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This handbook provides specific guidance for all future actions to prepare, amend, revise, maintain, implement, monitor, and evaluate BLM land use plans. This guidance is not retroactive to plans or portions of plans for planning stages already completed at the time of issuance. This handbook provides further guidance related to the objectives, authorities, responsibilities, and policy considerations outlined in Manual Section 1601, Land Use Planning.

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Assistant Director
Resources and Planning



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Bureau of Land Management

BLM Land Use Planning

Handbook H-1601-1



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TABLE OF CONTENTS

TABLE OF CONTENTS	i
Handbook User’s Guide	vi
Chapter 1 – Planning Basics	1
General	1
1.1 Purpose of the Land Use Planning Process.....	1
1.2 Difference between Land Use Planning and Implementation Decisions.....	3
1.2.1 <i>Land Use Planning Decisions</i>	3
1.2.2 <i>Implementation Decisions</i>	4
1.3 Planning Focused to Address Problems and Opportunities	4
1.4 The Land Use Planning Cycle	6
1.4.1 <i>Determining Whether a Plan Revision or Amendment is Appropriate</i>	8
1.4.2 <i>The Basic Process for Developing or Revising an RMP</i>	9
1.4.3 <i>Coordinating Simultaneous BLM Planning Processes</i>	12
1.5 Relationship between Planning and NEPA.....	14
1.5.1 <i>Incorporation by Reference and Tiering</i>	15
1.6 Required Recordkeeping for Land Use Planning	16
Chapter 2 – External Engagement	17
General	17
2.1 Public Involvement	18
2.1.1 <i>Opportunities for Public Involvement when Preparing an RMP</i>	19
2.1.2 <i>Public Involvement for Plan Amendments</i>	24
2.1.3 <i>Announcing Opportunities for Public Involvement</i>	24
2.1.3.1 RMP Mailing List	24
2.1.3.2 Federal Register Notices	25
2.1.4 <i>Timeframes for Public Comment and Protest Periods</i>	26
2.1.5 <i>Recordkeeping Related to Public Involvement</i>	26
2.2 Coordination with Other Federal Agencies, Indian Tribes, and State and Local Governments	27
2.3 Cooperating Agency Involvement	29
2.3.1 <i>Inviting Agencies to be Cooperating Agencies</i>	30
2.3.2 <i>Opportunities for Cooperating Agency Involvement</i>	30
2.4 Consultation	31
2.5 Other Special Considerations.....	33
2.5.1 <i>Federal Advisory Committee Act Guidance</i>	33
2.5.2 <i>Resource Advisory Councils</i>	33
2.5.3 <i>Cooperation to Identify Situations Where Action Can be Taken Based on Another Agency’s Plan or a Land Use Analysis</i>	35
Chapter 3 – Land Use Plan Components	36
General	36
3.1 Goals and Objectives	37
3.1.1 <i>Goals</i>	37
3.1.2 <i>Objectives</i>	37

3.1.2.1	Identifying Measurable Objectives	37
3.2	Designations.....	40
3.3	Allocations for Allowable Resource Use.....	42
3.4	Management Direction.....	44
3.4.1	<i>Flexibility vs. Predictability in Management Direction</i>	47
3.4.2	<i>Accounting for Acquired and Discovered Lands</i>	48
3.5	Describing Where Plan Components Apply	48
3.6	Management Areas	50
3.7	Integrating Management	52
Chapter 4 – RMP Evaluations	54
General.....		54
4.1	Timeframe for Conducting RMP Evaluations	55
4.2	Process for Conducting RMP Evaluations.....	55
4.2.1	<i>Participants in RMP Evaluations</i>	57
4.2.2	<i>Options for External Engagement to Inform RMP Evaluations</i>	57
4.3	Determining If Decisions are Still Relevant and Effective.....	58
4.3.1	<i>Evaluating Whether Decisions are Achieving or Progressing Toward Objectives</i>	59
4.3.2	<i>Evaluating Whether New Information Substantially Alters the Scope of Resource Uses</i>	59
4.3.3	<i>Evaluating Whether New Information Results in Effects Outside the Scope of the Assumptions Used for the NEPA Analysis</i>	60
4.4	Documenting the RMP Evaluation’s Findings	61
Chapter 5 – BLM or State Director Planning Guidance	63
General.....		63
5.1	Role of BLM or State Director Planning Guidance.....	64
5.2	Information Provided by BLM or State Director Planning Guidance	64
5.3	Identifying Planning and Decision Areas	65
5.4	Purpose and Need for A Land Use Plan	66
5.4.1	<i>Statements of Purpose and Need for RMP Revisions</i>	67
5.4.2	<i>Statement of Purpose and Need for a New RMP</i>	70
5.4.3	<i>Statement of Purpose and Need for an RMP Amendment</i>	71
Chapter 6 – Planning Criteria and Analysis of the Management Situation	75
General.....		75
6.1	Planning Criteria	75
6.1.1	<i>Identifying Issues and Framing Analysis</i>	76
6.1.2	<i>Outlining the Impacts Analysis Plan</i>	77
6.2	The Analysis of the Management Situation.....	82
6.2.1	<i>Gather Data and Information</i>	83
6.2.1.1	<i>Tailoring Data and Information to the Planning Effort</i>	84
6.2.1.2	<i>Collecting New Data and Information</i>	85
6.2.2	<i>Formulating Reasonable Alternatives</i>	85
6.2.2.1	<i>Action Alternatives</i>	85
6.2.2.2	<i>No Action Alternative in Land Use Planning</i>	87
6.2.2.3	<i>Reference Analysis</i>	88
6.2.2.4	<i>Alternatives Considered but Eliminated from Detailed Analysis</i>	89

