

United States Department of Agriculture
Forest Service
San Juan National Forest
Durango, CO 81301

United States Department of the Interior
Bureau of Land Management
Tres Rios Field Office
Dolores, CO 81323

In Reply Refer To:
BLM: 1610 (CO-933)
USFS: 1920

Dear Reader:

Enclosed is the Final San Juan National Forest and Proposed Tres Rios Field Office Land and Resource Management Plan (together referred to as the LRMP) and Final Environmental Impact Statement (FEIS). The Bureau of Land Management (BLM) and U.S. Forest Service (USFS) have prepared the LRMP and FEIS jointly and in consultation with cooperating agencies, taking into account public comments received during this planning effort. The LRMP provides a framework for the future management direction and appropriate use of lands administered by the Tres Rios Field Office and San Juan National Forest, located in Archuleta, Conejos, Dolores, Hinsdale, La Plata, Mineral, Montezuma, Montrose, Rio Grande, San Juan, and San Miguel counties, Colorado. The document contains land use planning decisions to guide the BLM's management of lands within the Tres Rios Field Office and USFS's management of the San Juan National Forest.

This LRMP and FEIS have been developed in accordance with the National Environmental Policy Act of 1969, as amended; the Federal Land Policy and Management Act of 1976, as amended; and the National Forest Management Act of 1976, as amended. For the BLM, the LRMP is largely based on Alternative B, the Preferred Alternative in the Draft LRMP and Environmental Impact Statement (EIS), which was released on December 14, 2007, and further analyzed through a Supplement to the Draft EIS that was released on August 26, 2011. The LRMP and FEIS contain the BLM's proposed plan. For the USFS, the LRMP is largely based on Alternative B, the Preferred Alternative in the Draft LRMP/EIS, and further analyzed through the Supplement to the Draft EIS. The LRMP and FEIS contain the USFS's selected alternative (also referred to as the Final LRMP). The LRMP/FEIS contains a summary of changes made between the Draft LRMP/EIS and the enclosed LRMP/FEIS, impacts of the LRMP, a summary of the written and verbal comments received during the public review periods, and responses to the comments.

Administrative Review Process

Both the BLM and the USFS have an administrative review process. For those with eligibility to participate in the agency-specific administrative review process, each process is described below. When filing a BLM protest or USFS appeal, please be sure to address agency-specific issues with the relevant agency (e.g., issues only relating to the USFS or the San Juan National Forest will not be addressed through a BLM protest response—the same goes for BLM-specific issues received through an appeal to the USFS). Refer to the contact information at the end of this letter if you have questions about filing properly.

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Bureau of Land Management Protest Process

Pursuant to the BLM's planning regulations at 43 CFR 1610.5-2, any person who participated in the planning process for this LRMP and has an interest that is or may be adversely affected by the planning decisions may protest approval of the planning decisions within 30 days from date the U.S. Environmental Protection Agency (EPA) publishes the Notice of Availability in the *Federal Register*. For further information on filing a protest, please see the accompanying protest regulations in the pages that follow (labeled as Attachment # 1). The regulations specify the required elements of your protest. Take care to document all relevant facts. As much as possible, reference or cite the planning documents or available planning records (e.g., meeting minutes or summaries, correspondence, etc.).

Emailed protests will not be accepted as valid protests unless the protesting party also provides the original letter by either regular or overnight mail postmarked by the close of the protest period. Under these conditions, the BLM will consider the emailed protest as an advance copy and will afford it full consideration. If you wish to provide the BLM with such advance notification, please direct emailed protests to Brenda_Hudgens-Williams@blm.gov.

All protests, including the follow-up letter to emails must be in writing and mailed to one of the following addresses:

Regular Mail:

Director (210)
Attn: Brenda Hudgens-Williams
P.O. Box 71383
Washington, D.C. 20024-1383

Overnight Mail:

Director (210)
Attn: Brenda Hudgens-Williams
20 M Street SE, Room 2134LM
Washington, D.C. 20003

Before including your address, phone number, email address, or other personal identifying information in your protest, be advised that your entire protest—including your personal identifying information—may be made publicly available at any time. While you can ask us in your protest to withhold from public review your personal identifying information, we cannot guarantee that we will be able to do so.

The BLM Director will make every attempt to promptly render a decision on each protest. The decision will be in writing and will be sent to the protesting party by certified mail, return receipt requested. The decision of the BLM Director shall be the final decision of the U.S. Department of the Interior on each protest. Responses to protest issues will be compiled and formalized in a Director's Protest Resolution Report made available following issuance of the decisions.

Upon resolution of all land use plan protests, the BLM will issue an approved LRMP and Record of Decision (ROD). The approved LRMP and ROD will be mailed or made available electronically to all who participated in the planning process and will be available to all parties on the BLM website <http://www.blm.gov/planning>.

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Unlike land use planning decisions, implementation decisions included in this LRMP/FEIS are not subject to protest under the BLM planning regulations, but are subject to an administrative review process, through appeals to the Office of Hearings and Appeals, Interior Board of Land Appeals pursuant to 43 CFR, Part 4 Subpart E. Implementation decisions generally constitute the BLM's final approval allowing on-the-ground actions to proceed. Where implementation decisions are made as part of the land use planning process, they are still subject to the appeals process or other administrative review as prescribed by specific resource program regulations once the BLM resolves the protests to land use planning decisions and issues an approved LRMP and ROD. The approved LRMP and ROD will therefore identify the implementation decisions made in the LRMP that may be appealed to the Office of Hearing and Appeals.

