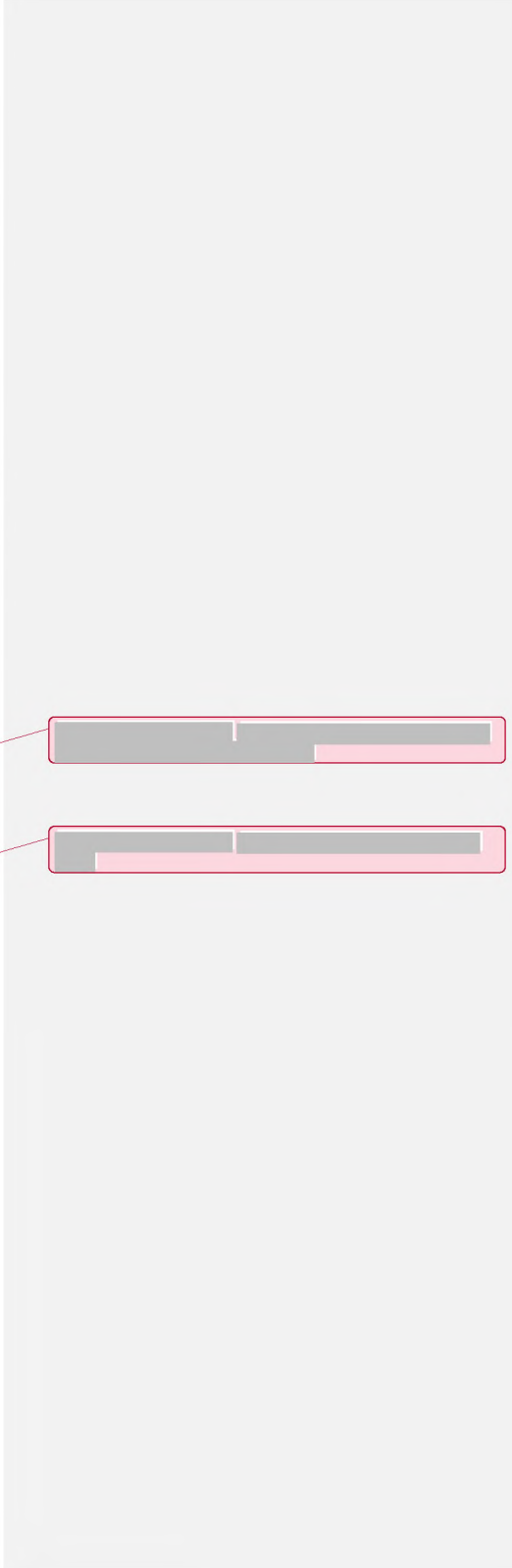
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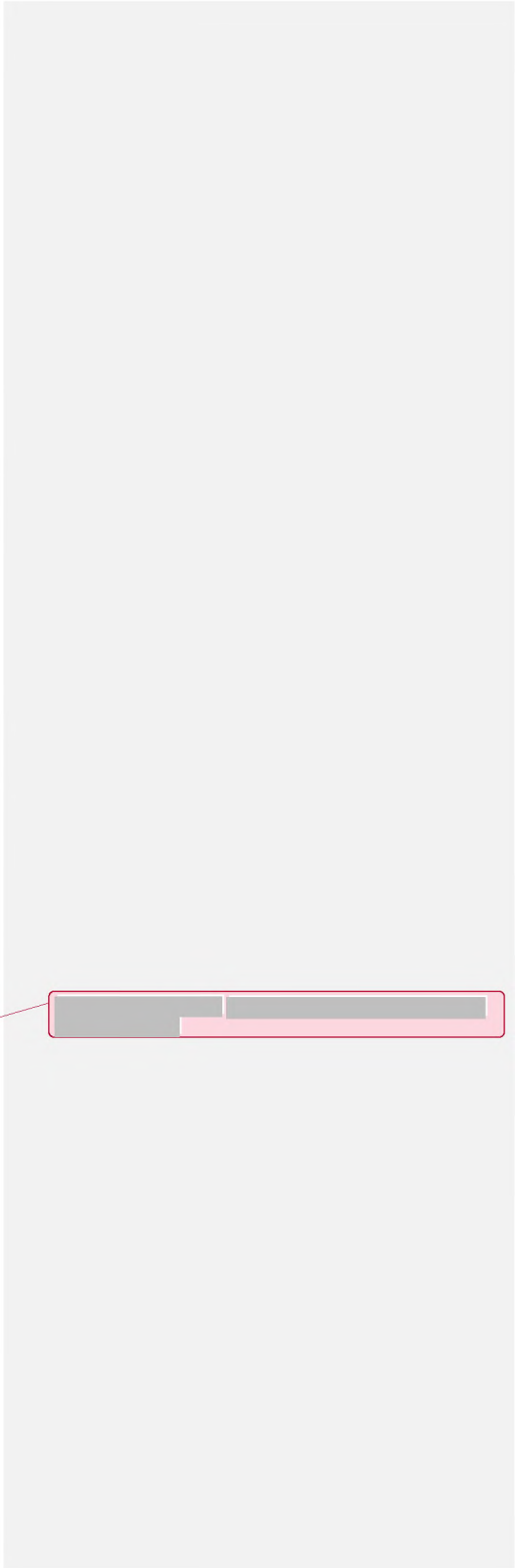
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UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