6.3 Documenting the Planning Criteria and Analysis of the Management Situation 89

 6.3.1 Introduction 90

 6.3.2 Planning Area and Existing Management 90

 6.3.3 Regulatory Framework 91

 6.3.4 Purpose and Need 92

 6.3.5 Planning Criteria 92

 6.3.6 Planning Area Profile 92

 6.3.6.1 Current Conditions 92

 6.3.6.2 Trends 93

 6.3.6.3 Forecasts 93

 6.3.7 Preliminary Range of Alternatives 94

Chapter 7 – Notice of Intent and Scoping 95

General 95

7.1 Public Review of Planning Criteria 95

7.2 Scoping Notices 96

7.3 Public Review of Scoping Comments 97

 7.3.1 Scoping Report 98

 7.3.1.1 Planning Effort 98

 7.3.1.2 Summary of Public Involvement 98

 7.3.1.3 Summary of Public Comment 98

Chapter 8 – The Draft RMP/EIS 99

General 99

8.1 Dear Reader Letter 99

8.2 Summary 100

8.3 Chapter 1 – Introduction 100

 8.3.1 Planning Area and Decision Area 101

 8.3.2 Purpose and Need 101

 8.3.3 Consistency with Local Land Use Plans 101

8.4 Chapter 2 – Alternatives 102

 8.4.1 Alternatives 102

 8.4.2 Comparison of the Effects of the Alternatives 103

 8.4.3 Preferred Alternative 103

 8.4.4 Environmentally Preferable Alternative 104

 8.4.5 Alternatives Considered but Not Analyzed in Detail 105

8.5 Chapter 3 – Affected Environment 105

8.6 Chapter 4 – Environmental Consequences 105

 8.6.1 Analytical Methods 105

 8.6.2 Effects Analysis 106

8.7 Chapter 5 – Consultation and Coordination 107

8.8 Appendices 108

8.9 Supplementing the Draft RMP/EIS 108

Chapter 9 – Public Comment on the Draft RMP/EIS 109

General 109

9.1 Notice of Availability of the Draft RMP/EIS 109

9.2 Public Comment on a Supplemental Draft RMP/EIS 110

9.3	Agency Review of the Draft RMP/EIS.....	110
Chapter 10 – The Proposed RMP/Final EIS		
General.....		
10.1	Developing the Proposed RMP Alternative.....	111
10.2	The Proposed RMP/Final EIS Document.....	111
10.2.1	<i>Dear Reader Letter</i>	112
10.2.2	<i>Affected Environment and Environmental Consequences</i>	112
10.2.3	<i>RMP Monitoring Strategy</i>	113
10.2.3.1	Identifying Which Management Direction to Monitor.....	114
10.2.3.2	Identifying Monitoring Intervals and Standards.....	115
10.2.3.3	Organization of the RMP Monitoring Strategy.....	116
10.2.5	<i>Responding to Comments</i>	116
10.3	Full Text Final EIS vs Abbreviated Final EIS.....	117
Chapter 11 – Protest and Governor’s Consistency Review of the Proposed RMP		
General.....		
11.1	Providing Notice of the Proposed RMP.....	118
11.2	Land Use Plan Protest.....	119
11.2.1	<i>Director’s Protest Process</i>	119
11.2.2	<i>Initial Evaluation of Protests</i>	120
11.2.3	<i>Analysis of Valid Protests</i>	121
11.2.4	<i>Coordination with Forest Service for the Adoption of BLM’s Protest Process</i>	122
11.3	Governor’s Consistency Review.....	122
11.4	Notice of Significant Change.....	123
Chapter 12 – The Record of Decision and the Approved RMP		
General.....		
12.1	The Record of Decision.....	126
12.1.1	<i>Introductory Material</i>	126
12.1.2	<i>Decision</i>	126
12.1.3	<i>Alternatives</i>	126
12.1.3.1	Changes from the Proposed RMP.....	126
12.1.3.2	Documenting Implementation-Level Decisions for Projects with RMP Amendments.....	127
12.1.4	<i>Rationale for the Decision and Management</i>	127
12.1.5	<i>Application of the Plan to Existing Projects</i>	127
12.1.5.1	Valid Existing Rights.....	128
12.1.6	<i>Public Involvement</i>	129
12.1.7	<i>Signatures of Field Managers and State Directors</i>	129
12.1.7.1	Signatures for Project Decisions.....	129
12.2	Approved RMP.....	129
12.2.1	<i>Planning and Decision Area</i>	129
12.2.2	<i>Plan Components</i>	129
12.2.3	<i>Plan Maintenance, Monitoring, and Evaluation</i>	130
12.2.4	<i>Appendices</i>	130
12.3	Issuing the ROD.....	131
12.4	Required Congressional Notification.....	131

Chapter 13 – After the Decision	133
General.....	133
13.1 Implementation	133
13.1.1 <i>Plan Conformance</i>	133
13.1.1.1 Non-Conforming External Proposals	135
13.1.1.2 Bringing On-Going Management into Conformance with a Revised RMP	135
13.1.2 <i>Plan Maintenance</i>	135
13.1.3 <i>Implementation During a Plan Revision or Amendment</i>	137
13.1.4 <i>Relationship of RMP to Activity Plans</i>	138
13.2 Monitoring	138
13.2.1 <i>Monitoring Documentation</i>	139
Chapter 14 – Amending the RMP	140
General.....	140
14.1 Determining the Scope of an Amendment.....	141
14.1.1 <i>Using Tiering to Narrow the Scope of Analysis for a Plan Amendment</i>	142
14.1.2 <i>Focusing a Plan Amendment’s Analysis</i>	142
14.1.3 <i>Amendments to Consider Approval of Non-Conforming Project Proposals</i>	142
14.2 Planning Steps for RMP Amendments Supported by an EIS	143
14.3 Planning Steps for RMP Amendments Supported by an EA.....	144
14.4 Issuing a Decision to Approve an RMP Amendment.....	150
Glossary	151
Acronyms	159
Appendix A – Adaptive Management	A-1
General.....	A-1
A.1 Different Systems of Resource Management Practices	A-2
A.2 Adaptive Management	A-3
A.2.1 <i>Adaptive Management in an RMP</i>	A-4
A.2.2 <i>Identifying When a Plan Amendment is Necessary for RMP Modifications</i>	A-5
A.2.3 <i>NEPA Analysis of an Adaptive Management Approach</i>	A-6
A.2.4 <i>Constraints for Adaptive Management</i>	A-6

Handbook User's Guide

This handbook provides guidance to Bureau of Land Management (BLM) employees for implementing the BLM's land use planning requirements established by Sections 201 and 202 of the Federal Land Policy and Management Act of 1976, as amended (FLPMA), and the regulations in 43 Code of Federal Regulations (CFR) Part 1600.¹ Any interpretation of the guidance contained in this handbook is subject to the requirements in FLPMA; 43 CFR 1600; the National Environmental Policy Act (NEPA) of 1969, as amended; the Council on Environmental Quality NEPA regulations at 40 CFR 1500; the Department of the Interior NEPA implementation regulations at 43 CFR 46; and other applicable Federal laws and regulations. This handbook is also consistent with the BLM Land Use Planning Manual (MS-1601).

The BLM, either at the Headquarters or state office level, may supplement the guidance in this handbook to reflect current policy through additional guidance and instruction memoranda.

The BLM has revised this handbook to:

- Ensure consistency with statutory changes and Department of the Interior and BLM regulatory and policy changes since 2005;
- Clarify the role of the land use planning process in the BLM's management of the public lands under the principles of multiple use and sustained yield;
- Help staff manage the planning process more effectively, including by engaging partners and the public;
- Emphasize an approach to land use planning that focuses the management alternatives evaluated during the planning process by considering trade-offs in resource management to address problems and pursue opportunities in the planning area;
- Emphasize coordination with state and local governments and Indian tribes during planning and clarify consultation requirements with other Federal agencies and Indian tribes; and
- Provide guidance on monitoring implementation and evaluating the effectiveness of the land use plan.

The BLM wrote this handbook following the [Federal Plain Language Guidelines](#) (2011) and encourages the use of plain language when drafting land use planning documents. This handbook was written to guide you in implementing the BLM's land use planning regulations and policies and to help you communicate with interdisciplinary teams, managers, cooperating agencies, and the public. In this handbook, "we" refers to the BLM the agency as a whole and "you" refers to BLM staff and contractors responsible for or involved in the land use planning process.

We suggest readers of this handbook who may be looking for a high-level understanding of the entire land use planning process and external engagement focus on **Chapter 1, *Planning Basics*** and **Chapter 2, *External Engagement***. **Chapter 1, *Planning Basics*** provides an understanding of the purpose of land use planning and an overview of the overall planning cycle. **Chapter 2,**

¹ BLM-administered lands in the National Petroleum Reserve in Alaska are exempt from the requirements of Section 202 of the FLPMA and, accordingly, are not subject to the guidance of this handbook.

External Engagement provides an overview of our external engagement requirements with Federal agencies, Indian tribes, state and local governments, and the public throughout the planning process and includes guidance for engaging external partners to create efficiency in the NEPA process supporting your planning effort.

Chapter 3, *Land Use Plan Components* describes plan components and provides guidance for you to develop them during your planning effort. Understanding plan components will help you make the best use of the process and steps described in the other chapters.

Chapter 4, *RMP Evaluations* through **Chapter 13, *After the Decision*** present the steps of the land use planning process in an order consistent with planning regulations, policies, and guidance. The order of these chapters reflects best practices for coordinating planning steps with the NEPA process supporting your planning effort. The chapters include recommendations how to develop your NEPA and planning documents efficiently, through appropriate use of incorporation by reference and tiering to inform your decision-making.

Chapter 14, *Amending the RMP* highlights key differences between the amendment process and the process for developing or revising an RMP, including key differences for environmental assessment-level amendments.

Appendix A, *Adaptive Management* defines adaptive management and provides guidance for developing analysis that can support incorporating this approach in the decision for your RMP.

Throughout this handbook, we use the terms of “must,” “recommend,” and “may.” “Must” refers to process or products the BLM is required to complete or produce as identified by law, regulation, departmental guidance, or BLM policy; therefore, as BLM staff, you must complete these processes and produce these products as specified in these laws, regulations, departmental guidance, or BLM policy.² Policy requirements include land use planning policy previously established through instruction memorandum and now included in this handbook, which is now the permanent policy documentation. “Recommend” refers to guidance provided by this handbook that you must follow unless you have a good rationale for not doing so. Where you are free to decide how to follow the guidance described, this handbook uses the term “may.” Direction provided in this handbook that does not use one of those terms (e.g., “be sure to” or “it is important”) merely reflects best practices and is not a policy statement.

In addition to section 202 of FLPMA and the regulations implementing that section at 43 CFR 1600, some requirements related to land use planning can be found in other sections of FLPMA, and other statutes and regulations. Further, policies and guidance for some BLM programs also identify requirements and considerations during land use planning. The BLM compiled a BLM Land Use Planning Program-Specific Requirements and Guidance Desk Guide to assist finding this information for these programs. Contact the BLM Headquarters Division of Decision Support, Planning, and NEPA for the location of the latest version of the Desk Guide.

² All guidance in this handbook is based on law, regulation, and policy at the time of publication. Updated laws, regulations, or policies may change specific requirements reflected in this document. Be sure to check the current laws, regulations, and policies early in the process and prior to filing a notice of intent, as well as throughout the planning process. The Office of the Solicitor is available to assist with this review.

Chapter 1 – Planning Basics

General

- 1.1 Purpose of the Land Use Planning Process
- 1.2 Difference between Land Use Planning and Implementation Decisions
- 1.3 Planning Focused to Address Problems and Opportunities
- 1.4 The Land Use Planning Cycle
- 1.5 Relationship between Planning and NEPA
- 1.6 Required Recordkeeping for Land Use Planning

General

The Federal Land Policy and Management Act of 1976, as amended (FLPMA), requires the Bureau of Land Management (BLM) to develop, maintain, and revise land use plans, which provide frameworks for the BLM's management of the public lands. Land use plans provide for the use of public lands and inform the BLM's on-the-ground actions and include both resource management plans (RMP) and management framework plans.

