



***Bureau of Land Management
Director's Summary Protest Resolution
Report***

**Schena Direct Land Sale Proposed
Resource Management Plan
Amendment and Environmental
Assessment (PRMPA/EA)**

September 26, 2022

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Acronyms and Abbreviations

Term	Definition
BLM	Bureau of Land Management
CFR	Code of Federal Regulations
EA	Environmental Assessment
PRMPA	Proposed Resource Management Plan Amendment

Introduction

The Bureau of Land Management (BLM) Ely District Office released the Schena Direct Land Sale Proposed Resource Management Plan Amendment (PRMPA) and Environmental Assessment (EA) for public protest on August 12, 2022. The BLM received one protest letter during the 30-day protest period.

The planning regulations at 43 Code of Federal Regulations (CFR) 1610.5-2 outline the requirements for filing a valid protest. The regulatory authority of the Director to resolve protests (43 CFR §§ 1610.5-2(a)(3); 1610.5-2(b)) has been delegated to, among other officials, the Assistant Director for Resources and Planning through BLM Manual MS-1203 Delegation of Authority, which is consistent with applicable case law and longstanding BLM practice.

The BLM evaluated the protest letter to determine if the protest was complete and timely, and if the person held standing to protest. Regulations concerning land use plan protests require the protest party to have “standing” which means that the protest party has participated in the process and previously raised an issue (43 CFR 1610.5-2(a)). The protest party submitted the protest anonymously, therefore the BLM was unable to verify that the protester held standing to protest. The decision for the protest, regarding its validity and its approval or denial, is recorded in writing along with the reasons for the decision in the table below. Because the protester did not have standing, the protest letter was dismissed, as shown in the *Protesting Party Index*, below.

Review of the report by the BLM’s Assistant Director for Resources and Planning concluded that the BLM Nevada State Director followed the applicable laws, regulations, and policies and considered all relevant resource information and public input. The Assistant Director addressed the protest and issued a Protest Resolution Report. The Protest Resolution Report is posted on the BLM Director’s Protest Resolution website; no changes to the Proposed RMPA were necessary. Because the protest party did not provide contact information in their submittal, the protest decision could not be sent. Resolution of protests is delegated to the BLM Assistant Director for Resources and Planning whose decision on the protest is the final decision of the U.S. Department of the Interior (43 CFR 1610.5-2(b)) consistent with the BLM Delegation of Authority Manual (MS-1203 Delegation of Authority).

Protesting Party Index

Submission No.	Protester	Organization	Determination
PP-NV-SDLS-EA-22-001	Anonymous	N/A	Dismissed – No Standing