MANUAL TRANSMITTAL SHEET

Release
1-1779

Date
10/27/2016

Subject

MS-1203 Delegation of Authority (Internal)

1. Explanation of Materials Transmitted: This Manual Section updates, in its entirety, delegations of authority and related procedures to the appropriate levels within the Bureau of Land Management. It provides updated information on Bureau policy for delegations of authority, criteria for determining appropriate level of delegations of authority, procedures for re delegating and revoking authorities, and an index of all Bureau authorities through the District Office level.
2. Reports Required: None.
3. Materials Superseded: None.
4. Filing Instructions: File as directed below.

REMOVE

All of 1203 (Rel. 1-1717)

INSERT

1203 (Total 68 Sheets)

A handwritten signature in cursive script, appearing to read "Janine Velasco".

Janine Velasco
Assistant Director
Business, Fiscal and Information
Resources Management

1203 DELEGATION OF AUTHORITY (Internal)

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CHAPTER 1. PURPOSE: This manual section provides:

- A. BLM Policy for Delegation of Authority.
- B. Criteria for Determining Appropriate Level of Delegations of Authority.
- C. Procedures for Re-delegating Authorities.
- D. Procedures for Revoking Authorities.
- E. Procedures for Designating Acting Officials.
- F. An Index of all BLM Authorities through the Washington Office Division Chief and State District Manager levels.

1.2 Objectives. The objective of this manual section is to provide a single, authoritative source of the organizational location of authority for use by all BLM officials. This provides for implementation of clear, manageable, and efficient procedures for re-delegating authorities, facilitates management control over delegations of authority, and assures that authority is delegated to the lowest practical level. This Manual Section is not intended to serve as a substitute for the other BLM Manual Sections but can be used to supplement, if necessary, other Manual Sections and the Code of Federal Regulations. While this Manual Section is intended to serve as an authoritative source for delegations in the BLM, the absence of authorities in it does not preclude the exercise of those authorities provided they have appropriate legal basis. In the absence of other specific delegations in the form of BLM Manuals, regulations, Federal Register publications or written delegations, this Manual Section and attached Index shall constitute formal delegation of the listed authorities.

1.3 Authority. Departmental Manual Parts 135, 200, 205, 235, 303, and 757.

1.4 Responsibility.

A. The Director and Deputy Directors are responsible for assuring that authorities delegated to them are re-delegated to the most appropriate organizational level.

B. Assistant Directors and Washington Office Division Chiefs are responsible for assuring that material concerning authorities in their respective areas of jurisdiction is accurate. This includes responding to District/Field office suggestions for amendments to material in this Manual Section.

C. The Division Chief, Division of Evaluations and Management Services is responsible for reviewing all delegations of authority changes from the BLM Director, Deputy Director(s), Assistant Directors¹, State Directors and the National Operations Center Director. The Chief, Division of Evaluations and Management

¹ Throughout this MS and its Appendix, the term 'Assistant Directors' includes both the Fire and Aviation Directorate and the Office of Law Enforcement and Security.