When developing, revising, or amending land use plans, FLPMA (Section 202(c)) requires the BLM to:

- Use and observe the principles of multiple use and sustained yield;
- Use a systematic interdisciplinary approach to integrate physical, biological, economic, and other sciences;
- Give priority to the designation and protection of areas of critical environmental concern;
- Rely, to the extent available, on an inventory of public lands, their resources, and other values;
- Consider present and potential uses of public lands;
- Consider the relative scarcity of the values involved and the availability of alternative means and sites for realizing those values;
- Weigh long-term benefits to the public against short-term benefits;
- Provide for compliance with applicable Federal and state pollution control laws, standards, and implementation plans;
- To the extent consistent with the laws governing the administration of the public lands, coordinate the land use inventory, planning, and management activities of or for such lands with the land use planning and management programs of other Federal agencies, Indian tribes, and State and local governments within which the lands are located;
- Keep apprised of Tribal, state, and local land use plans to the extent practicable;
- Be consistent with state and local plans to the maximum extent the BLM finds consistent with Federal law and the purposes of FLPMA; and
- Provide for meaningful involvement of state and local government officials, and Indian tribes, including early public notice of proposed decisions which may have a significant impact on non-Federal lands.

1.1 Purpose of the Land Use Planning Process

The BLM manages approximately 245 million surface acres, more surface land than any other Federal agency, and approximately 700 million acres of onshore Federal mineral estate. The BLM's land use plans direct the agency's management of these public lands and minerals.

FLPMA requires that the BLM manage the public lands under principles of multiple use and sustained yield unless the land has been dedicated to specific uses according to other provisions of law (43 U.S.C. 1732(a)). Multiple use does not mean providing for every possible use on every acre, nor does sustained yield mean providing for maximum yields. Managing the public lands under multiple use and sustained yield principles often requires the BLM to evaluate and make trade-offs among various land uses and affected resources. Land use planning is how the BLM develops resource management decisions that respond to problems and opportunities and articulate trade-offs among environmental, social, and economic values.

The following principles, which are detailed in later chapters, can help you identify issues and gather the information necessary to consider the trade-offs relevant to your planning effort:

- **Engage other Federal agencies, Indian tribes, state and local governments, and other stakeholders in a transparent process.** By doing so, you can address complex resource concerns and understand the different values and priorities for the management of BLM-administered lands. Refer to **Chapter 2, *External Engagement*** for more information on coordination, consultation, and cooperation with agencies and Indian tribes, and public involvement throughout the planning process.
- **Assess ecological, cultural, scenic, social, and economic values.** Through the land use planning process, the BLM evaluates how the different uses of public lands reflect environmental, social, and economic values. The land use planning process considers different management approaches to protecting resources while allowing for sustainable resource use. Refer to section **1.3, *Planning Focused to Address Problems and Opportunities*** for a discussion about how evaluating environmental, social, and economic values can promote sustainable outcomes and how focused alternatives represent various trade-offs that elevate one or more of these values. Refer to section **6.2, *The Analysis of the Management Situation*** for information on how to identify and evaluate the current and forecasted resource, environmental, social, and economic conditions within the planning area.
- **Manage at appropriate scales considering space, time, and levels of organization for the resources and uses in the planning area.** Land use planning considers resources and their uses that are present at different scales in any given planning area. RMPs recognize and account for variation by including decisions at different scales. Refer to **Chapter 3, *Land Use Plan Components***, section **5.3, *Identifying Planning and Decision Areas***, and section **6.1.2, *Outlining the Impacts Analysis Plan*** for more information on identifying planning decisions and impacts analysis plans at appropriate scales.
- **Integrate management to address interactions between different resources and resource uses.** An integrated approach identifies the overlap between single resources and develops integrated management objectives. Refer to **Chapter 3, *Land Use Plan Components*** for more information on developing common objectives and direction that integrate multiple resources or uses.

- **Manage for resilience by recognizing threats and vulnerabilities and develop a plan that improves the capacity of systems to adapt to change.** Maintaining and bolstering resilience, our capacity to respond to change, is vital to sustaining desired resource uses and environmental, social, and economic systems in the long term. Refer to **Chapter 3, *Land Use Plan Components*** for information about building plan components that allow for flexibility and **Appendix A, *Adaptive Management*** for more information about incorporating resilience in planning decisions.
- **Use appropriate scientific rigor and high-quality information to inform the process and analysis of complex natural resource issues.** Quality data is critical to accurate analysis of issues. Quality data provides the baseline conditions, helps us identify trends and scales for management, and links directly to monitoring and evaluation of our planning decisions. Refer to section **6.1.2, *Outlining the Impacts Analysis Plan*** and **Chapter 4, *RMP Evaluations*** for more information on the role of quality data in monitoring and evaluating the RMP.
- **Use adaptive management to address new information and changed circumstances in the face of an incomplete understanding of resource relationships.** The land use planning process acknowledges that there is often an incomplete understanding of resource relationships, which may result in some uncertainty as to the ability of our management to achieve the desired resource conditions and resource use levels in the planning area. Resource, environmental, social, and economic conditions may change throughout the implementation of an RMP due to a wide variety of factors outside of our control. The BLM assesses the progress in achieving the objectives articulated in the RMP through monitoring and evaluation. Refer to **Chapter 3, *Land Use Plan Components*** for more information on objectives, **Chapter 4, *RMP Evaluations*** for more information on monitoring and evaluation of the RMP, and **Appendix A, *Adaptive Management*** for more information about incorporating resilience in planning decisions.

1.2 Difference between Land Use Planning and Implementation Decisions

Land use planning decisions differ from implementation decisions. We recommend that you avoid writing implementation decisions as part of the development of an RMP (BLM [Land Use Planning Manual](#) (MS-1601.06(E)(2))). We recognize that there may be circumstances where you may need to consider planning and implementation decisions in a single document, such as project driven RMP amendments. In these circumstances, we recommend you clearly identify any intent to consider planning and implementation decisions in the same process to the BLM Headquarters Division of Decision Support, Planning, and NEPA early in the process and to the public during early engagement and in your notice of intent (NOI).

1.2.1 Land Use Planning Decisions

An RMP identifies adopted plan components for the BLM's management of public lands under the principles of multiple use and sustained yield, unless otherwise provided by law. There are five types of plan components the BLM includes in its land use plans: goals, objectives, administrative designations, allocations for allowable resource uses, and management direction (refer to **Chapter 3, *Land Use Plan Components***). The plan components are land use planning decisions that set the sideboards to guide future implementation actions. Proposed land use

planning decisions may be protested to the BLM Director consistent with protest procedures (43 CFR 1610.5-2) and are not appealable to the Interior Board of Land Appeals (refer to section **11.2, *Land Use Plan Protest***). A planning decision generally does not authorize on the ground action without further BLM decision-making (refer to section **8.6.2, *Issue Analysis***).

An approved RMP may include management direction that is highly specific, such as identifying particular specifications for livestock fencing that will be applied to future projects or authorizations to facilitate wildlife movement. Including specific management direction in an approved land use plan would make this direction a planning decision, ensuring its application in every time and every location provided for in the approved plan, when the BLM makes future implementation decisions. It would also mean that the BLM would need to amend or revise its RMP to change that direction. The BLM must generally complete additional decision-making, in compliance with NEPA and other applicable laws, to authorize on-the-ground activities. A decision to include specific management direction is driven by the BLM's need for consistency and predictability weighed against a need for flexibility (refer to section **3.4.1, *Flexibility vs. Predictability in Management Direction***).

1.2.2 Implementation Decisions

An implementation decision generally authorizes on-the-ground action or provides a stepped-down programmatic framework governing implementation decisions in an area or a program of work. Examples of implementation decisions include authorization of in-stream work to restore habitat for an identified stream reach, a decision to issue an oil or gas lease to a specific company, or approval to construct a campground. Implementation decisions can also include establishing the specific way the BLM would manage a wild and scenic river in a comprehensive river management plan or establishing the specific way the BLM would implement direction in a national monument management plan. The BLM must make implementation decisions in conformance with the approved RMP. If the BLM determines that a proposed implementation decision does not conform to an approved RMP, it must decline to approve the proposed implementation decision, modify the proposed implementation decision so that it conforms to the approved RMP, or pursue a change to the RMP that would allow for conformance (43 CFR 1610.5-3(a); refer to section **13.1.1, *Plan Conformance***). Except in situations where you are considering an RMP amendment to consider a proposed non-conforming implementation decision, we recommend you conduct your NEPA analysis to evaluate an implementation decision separate from any NEPA analysis conducted to support the planning process. In contrast to planning decisions, implementation decisions are generally subject to appeal to the Interior Board of Land Appeals and, for some programs, may also be subject to internal review (such as protest of a proposed decision) before being subject to appeal.

