



# DOMINGUEZ-ESCALANTE NATIONAL CONSERVATION AREA PROPOSED RESOURCE MANAGEMENT PLAN & FINAL ENVIRONMENTAL IMPACT STATEMENT



## ❖ PROTEST AND APPEALS PROCESS ❖

### What is a protest?

A protest is a filing to the BLM Director requesting a review to determine if the State Director followed established procedure, considered relevant information in reaching proposed decisions, and whether the proposed decisions are consistent with BLM policy, regulation and statute.

### Who can protest?

Any person who participated in the planning process for the Proposed RMP has status to protest. Participation is defined by BLM as:

- a. Individuals or groups that provided written comments during scoping or during the Draft RMP
- b. Individuals or groups that attended RMP Open House meetings
- c. Individuals or groups that provided oral comments at hearings, meeting, or by phone call

### When can I protest?

The public has 30 days from the date the Environmental Protection Agency publishes the Notice of Availability in the *Federal Register*. This date cannot be extended.

### What can I protest?

- a. Issues brought forth in the protest must have been raised during earlier phases in the planning process
- b. The issues raised during protest must be relevant to the planning process

Planning decisions establish goals and objectives for resources and resource uses, and the allowable uses and management actions needed to achieve those goals and objectives. Implementation decisions are different than planning decisions. **Implementation decisions such as individual route designations are appealable and can't be protested**

### What is an appeal?

An appeal is a filing of a request for the Interior Board of Land Appeals to reverse an implementation decision.

### Who can file an appeal, and when?

Any party adversely affected by an implementation decision may appeal within 30 days after the Record of Decision (ROD) is signed. Ref: 43 CFR Part 4 Subpart E, or in accordance with the program specific regulations.

### **How do I file a Protest?**

For the Dominguez-Escalante NCA Proposed RMP, protests must be postmarked by July 31, 2016, and submitted in writing along with the following information:

- a. The name, mailing address, telephone number and interest of the person filing the protest
- b. A statement of the issue or issues being protested
- c. A statement of the part or parts of the plan or amendment being protested
- d. 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
- e. A concise statement explaining why the State Director's decision is believed to be wrong

All protests must be in writing and mailed to one of the following addresses:

Regular Mail:  
Director (210)  
Attn: Protest Coordinator  
P.O. Box 71383  
Washington, DC 20024-1383

Overnight Mail:  
Director (210)  
Attn: Protest Coordinator  
20M Street SE, Room 2134LM  
Washington, DC 20003

### **What does BLM do with my Protest?**

The BLM will analyze valid protest issues raised by the protesting parties and compile them into a Director's Protest Resolution Report. Through the protest process the BLM Director will determine whether a protested planning decision should be revised in full, revised in part, or if it should remain unchanged. Proposed planning decisions that require revisions will be returned to the BLM Colorado State Director for corrections. The BLM Colorado State Office will work closely with the Dominguez-Escalante NCA to complete any necessary revisions.

For additional information on the protest resolution process, regulations, and instructions for filing a valid protest visit:

[http://www.blm.gov/wo/st/en/prog/planning/planning\\_overview/protest\\_resolution.html](http://www.blm.gov/wo/st/en/prog/planning/planning_overview/protest_resolution.html)