1203 DELEGATION OF AUTHORITY (Internal)

1-2

Services is responsible for recommending to Bureau officials appropriate adjustments to existing delegations.

D. The Division Chief, Division of Regulatory Affairs is responsible for developing and overseeing procedures for publication of redelegations of authority in the Federal Register when publication is necessary.

E. All BLM Management Officials are responsible for:

1. Assuring that authorities delegated to them are exercised within legally stated limits.

2. Recommending to the Director appropriate levels for specific authorities resulting in more efficient management and improved service to the public.

3. Re-delegating authorities to the appropriate level of the organization with full documentation in the appropriate BLM Manual Sections and Manual Supplements and, if necessary, providing a notice in the Federal Register (see Chapters 2 and 3).

1.5 References

A. Part 200 of the Departmental Manual (200 DM) is the official statement of the Departmental delegation of authority policy. It states general policy, notes several authorities specifically withheld by the Secretary or Assistant Secretaries, and provides background information on required delegation policies and procedures.

B. Part 205 of the Departmental Manual (305 DM) contains information regarding general delegations.

C. Part 235 of the Departmental Manual (235 DM) is the official statement of delegations from the Secretary or Assistant Secretaries to the Director, Bureau of Land Management. This reference also notes relevant specific authorities reserved at the Departmental level.

D. Part 290 of the Departmental Manual (290 DM) provides guidance and responsibilities for the establishment and recording of emergency succession to key management positions.

E. Part 295 of the Departmental Manual (295 DM) provides for delegations of authority for disaster assistance activities.

F. Part 296 of the Departmental Manual (296 DM) is divided into two chapters:

1. Chapter 1 provides for delegation of authority with respect to reciprocal agreements with fire organizations for the rendering of emergency assistance in extinguishing fires and preserving life and property from fire.

2. Chapter II provides for delegations of authority for response to discharges of oil and releases of hazardous substances.

G. Part 303 of the Departmental Manual Chapter 7 (303 DM 7) provides guidance and instructions for the gathering and application of boundary evidence with respect to Indian trust assets.

H. Part 757 of the Departmental Manual (757 DM) provides guidance and responsibilities for administration of surveying activities and its assigned responsibilities for coordinating Federal Surveying activities.

I. Other Agency Manuals. Numerous delegations to heads of agencies. These include the Office of Personnel Management (Federal Personnel Manual), General Services Administration (Federal Acquisition Regulations), Department of Treasury, and Government Accountability Office directives.

J. Code of Federal Regulations. Implementations of procedural requirement for Federal laws are published in the Federal Register and the Code of Federal Regulations. These include formal delegations of authority required to administer laws.

1.6 Policy. It is the policy of the BLM that all authorities be delegated to the lowest organizational levels possible, consistent with efficient program management.

1.7 File and Records Maintenance. Organizational change files are considered permanent archival records. The maintenance of these files is critical to facilitating future research, establishing a record of agency structural changes, and providing information to requesters under a variety of statutes. See the DRS/GRS/BLM Combined Records Schedules, Schedule 16, item 18, for disposition instructions.

CHAPTER 2. PROVISIONS FOR DELEGATIONS OR REDELEGATIONS.

2.1 Authority to Delegate or Re-delegate.

A. Derivation of Authority. Most BLM authorities are derived from the Secretary, through the Assistant Secretary, to the Director. All BLM authorities, for purposes of redelegation within the BLM, are generally derived from the Director.

1. For the purposes of BLM Manual Section 1203, all authorities held by a particular line manager position are also held by **positions organizationally titled “Associate” attached to that particular position** (for example, Associate State Directors share all authorities held by State Directors).

2. In most cases, authorities held by the Director may be exercised by Washington Office Assistant Director(s), who are line officials, within their areas of functional jurisdiction. Exceptions to this general rule are individually noted in the Index of this Manual Section.

B. Positions Holding Authority. Any official to whom authority is delegated in BLM Manual Section 1203, or to whom authority has been delegated by other appropriate means, may, in writing, re-delegate or authorize redelegation of such authority, unless redelegation of authority is specifically prohibited or is limited.