1.3 Planning Focused to Address Problems and Opportunities

The BLM must use and observe the principles of multiple use and sustained yield when developing, revising, and amending land use plans (FLPMA, Section 202(c)(1)).³

³ Some BLM-administered lands are subject to additional laws which prioritize a particular use for resources, such as the Oregon and California Railroad and Coos Bay Wagon Road Grants Act in Oregon. In such instances, Congress or the President (for example, when issuing a Presidential Proclamation establishing a national monument under the Antiquities Act), provided specific direction for the management of these lands, such as sustained-yield

Multiple use means:

- The management of the public lands and their various resource values so that they are used in the combination that will best meet the present and future needs of the American people;
- Making the most judicious use of the land for some or all of these resources or related services over areas large enough to provide sufficient latitude for periodic adjustments in use to conform to changing needs and conditions;
- The use of some land for less than all of the resources;
- A combination of balanced and diverse resource uses that takes into account the long-term needs of future generations for renewable and non-renewable resources, including, but not limited to, recreation, range, timber, minerals, watershed, wildlife and fish, and natural scenic, scientific and historical values; and
- Harmonious and coordinated management of the various resources without permanent impairment of the productivity of the land and the quality of the environment with consideration given to the relative values of the resources and not necessarily to the combination of uses that will give the greatest economic return or the greatest unit output (FLPMA Section 103(c); 43 CFR 1601.0-5(i)).

Sustained yield means the achievement and maintenance in perpetuity of a high-level of annual or regular periodic output of the various renewable resources of the public lands consistent with multiple use (FLPMA Section 103(h)).

The different resource values the BLM must manage under FLPMA's multiple use and sustained yield mandate may co-exist or even complement each other within an area. However, there are also situations where the different resource values may be incompatible with one another. You may need to prioritize different values in specific areas when exploring the trade-offs during the planning process. Identifying potential trade-offs, problems, and opportunities in the planning area and then framing them in your purpose and need statement can help direct the development of management alternatives (refer to section **5.4, Purpose and Need for Land Use Planning**).

The BLM identifies the preliminary purpose and need early in the planning process, then refines it through pre-NOI internal and optional external outreach and through review of the planning criteria during scoping. The BLM develops alternatives identifying different management approaches that present various means of addressing conflicts and trade-offs between resource or resource use, protections, and development. Another way to think about how your purpose and need statement helps to focus development of the alternatives is to consider what management direction would be useful to address problems or opportunities within the planning area (section **6.2.2, Basis for Formulating Reasonable Alternatives**).

timber production. The BLM's land use planning process can still inform and provide a framework for future implementation decisions, such as by identifying a specific intensity of sustained-yield timber harvest. The BLM should identify any other relevant governing laws in its planning process and articulate the relationship between these laws and FLPMA in its approved RMPs.

We can make the BLM’s land use planning process more efficient by focusing the scope of the planning decisions and management opportunities just on the issues that are ripe for consideration. Doing this will streamline the process by highlighting a handful of decisions that need to be made, which may result in the ability to pursue a plan amendment rather than an RMP revision.

We can make the associated NEPA analysis more efficient by focusing development of alternatives around meaningful differences in objectives, designations, allocations, and management direction possible to meet the purpose and need (which ultimately means focusing the alternatives by addressing problems or opportunities within the planning area through exploring trade-offs in resource management).

Referred to as “issue-based NEPA,” it focuses the effects analysis of those alternatives to areas of potential significance or is related to how the alternatives respond to the purpose and need for your planning effort. In this way, the NEPA analysis for the BLM’s land use planning process can “concentrate on the issues that are truly relevant to the action in question, rather than amassing needless detail” (40 CFR 1500.1(b)). Refer to **Chapter 6, *Planning Criteria and Analysis of the Management Situation*** for more information on identifying issues, framing issues, focusing analysis, and framing alternatives.

1.4 The Land Use Planning Cycle

The BLM periodically assesses whether the initiation of a new planning process may be appropriate to ensure that land use plans and implementation decisions remain consistent with applicable laws, regulations, and policies. The planning process, which starts with the decision to undertake a planning effort and ends with a signed decision approving an RMP or RMP amendment by the state director, is a distinct part of the overall planning cycle (**Figure 1.1, *The land use planning cycle***). The planning cycle is continuous and involves implementing the approved RMP through project-specific implementation actions and projects and monitoring and evaluating the RMP.

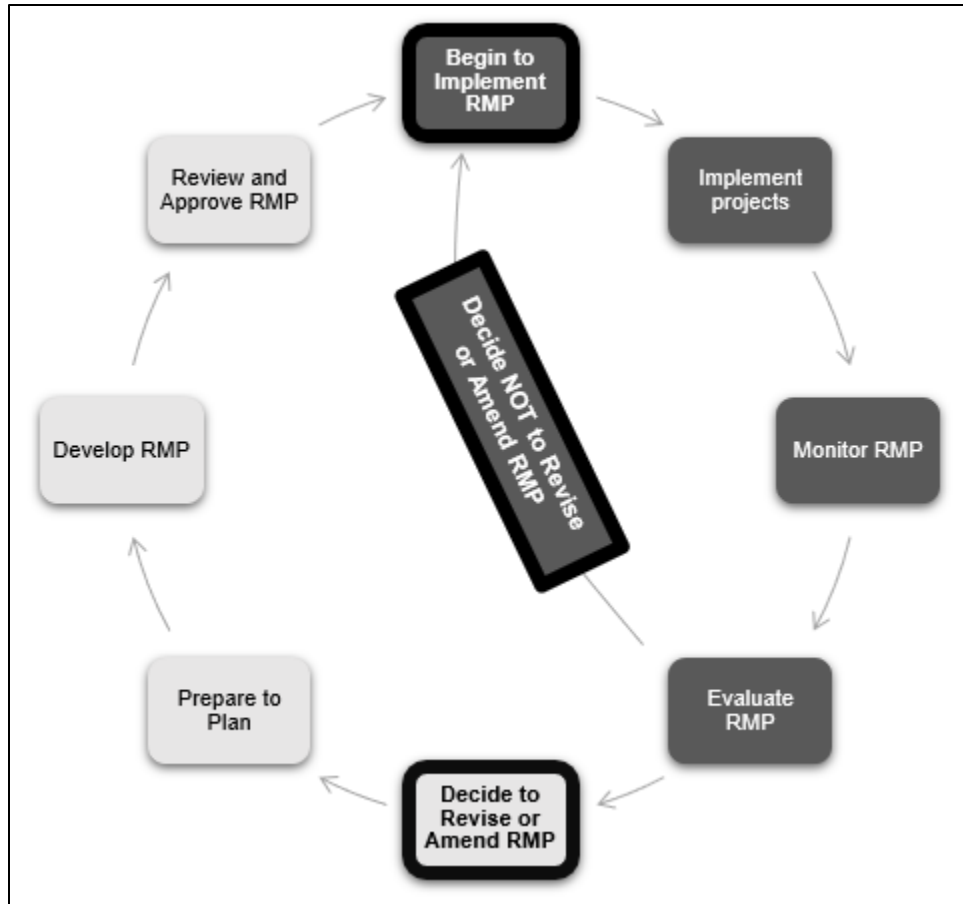


Figure 1.1. The land use planning process (light grey) within the overall land use planning cycle. Black outlines note milestone points in the planning cycle.

Land use planning is the process by which the BLM makes decisions about the management of resources and allocation of land uses on BLM-administered lands. After the BLM issues a decision to approve an RMP, all future actions must be in conformance with the RMP (43 CFR 1610.5-3). Implementation also includes plan maintenance, monitoring, and evaluation.

Your RMP must establish intervals, as appropriate, to evaluate the RMP (43 CFR 1610.4-9). We recommend completing an RMP evaluation every five years. RMP evaluations allow the BLM to determine if implementation of the existing land use plan is achieving the RMP objectives. RMP evaluations also consider how new information or changed circumstances affect implementation of the RMP and the ability to achieve RMP objectives. During plan implementation, reviewing the RMP monitoring information will help to determine whether progress is being made towards achieving the plan's objectives. You also evaluate plans to determine whether new information or changed circumstances affect plan components and warrant consideration for revision or amendment. When the BLM determines through an RMP evaluation that designations, allocations, or management direction are not effective in achieving the RMP's objectives, or that the existing RMP no longer provides for the desired land management approach due to new information or changed circumstances, then a state director would decide whether to initiate a planning effort. If the RMP evaluation does not identify a

need to update the RMP, then the state director would decide to not to revise or amend the plan, and you would continue to implement and monitor the RMP as before. Refer to **Chapter 13, *After the Decision*** for more information on implementing the RMP, including maintenance, monitoring, and evaluation. Refer to section **1.4.1, *Determining Whether a Plan Revision or Plan Amendment is Appropriate*** for more information on determining the level of planning that applies to your circumstances. After completing either a plan amendment or a revision, the state director would approve the RMP (or amendment), and you would begin implementation and monitoring.