U.S. Forest Service Appeal Process

There are two USFS decisions being made: 1) a decision on a Final LRMP and 2) a final decision on oil and gas leasing availability. Each decision has a separate appeal process.

Final LRMP Decision: The LRMP decision is in accordance with the transition provisions of the current USFS planning regulations (36 CFR 219.17(b)(3)) that permit use of a previous 1982 version for the purpose of revising the LRMP. Under the transition provisions, the LRMP decision is subject to appeal under the "optional appeal procedures" (the former 36 CFR 217 appeal procedures that were in effect prior to November 9, 2000) available for review at:

<http://www.fs.fed.us/emc/applit/includes/PlanAppealProceduresDuringTransition.pdf>

Appeals may be submitted electronically or mailed to the Chief of the Forest Service. Appeals should be emailed or postmarked within 90 days after the date the legal notice of this decision is published in the newspaper of record, *The Denver Post*. The appeal must clearly state that it is a Notice of Appeal of the San Juan National Forest LRMP decision pursuant to the Optional Appeal Procedures. Appeals must meet the content requirements of Section 9 of the Optional Appeal Procedures.

Appeals may be mailed electronically in a common digital format to:

appeals-chief@fs.fed.us. A written notice of appeal must be filed in duplicate with the Chief of the Forest Service at:

USDA Forest Service
Attn: Judicial and Administrative Reviews
EMC, RPC-6
1601 N. Kent St.
Arlington, VA 22209

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Requests to stay the approval of this revised San Juan National Forest LRMP will not be granted (Section 10 of the Optional Appeal Procedures). For additional information concerning this decision or the USFS appeal process contact: Forest Supervisor, San Juan National Forest, 15 Burnett Court, Durango, CO 81301 or phone (970) 385-1290.

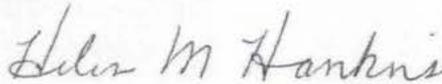
Final Oil and Gas Leasing Availability Decision: The separate USFS oil and gas leasing availability decision is being made pursuant to 36 CFR 215. Appeals must meet the content requirements of 36 CFR 215.14. Only individuals or organizations who submitted comments or otherwise expressed interest in the project during the comment period may appeal. Appeals must be postmarked or received by the Appeal Deciding Officer within 45 days of the publication of the notice in *The Durango Herald*. This date is the exclusive means for calculating the time to file an appeal. Timeframe information from other sources should not be relied on. Incorporation of documents by reference is not allowed. The Appeal Deciding Officer is the Regional Forester. Appeals must be sent to: Appeal Deciding Officer, Rocky Mountain Region USFS, 740 Simms St., Golden, CO 80401; by fax to 303-275-5134; or by email to appeals-rocky-mountain-regional-office@fs.fed.us. Emailed appeals must be submitted in rich text (.rtf), MS Word (.doc), or portable document format (.pdf) and must include the project name in the subject line. Appeals may also be hand delivered to the above address during regular business hours of 8:00 a.m. to 4:30 p.m. Monday through Friday.

If you have any questions, please contact Mark Lambert, Planning Staff Officer, at 15 Burnett Court, Durango, CO 81301 or by phone at (970) 385-1240.

Sincerely,



DANIEL J. JIRON
Regional Forester, Rocky Mountain Region
U.S. Forest Service



HELEN M. HANKINS
Colorado State Director,
Bureau of Land Management

Enclosure

Protest Regulations

[CITE: 43CFR1610.5-2]

TITLE 43--PUBLIC LANDS: INTERIOR
CHAPTER II--BUREAU OF LAND MANAGEMENT, DEPARTMENT OF THE INTERIOR
PART 1600--PLANNING, PROGRAMMING, BUDGETING--Table of Contents
Subpart 1610--Resource Management Planning
Sec. 1610.5-2 Protest procedures.

- (a) Any person who participated in the planning process and has an interest which is or may be adversely affected by the approval or amendment of a resource management plan may protest such approval or amendment. A protest may raise only those issues which were submitted for the record during the planning process.
- (1) The protest shall be in writing and shall be filed with the Director. The protest shall be filed within 30 days of the date the Environmental Protection Agency published the notice of receipt of the final environmental impact statement containing the plan or amendment in the Federal Register. For an amendment not requiring the preparation of an environmental impact statement, the protest shall be filed within 30 days of the publication of the notice of its effective date.
- (2) The protest shall contain:
- (i) The name, mailing address, telephone number and interest of the person filing the protest;
 - (ii) A statement of the issue or issues being protested;
 - (iii) A statement of the part or parts of the plan or amendment being protested;
 - (iv) A copy of all documents addressing the issue or issues that were submitted during the planning process by the protesting party or an indication of the date the issue or issues were discussed for the record; and
 - (v) A concise statement explaining why the State Director's decision is believed to be wrong.
- (3) The Director shall promptly render a decision on the protest.
- (b) The decision shall be in writing and shall set forth the reasons for the decision. The decision shall be sent to the protesting party by certified mail, return receipt requested. The decision of the Director shall be the final decision of the Department of the Interior.