1. An official who delegates an authority does not divest himself/herself of the power to exercise that authority.

2. Delegation of an authority does not preclude that management official from later revoking that authority from the lower level. The delegation or redelegation may be revoked at any time upon proper notice (see Chapter 3).

3. Delegation of an authority does not relieve that individual of the responsibility for action taken pursuant to the delegation.

4. An official or employee to whom an authority is delegated must exercise this authority in conformance with any overriding requirements that govern its use—as the person making the delegation

would be called upon to observe. Such overriding requirements and restrictions are found in the Departmental Manual, Council on Environmental Quality Regulations, Code of Federal Regulations, and/or Executive Orders.

5. Delegated authority must be exercised in accordance with relevant policies, standards, programs, organization and budgetary limitations, and administrative instructions prescribed by officials of the Department and the BLM.

6. Any delegation to a position may in turn be re-delegated unless redelegation is prohibited.

7. All delegations and redelegations must conform to the provisions of this BLM Manual Section.

2.2 Level of Redelegation.

A. General Rule for Level of Redelegation. It is the policy of the BLM that all authorities are delegated to the lowest organizational level possible, consistent with efficient program management.

B. Criteria for Determining Level of Authority. To determine which level in the BLM constitutes the “lowest organizational level possible”, the following criteria are used:

1. The position to which redelegation is being considered has access to, on a regular basis, the knowledge and skills necessary to judiciously exercise the authority.
2. There are no legal restrictions or reservations of authority precluding the redelegation.
3. There are, or will be provided, adequate guidelines accompanying the redelegation.
4. There is, or will be provided, adequate staff and funding at the level of redelegation to carry out the responsibilities inherent in the redelegation.
5. The organizational structure and geographic location of the position receiving the authority is such that the incumbent will be able to exercise that

authority effectively.

6. There is, or will be provided, access to all necessary data/information/records needed to carry out the delegated authorities.

2.3 Publication of Delegations or Redelegations.

A. Departmental Requirements. Departmental Manual Part 200 DM 1.10 states that any redelegation of the Secretary's authority will follow the policy that if the redelegation "has a direct impact on some sector of the public, it will be published in the Federal Register." The sub-chapter further states that officials should use "judgement" in determining the point at which the redelegation directly affects the public and therefore should be published in the Federal Register.

1. Redelegations of authority of a purely internal nature (contracts, personnel, some Cadastral Survey matters, etc.) do not require publication.

2. The purpose of publishing delegations of authority in the Federal Register is to officially notify the public of the organizational location where the BLM will act on specific matters. Therefore, it is not necessary to publish a redelegation of authority if the authority will in turn be re-delegated to a lower organizational level. Only the last delegation needs to be published.

3. Most BLM authorities do not need to be published in the Federal Register. It is emphasized that only instances of direct impact on the public require publication.

B. Publishing Method. To save paperwork and time in the State Offices, plenary delegations of authority to State Directors that will in turn be re-delegated to all District/Field office personnel will be published in one announcement in the Federal Register rather than having each State Office publish an announcement. This one announcement delegating authority directly to District/Field office personnel must be published under the Director's (or appropriate Assistant Director's) signature.

CHAPTER 3. DELEGATING, REDELEGATING, OR REVOKING AUTHORITY.

3.1 Notification of Position Receiving Authority. Delegations of authority must, in all instances, be made by written notice to the position receiving the authority. This written notice must be made on Form 1203-2, Delegation of Authority, or a similar form used as part of a

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<https://blmspace.blm.doi.net/oc/intra/dbs/eForms%20Library/Forms/1200-1299.aspx>, such as an Information Bulletin or Instruction Memorandum. The written notice must be signed by the official delegating the authority and sent to the position receiving the authority.

3.2 Documentation. Written documentation of a delegation of authority must be in the form of an amendment to Appendix of this Manual Section, or to the Index of a State Supplement to this Manual Section.

A. Amendments to the BLM Manual.

1. Washington Office organizational units (Offices, Divisions and Staffs) are responsible for assuring that delegations of authority that fall within their areas of functional responsibility are accurate, current, clear and complete.