The BLM also determines when there may be a need to initiate a planning effort when a proposed implementation-level project is not in conformance with the existing RMP. When an implementation-level project has been proposed, identify potential conflicts with existing planning decisions, including land uses and siting constraints. For externally proposed projects, this may occur during the initial pre-application meeting with the project proponent. This provides the BLM and the proponent an opportunity early in the process to discuss the proposal in general and determine if any conflicts with planning decisions exist. Where conflicts are identified, coordination with interdisciplinary BLM staff and working with the proponent (if the project is externally proposed) may help to identify options for resolving those conflicts, including relocating or revising the proposed action so it would conform to your approved RMP, or preparing a plan amendment (refer to section **13.1.1, *Plan Conformance***). By identifying whether you intend to include a plan amendment with a proposed project early in the process, you can integrate compliance with the requirements of both the planning and implementation-level NEPA processes from the initiation of the proposal (refer to **Chapter 14, *Amending the RMP***).

1.4.1 Determining Whether a Plan Revision or Amendment is Appropriate

The BLM may choose to prepare RMP amendments and revisions to update or change land use planning decisions (BLM Land Use Planning Manual 1601.06B2):

- In response to evaluations of consistency with current laws, regulations, and policies;
- Upon determining that implementing a plan's decisions is not achieving the desired resource conditions;
- When new science, data, or information indicates a need to change previous decisions;
- Upon determining that current plans do not provide adequate management direction; or
- When new proposals or actions not evaluated in previous land use plans are put forth.

The BLM monitors the implementation of projects and uses this data to identify whether any of the above circumstances are occurring. The BLM considers the data through preparation of an RMP evaluation to determine whether the accumulated concerns warrant RMP amendment or revision. The BLM completes RMP evaluations on regular intervals to determine whether the RMP is being implemented consistently through the decisions made. The BLM may also complete RMP evaluations at any time to determine whether any new circumstances or information warrant analysis or indicate a need to change any RMP decisions.

If the conclusions of your RMP evaluation identify that a change to the current RMP is warranted and the state director determines that initiating a planning effort is a priority, you will also need to identify whether to complete a plan revision or amendment to change the RMP.

BLM land use planning regulations define a revision as when changed circumstances affect “the entire plan or major portions of the plan,” (43 CFR 1610.5-6).

Planning efforts with a limited scope or focus that are not addressing the entire plan or major portions thereof would be an amendment (refer to **Chapter 14, Amending the RMP**).

Amendments may be narrow and address only one planning decision on a single acre, such as changing a land tenure decision from retention to available for disposal to allow the sale of the parcel to address an unintentional trespass. Amendments may also be broad and aim to update multiple plan components across multiple planning areas, such as modifying decisions to provide for big game habitat connectivity across a state landscape.

Determining initiation of an RMP revision or the appropriate scope of an RMP amendment is dependent on the specifics of the information, changes, opportunities, and circumstances under consideration. The basic approach is shown in **Figure 1.2, Flowchart for determining if an RMP revision or amendment is appropriate**.

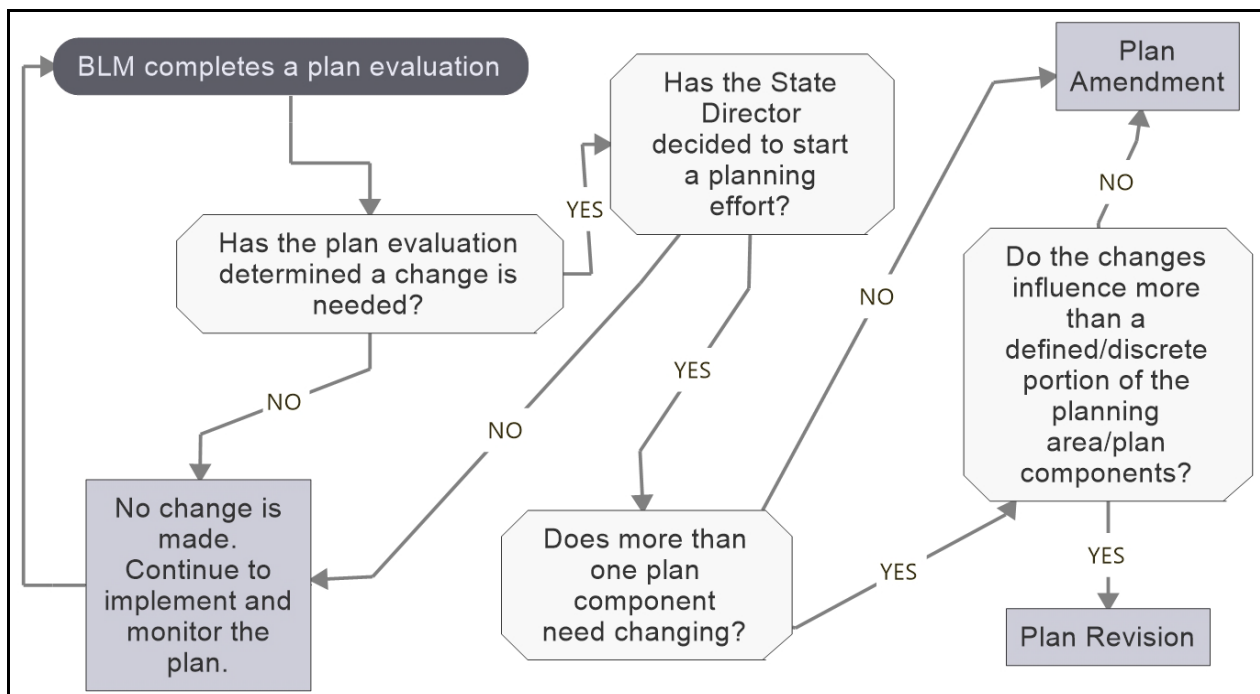


Figure 1.2. Basic flowchart for determining if an RMP revision or amendment is appropriate.

The existing RMP remains in effect during the amendment or revision process (43 CFR 1610.5-3(a)). Refer to **Chapter 4, RMP Evaluations** for more information on the process for determining if changed circumstances may warrant initiation of an RMP amendment or revision process.

1.4.2 The Basic Process for Developing or Revising an RMP

The decision to revise an RMP begins with the identification of a need to change BLM’s management of public lands from the current RMP through an RMP evaluation. The BLM develops a new RMP for BLM-administered lands not currently under an RMP, or when

Congress or the President directs changes to the management priority for an area, such as through a proclamation for a new national monument.

Once the BLM has decided to initiate a planning effort for a new RMP or RMP revision, the BLM Director or state director may provide guidance for the development of the planning effort. This planning guidance is the first tool for communicating agency objectives and priorities, decision space, and information to the BLM staff working on the planning effort, and, when provided, is the basis by which you will identify your preferred alternative in your draft RMP/EIS (43 CFR 1610.4-7). Refer to **Chapter 5, *BLM or State Director Planning Guidance*** for more information on the specific components to address through planning guidance.

Planning efforts supported by an EIS, whether for new plans, revisions, or amendments follow the same procedures (43 CFR 1610.5-5(b)). Much of the guidance in this handbook refers to the development or revision of an RMP but it is important to understand this guidance also applies to RMP amendments supported by an EIS. Refer to section **14.3, *Planning Steps for RMP Amendments Supported by an EA*** for detailed information about RMP amendments supported by an EA which do not have all the same requirements as planning efforts supported by an EIS.

Figure 1.3, *Planning steps for new plans, revisions, and amendments supported by an EIS* provides a flowchart of the key milestones in the process.

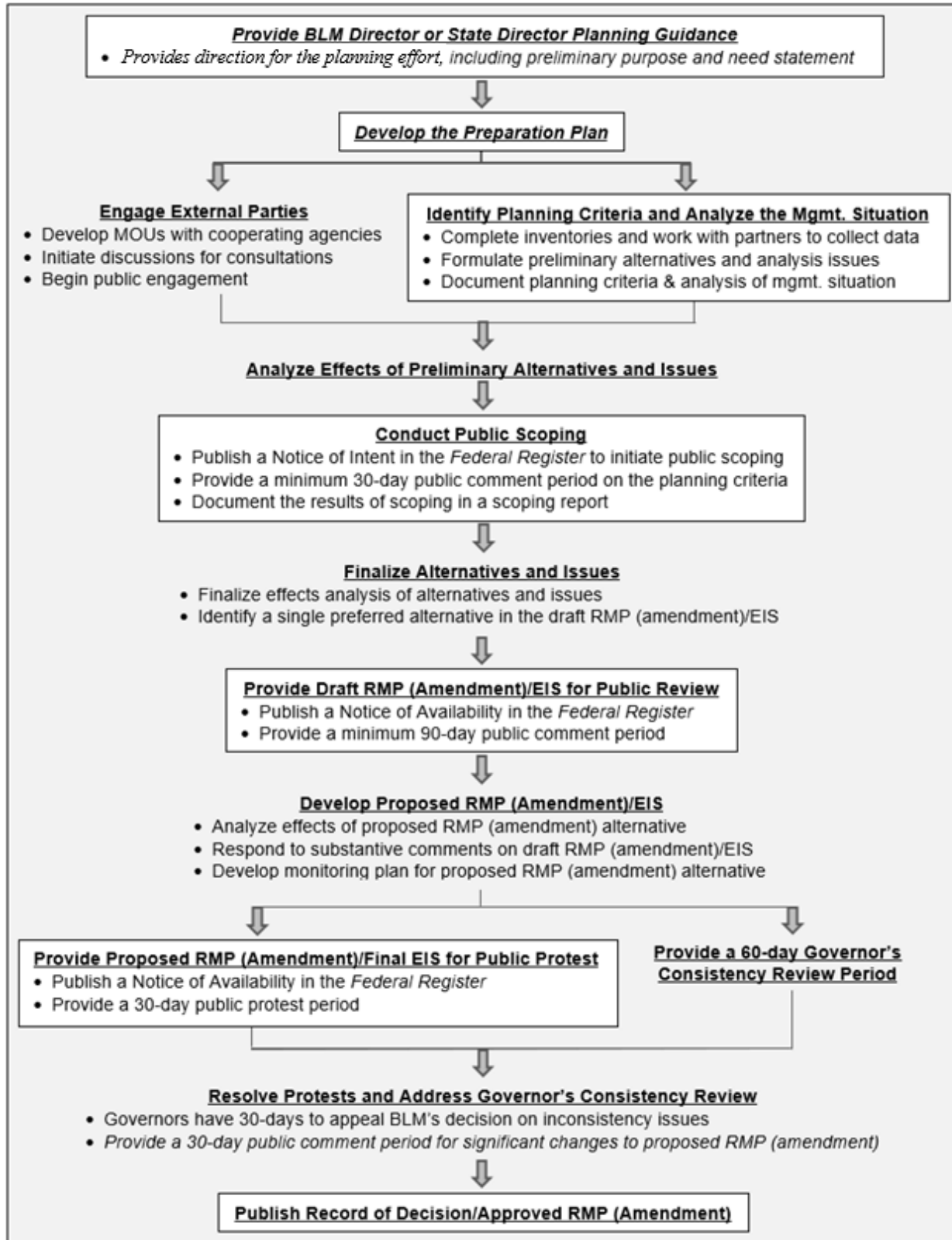


Figure 1.3. Planning steps for new plans, revisions, and amendments supported by an EIS. Boxes around steps indicate documents to prepare. Steps in italics are optional at the discretion of the state director.

The BLM also completes an analysis of the management situation and develops the planning criteria during the early stages of the planning process. These steps focus on the synthesis of BLM data and inventories maintained on a continuous basis to help refine the scope of the planning effort, including identification of preliminary issues for NEPA analysis and development of alternatives. Refer to **Chapter 6, *Planning Criteria and Analysis of the Management Situation*** for more information on the specific requirements for these steps.

The BLM will provide early and meaningful opportunities for Indian tribes, other federal agencies, state and local governments, and the public to participate in the planning process. This may include opportunities to provide information on existing and forecasted conditions of the planning area; to suggest which of their policies, guidance, strategies, or plans would be appropriate for consideration; and to identify relevant public views concerning management of the planning area. Refer to **Chapter 2, *External Engagement*** for more information on governmental, Tribal, and public involvement during RMP development.

The BLM must publish an NOI to develop, revise, or amend a RMP in the *Federal Register*; this notice may also constitute the scoping notice under NEPA to begin public scoping for the RMP (43 CFR 1610.2 (c)). Scoping allows an opportunity for governmental, Tribal, and public feedback on issues, data and information identified for use in the analysis, and analytical methodology itself through review of the planning criteria. It also provides an opportunity to review the preliminary range of alternatives. Refer to **Chapter 7, *Notice of Intent and Scoping*** for more information about these steps in the planning process.

Public review and the 90-day comment period of the draft RMP/EIS begins with the Environmental Protection Agency's publication of a notice of availability (NOA) in the *Federal Register*. The BLM will respond to substantive comments and prepare the proposed RMP/final EIS. The 30-day opportunity for the public to protest the proposed planning decisions is initiated when the Environmental Protection Agency publishes notice of receipt of the final EIS/proposed RMP in the *Federal Register* (43 CFR 1610.5-2(a)(1)). The governor of any state that falls within the planning area also has 60 days from receipt of the proposed RMP to review for consistency with officially approved or adopted state and local land use plans and policies. After the BLM has resolved any protests or inconsistencies, a record of decision (ROD) can be issued approving the RMP and then implementation can begin. Refer to **Chapter 8, *The Draft RMP/EIS*** through **Chapter 12, *The Record of Decision and the Approved RMP*** for more information on requirements for these steps, and to the BLM NEPA Handbook (H-1790-1) for information on the e-filing process.

1.4.3 Coordinating Simultaneous BLM Planning Processes

The BLM sometimes engages in multiple planning efforts simultaneously within the same planning area. For example, the BLM may be revising an RMP while also completing a project-driven plan amendment in the same planning area or conducting a programmatic planning initiative to amend multiple plans across several states, including your planning area—all at the same time. Whenever the BLM conducts simultaneous planning efforts in the same planning area, it is important to acknowledge all these planning efforts in each of the supporting NEPA documents for the various planning processes. Be careful to avoid simultaneous planning efforts that constrain the range of alternatives for one another. For example, you may have received a

proposal to amend an existing RMP to allow for a wind development project, while you are considering making that area a right-of way exclusion area in an RMP revision due to sensitive species habitat.

Examples of simultaneous planning efforts include:

- A field office may be undergoing an RMP revision while also considering an amendment to the current land use plan involving a proposed inter-state electrical transmission line.
- The BLM may be working on a plan amendment to change off-highway vehicle area boundaries while also considering an amendment to allow for sale of a parcel not specifically identified in the RMP as meeting the FLPMA section 203 sales criteria.
- The BLM may be amending RMPs at a national level to address management for critical habitat while a field office within that planning area is also conducting a plan amendment in response to a court ruling for grazing management.

Simultaneous planning efforts in the same location can present multiple challenges. Clearly identifying the no action alternative can be a challenge if, for example, a national-level amendment is occurring at the same time as a revision and the BLM is unsure which effort will conclude first. It can also be challenging to identify the management to consider in the cumulative effects analysis when simultaneous planning efforts are occurring. Ultimately, each planning effort must identify and describe the relationship between simultaneous planning efforts in the analysis for each effort in order to present the context and cumulative effects analysis required for informed decision-making regarding each of the planning efforts (40 CFR 1502.15(a)). This information and description may change throughout the process of one planning effort, as a simultaneous effort may conclude or be terminated, or a new one may begin. It is important that simultaneous planning efforts are carefully coordinated to ensure up-to-date information is communicated both ways and that there is consistent use of information and analysis in each effort.

To help manage the challenges presented by simultaneous planning efforts, we recommend that you outline some baseline information and approaches. Before starting a new planning effort while another is already in progress, or before starting more than one planning effort, evaluate the following questions:

- Will the new planning effort have any decisions that may overlap with the decisions under consideration in the ongoing planning effort? If so, how are the decisions related?
- Would the purpose and need for the new planning effort conflict with the purpose and need for the ongoing planning effort? If so, what is the conflict and what revisions to the purpose and need for the supporting NEPA analysis are necessary to resolve any conflicts?
- What is the sequence for completing the planning efforts?
 - If there are overlapping decisions, which decision will be the BLM’s “final” decision?
 - If the new planning effort would be completed prior to the ongoing planning effort, would there be substantial changes to the no action alternative for the ongoing planning effort?
- How will the planning efforts be coordinated to ensure a consistent approach for the issue analysis (including use of available data, assumptions, and methodology)?

- How will public involvement and consultation, coordination, and cooperation efforts be coordinated between planning efforts?
- Are there opportunities to combine multiple planning efforts through analysis in a single NEPA analysis to reduce analysis or decision conflicts and streamline multiple planning processes into one?

We recommend that you document the assessment of these questions in a contemporaneous decision file. This documentation will inform the interdisciplinary team as they move through the process and will present the conditions you originally reviewed for your reference as you steer the planning process toward future decisions. Refer to the BLM NEPA Handbook (H-1790-1) for more information on the purpose, content, and management of contemporaneous decision files.

1.5 Relationship between Planning and NEPA

The FLPMA requires the BLM to develop land use plans. There are specific regulations (43 CFR Part 1600) that specify how the BLM conducts land use planning, how decisions are to be made, and the opportunities for public involvement, protest, and governor's consistency during the planning process. Decisions on RMP development, revision, or amendment are subject to NEPA compliance.