2. Suggested amendments, issues, questions or comments to the delegations of authority cited in Appendix (including identification of apparent inconsistencies between this Manual and other documents) are to be directed to Chief, Division of Evaluations and Management Services (WO 830).

B. Revisions to Position Description. Amendments to the BLM Manual Section 1203 that delegate authorities may often require revisions in the Employee Performance Appraisal Plan (EPAP) (Form 1400-90), as well as position description of the position or positions receiving the authority. Authorities must not be delegated without review and if necessary (in instances of major changes in authority), **revision of the EPAP's and position descriptions.**

3.3 Revoking Authorities. Revocation of a delegated authority follows a similar process as delegation of an authority, described in chapters 2 and 3.

3.4 Designating Acting Officials.

A. Rotating Schedules.

1. Only one individual may be designated as acting for a specified period of time. *Exception. If a designated acting official is telecommuting and his/her physical presence is required to sign a document or attend an emergency meeting, then the next person in line of designees can assume that role.

2. Form 1203-1 or its electronic equivalent, Delegation and Certification of Acting Authority, should be used to record standard acting rotation schedules within office and to officially record the specific periods individuals serve in an acting capacity. Designation of acting individuals in unique situations, or not in accord with established schedules, should be made in writing to the supervisor or the acting position.

B. Unique Situations. Individuals serving in an acting capacity assume all the authorities of that position unless authorities are withheld. Individuals serving in an acting capacity assume all the authorities of that position unless authorities are withheld. If an authority is withheld a designated acting for that authority will be assigned to ensure continuity of operations. Individuals serving in that capacity must use judgment in exercising these authorities. This includes considering the relative importance of an issue, whether the issue could or should be deferred, and the known preference of the individual for whom that person is acting.

CHAPTER 4. REDELEGATIONS OF AUTHORITY TO STATE DIRECTORS.

The BLM State Directors are authorized to perform in their respective States – and in accordance with existing policies, regulations and procedures of the Department and the BLM – the functions of the Director, BLM, as listed in the Delegations of Authority Index (see Appendix), unless specifically limited.

4.1 Jurisdictional Authority. The State Directors have jurisdiction of BLM programs in the various States as listed below:

BLM State Director	Jurisdiction
State Director, Alaska	Alaska
State Director, Arizona	Arizona
State Director, California	California, Hawaii*
State Director, Colorado	Colorado
State Director, Eastern States	All States east of and contiguous to the Mississippi River
State Director, Idaho	Idaho
State Director, Montana	Montana, North Dakota, South Dakota
State Director, Nevada	Nevada
State Director, New Mexico	New Mexico, Kansas, Oklahoma, Texas
State Director, Oregon	Oregon, Washington
State Director, Utah	Utah
State Director, Wyoming	Wyoming, Nebraska

*For matters of Cadastral Survey executed for the National Park Service or other Federal interest lands within the State of Hawaii.

4.2 Cooperation among State Directors. Where State Office boundaries include land in two or more States and a memorandum of understanding has been signed by the State Directors involved, delegations of authority from the responsible State Director are enforced on all lands within the agreed area of jurisdiction.

4.3 State Supplemental Manuals. States are not required to have a supplemental manual but may create one that is consistent with the 1203 Appendix and also identifies areas relevant only to that particular state. In such instances, the supplemental manual is required to be provided to the Washington Office, Division of Evaluations and Management Services for publication on an internal BLM site.

CHAPTER 5. CURRENT DELEGATIONS OF AUTHORITY AFFECTING THE BLM.

Appendix provides an Index to current delegations of authority concerning BLM programs and operations. Except where qualified, limited, restricted, or withheld, all of the authorities of the Director, BLM, to exercise the program authority of the Secretary of the Interior are hereby delegated to the individual BLM official(s) specified in Appendix. For purposes of this Manual Section, the term BLM, as used in Departmental or BLM regulations, Manual Sections, or other instructional directives, includes the individual BLM official(s) designated in Appendix. Redlegation of the authority delegated to the individual BLM official(s) specified in Appendix may be made by Authorized Officers under the provisions described in 1.4.