The BLM's planning regulations provide that approval of an RMP is considered a major Federal action significantly affecting the quality of the human environment. Environmental analysis of the proposed planning decision must be accomplished as part of the planning process and, wherever possible, the proposed plan and the related NEPA analysis shall be published as a single document (43 CFR 1601.0-6). Under the BLM land use planning regulations, the BLM must prepare an EIS for new RMPs and for RMP revisions (43 CFR 1601.0-6). The BLM must prepare either an EIS or an environmental assessment (EA) for plan amendments, depending on the scope of the planning effort and the anticipated impacts (43 CFR 1610.5-5(a); refer to BLM NEPA Handbook (H-1790-1)).

Guidance for how the BLM complies with NEPA can be found in the BLM NEPA Handbook (H-1790-1).

The land use planning process requires the integration of planning and NEPA steps. There are certain land use planning steps and concepts that are not required or even mentioned by NEPA or its implementing regulations. Likewise, the NEPA, as amended, and the Department of the Interior and the Council on Environmental Quality implementing regulations for NEPA (43 CFR 46 and 40 CFR 1500, respectively) contain requirements that are not explicitly described in FLPMA or BLM's planning regulations (43 CFR 1600). For example, FLPMA requires coordination with agencies during land use planning while the Council on Environmental Quality NEPA regulations provide for cooperation between agencies. These are two complementary, but different concepts and it is important to recognize the difference between them (refer to **Chapter 2, External Engagement**). And while neither FLPMA nor the implementing regulations establish page or time limits for land use planning, NEPA, as amended, and the Council on Environmental Quality's NEPA regulations establish both time and page limit requirements for

EISs and EAs that apply to NEPA analysis prepared in support of RMPs and RMP amendments (42 U.S.C. 4336a; 40 CFR 1501.10; 40 CFR 1502.7)).

Key elements of a planning process supported by an EIS that are required by BLM’s planning regulations and not by NEPA include:

- Required content for NOI (43 CFR 1610.2(c)(1)-(8));
- Minimum advance notice of public meetings (43 CFR 1610.2(e));
- Designated 90-day public comment period for a draft RMP/EIS (43 CFR 1610.2(e));
- Required consultation and public hearing for plans involving potential for coal mining or coal leasing (43 CFR 1610.2(j)-(k));
- Coordination with other Federal agencies, Indian tribes, and state and local governments (43 CFR 1610.3);
- Planning criteria development (43 CFR 1610.4-2) and public review (43 CFR 1610.2(f)(2));
- Analysis of the management situation development (43 CFR 1610.4-4);
- Selection and identification of a preferred alternative in the draft RMP/EIS (43 CFR 1610.4-7);
- Establishment of an RMP monitoring strategy and identification of evaluation intervals, as appropriate (43 CFR 1610.4-9);
- Governor’s consistency review and appeal (43 CFR 1610.3-2(e));
- Protesting of planning decisions to the BLM Director (43 CFR 1610.5-2);
- Public notice and comment on any significant change made to the proposed RMP in response to any protests received (43 CFR 1610.2(f)(5)); and
- Approval of the RMP by the state director (43 CFR 1610.5-1).

Most of these steps are also required for RMP amendments supported by an EA, except for public comment on an EA; development of an analysis of the management situation; and selection of a preferred alternative. Refer to section **14.3, *Planning Steps for RMP Amendments Supported by an EA*** for detailed information about RMP amendments supported by an EA.

This handbook endeavors to highlight the NEPA compliance requirements applicable to each part of the planning process outlined in the BLM’s planning regulations at 43 CFR 1600.

Regulations and policy for other programs have incorporated decisions and reviews into the land use planning process that provide specific direction for planning and NEPA considerations. For example, BLM policy for wild and scenic rivers requires the BLM to conduct wild and scenic river suitability studies during the land use planning process and for the NEPA analysis supporting the planning effort to address suitability factors through alternatives related to wild and scenic river recommendations (refer to BLM Wild and Scenic Rivers Manual (MS-6400 4.1(B))).

1.5.1 Incorporation by Reference and Tiering

NEPA analysis completed during the planning process plays a critical role in streamlining the BLM’s NEPA compliance for projects that implement the RMP by providing opportunities for

incorporation of the plan-level NEPA analysis by reference and tiering to it. The Council on Environmental Quality regulations direct that “Agencies shall incorporate material, such as planning studies, analyses, or other relevant information, into environmental documents by reference when the effect will be to cut down on bulk without impeding agency and public review of the action” (40 CFR 1501.12). Refer to the BLM NEPA Handbook (H-1790-1) for more information on how to incorporate by reference and tier to higher-level analysis during the NEPA process.

When the BLM can tier to analysis of an issue or alternative evaluated in the plan’s EIS, the BLM can save time and cost when considering whether to approve subsequent projects that implement the plan. In tiering, your project-level EA or EIS may not need to reexamine alternatives or issues already considered in the RMP’s EIS. For example, if a no grazing alternative is analyzed in detail in your RMP, the BLM may be able to tier future project-level allotment management NEPA analysis to the RMP EIS to eliminate a no grazing alternative from detailed analysis in the project NEPA document. As such, it is valuable for an RMP EIS to provide a comprehensive and data-based analysis of all issues of relevance to the resource programs and resource uses for the planning area.

Tiering and incorporation by reference can benefit the NEPA analysis for the planning effort itself. In some cases, completed national-level planning efforts may provide analysis and decision-making applicable to your planning effort. Where appropriate, you may tier to the analysis supporting these decisions in your planning effort and reduce alternatives or issues to analyze in detail. Completed and ongoing national-level planning efforts may provide you with opportunities for incorporating analysis by reference.

1.6 Required Recordkeeping for Land Use Planning

The BLM has multiple responsibilities to maintain and disclose Federal records including general records management governed by 44 U.S.C. Chapters 29 and 31, the Freedom of Information Act, and in preparation of administrative records for litigation. To comply with these responsibilities during land use planning, including the parts of the planning cycle outside of the planning process such as implementation, monitoring, evaluation, maintenance, the BLM must prepare or maintain a contemporaneous decision file(s). Refer to the BLM NEPA Handbook (H-1790-1) for more information on the purpose, content, and management of contemporaneous decision files.

Chapter 2 – External Engagement

General

2.1 Public Involvement

2.2 Coordination with Other Federal Agencies, Indian Tribes, and State and Local Governments

2.3 Cooperating Agency Involvement

2.4 Consultation

2.5 Other Special Considerations

General

This chapter provides an overview of the public involvement steps throughout the land use planning process. You can find more specific information and details about external engagement steps of the land use planning process and details on such things as the specifics of *Federal Register* notices (refer to **Chapter 6, Planning Criteria and Analysis of the Management Situation**, **Chapter 7, Notice of Intent and Scoping**, **Chapter 9, Public Comment on the Draft RMP/EIS**, and **Chapter 11, Protest and Governor’s Consistency Review of the Proposed RMP**).

Coordination, cooperation, consultation, and public involvement are all examples of external engagement and are central to the BLM’s land use planning process. These processes collectively emphasize methods for engagement and discourse, not specific outcomes, and do not require that consensus be reached. These processes take time and require thoughtful preparation, but if done right, foster relationships, build trust, and result in durable decision-making.

The BLM retains the responsibility and the authority to make decisions related to the management of resources and resource uses on BLM-administered lands. Coordination, cooperation, consultation, and public involvement in the planning process do not alter the authority of the BLM to make planning decisions.

External engagement is a two-way process that requires both the BLM and the external party to interact and listen to each other, with the aim of BLM developing RMPs that provide for the management of public lands under the principles of multiple use and sustained yield. There are many reasons we participate in coordination, cooperation, consultation, and public involvement during land use planning.

- **Comply with FLPMA.** We must provide the opportunity for public involvement during planning to comply with FLPMA (Section 202(a)).
- **Identify and Use Better Information.** We can make a more informed decision by reaching out for relevant expertise, including scientific and technical expertise, and knowledge of local resource conditions.
- **Ensure Inclusivity.** We can increase the likelihood that we know about issues that are important, including traditionally disadvantaged, under-represented, or environmental justice communities.
- **Prevent Conflict.** We can identify potential conflicts before they arise and consider options head off or resolve any such conflicts.
- **Improve Consistency.** We can work to develop resource management consistent with officially approved or adopted resource related plans of other Federal agencies, Indian

tribes, and state and local governments to the maximum extent consistent with Federal law and the purposes of FLPMA (43 CFR 1610.3-2).

- **Improve Fact-Finding.** We can promote a common understanding of the facts that underlie the issues by agreeing on a methodology for producing technical information.
- **Increase Social Capital.** We can build trust between people who may work together on other projects and increase public confidence in the BLM.
- **Streamline Implementation.** We can ease implementation of a plan by having stakeholders who are vested in the planning decisions and are willing to develop partnerships to increase our capacity for subsequent implementation actions.
- **Enhance Stewardship.** We can promote stewardship of public lands by encouraging the public to assist in educating others about the plan to improve compliance.
- **Collect Socioeconomic Information.** We can evaluate the impacts of actions on people if we understand how people value the public lands.
- **Avert Litigation.** We may reduce the chance of litigation by engaging the public early and often, by solving problems as they arise, and by building relationships between different groups.
- **Improve Efficiency.** We can highlight issues to focus the NEPA analysis.
- **Extend Resources.** We can leverage monetary and in-kind contributions to extend the reach of project dollars and BLM resources.
- **Build Relationships of Trust.** We can continue to build trust in our communities by leveraging existing relationships and programs. BLM’s 5 Community Engagement Programs (Education, Interpretation, Partnerships, Volunteers, and Youth) work with communities to engage people of all ages and backgrounds in meaningful and mutually beneficial service on their public lands and can assist in coordination, cooperation, consultation, and public involvement during BLM land use planning.

An RMP amendment supported by an EIS follows the same procedures required for an RMP revision (43 CFR 1610.5-5(b)). While this chapter refers specifically to an RMP/EIS, the guidance is also applicable to an RMP amendment/EIS. Refer to section **14.3, *Planning Steps for RMP Amendments Supported by an EA*** for additional guidance. In this chapter, the most notable differences between an RMP/EIS and an RMP amendment supported by an EA is that you are not required to invite cooperating agencies to participate in the planning process (43 CFR 1610.3-1(b)) or to make an EA available in draft for public review and comment. If you choose to make your EA available in draft for public review and comment, the minimum comment period is 30 days. The only *Federal Register* notice required for an RMP amendment supported by an EA is the NOI.

2.1 Public Involvement

Public involvement means the opportunity for participation by the public in decision-making and planning with respect to the public lands (FLPMA, Section 103(d)). The BLM must provide the public with opportunities to become meaningfully involved during the planning process, and specifically during the preparation and amendment of RMPs (43 CFR 1610.2(a)). Meaningful public involvement includes timely, concerted, and thoughtful efforts to build relationships and seek the ideas, opinions, and participation of all members of the public that may be affected by planning decisions. Early public involvement helps the BLM identify interested and affected parties in the local communities, including communities with environmental justice concerns.

Refer to the BLM NEPA Handbook (H-1790-1) for further guidance on public involvement in local communities and identifying communities with environmental justice concerns within your planning area.

“The public” means affected or interested individuals, including: consumer organizations; public land resource users; corporations and other business entities; environmental organizations and other special interest groups; and officials of Federal, state, local, and Indian Tribal governments (43 CFR 1601.0-5(k)). However, there is a unique role for Federal agencies, Indian tribes, and state and local governments in the planning process (refer to section **2.2, *Coordination with Other Federal Agencies, Indian Tribes, and State and Local Governments***).

Meaningful public involvement:

- Provides for public input at specific points in the planning process and on the specific issues where such input has a real potential to help shape the decision;
- Seeks ideas, opinions, and participation from a diverse public including communities of place; communities of interest; multiple generations; various cultural, social, and economic backgrounds; and low income and minority, including tribal, populations (environmental justice), and other underrepresented persons; and
- Promotes transparent approaches that keep the public informed throughout a sometimes complex planning processes.

Best practices for successful collaboration include:

- Reaching out as early as possible in the planning process;
- Thinking creatively and remembering there is no “one size fits all” approach; and
- Continually involving the public in the BLM’s planning cycle, including during implementation.

In addition to opportunities for public involvement associated with individual planning efforts as discussed below, the planning regulations require an opportunity for public comment on outyear proposals of new efforts. Early in each fiscal year, the BLM Director must publish a planning schedule advising the public of the status of each plan in process of preparation or to be started during that fiscal year, and projected new planning starts for the three succeeding fiscal years. The BLM Director must publish this notice in the *Federal Register* in the first quarter of each fiscal year and must call for public comments on projected new planning efforts before planning starts so comments can be considered in refining priorities (43 CFR 1610.2(b)).

2.1.1 Opportunities for Public Involvement when Preparing an RMP

The BLM’s planning regulations require the BLM to provide specific opportunities for public involvement when preparing an RMP (43 CFR 1610.2).

Table 2.1, *Public involvement in the preparation of an RMP* explains the purpose and the type of feedback that the BLM is soliciting at each public involvement step. As described in **Table 2.2, *Desired feedback from public during RMP process steps*** public involvement activities conducted by the BLM must be documented by a record or summary of the principal issues discussed and comments made (43 CFR 1610.2(d)) and may be acknowledged through the development and refinement of the draft RMP/EIS. Coordinate with your communications staff

to determine how to conduct these public involvement steps and how to be clear with the public about the type of public involvement you are offering.

Table 2.1. Public involvement in preparation of an RMP.¹

Public Involvement Step	Timeframe (calendar days)	Federal Register Notice²	General Purpose
Early Engagement (Pre-NOI)	N/A	No requirements	Provide the public with opportunities to provide data, ideas, opinions, and for participation of all populations that may be affected. Develop understanding of the overall interests of the local governmental and Tribal representatives.
Scoping and Comments on Planning Criteria	30 days	NOI (Newspaper publication is also required (43 CFR 1610.2(c)) ³	Solicit feedback on potential issues and methodologies for analyzing those issues in the planning criteria, including any significant changes to such criteria.
Comments on draft RMP/EIS	90 days	Environmental Protection Agency NOA	Solicit feedback on range of alternatives, including the analysis of their effects, and the preferred alternative.
Protest of proposed RMP/final EIS	30 days	Environmental Protection Agency NOA	Determine whether RMP process followed established procedures, considered relevant information in reaching proposed plan decisions, and whether the proposed plan decisions are consistent with BLM policy, regulation, and statute. Remedy inconsistencies in the RMP with Federal laws, regulations, or applicable policy.
When the governor recommends changes to a proposed RMP which were not raised during the public involvement process	30 days	No requirements	Provide the public with an opportunity to comment on the governor's recommendations. ⁵
When there is significant change to the proposed RMP after its publication	30 days	No requirements	Provide the public with an opportunity to comment on significant changes. ⁶

- ¹ Be sure to review program-specific guidance for additional public involvement requirements during a planning process. For example, if the plan involves potential for coal leasing, you must provide a public hearing before you can approve the RMP to the approval of the plan if requested by any person having an interest which is, or may be, adversely affected by implementation of the plan (43 CFR 1610.2(k)).
- ² When a *Federal Register* notice is not required, determine other appropriate forms of notification. Also refer to section **2.1.3.2, Federal Register Notices** for information about the BLM *Federal Register* notice.
- ³ Refer to section **8.2, Scoping Notices** for additional information on newspaper publication of the NOI.
- ⁴ You may also choose to solicit comments on the preliminary range of alternatives, description of the affected environment, or purpose and need documented in the analysis of the management situation (refer to description of additional opportunities for public feedback during scoping in **Table 2.2, Desired feedback from public during RMP process steps**). Some programs require BLM to solicit specific feedback during scoping. For example, during scoping for new RMPs, RMP revisions, and RMP amendments for which areas of critical environmental concern are within scope, the BLM must seek nominations for areas of environmental concern from the public, State and local governments, Indian tribes, and other Federal agencies (43 CFR 1610.7-2(c)(3)). Consult program-specific guidance in handbooks, manuals, or regulation for specific direction on program-specific feedback to solicit during scoping.
- ⁵ Refer to section **11.3, Governor’s Consistency Review** for additional information regarding public comment on changes to the proposed RMP proposed by the governor.
- ⁶ Refer to section **11.4, Notice of Significant Change** for additional information regarding public comment on significant changes to the proposed RMP.

Table 2.2. Desired feedback from public during RMP process steps.

<p><u>Early Engagement (Pre-NOI)</u> Desired feedback from the public:</p> <ul style="list-style-type: none"> • What is the public’s connection to the planning area? • How, and in what specific locations, does the public use the planning area? • What are the needs and values of the public regarding the planning area? • What are the environmental and social benefits derived by the public from the planning area? • Does the public have high quality data and information pertinent to the planning area? • Does indigenous knowledge information relevant to the planning area exist? • What are the potential areas of conflict between different resources and uses of the planning area? • Do members of the public have ideas for alternatives for management of the planning area? • What resource related plans, programs, data, etc., do other Federal agencies, Indian Tribes, and state and local governments have that would inform the planning process? <p>Minimum requirements for public involvement:</p> <ul style="list-style-type: none"> • None. <p>Documentation of how public input was considered:</p> <ul style="list-style-type: none"> • The BLM must document how it considered public input from public participation activities in the contemporaneous decision file (43 CFR 1610.2(d)). We recommend that you summarize the input you received during early engagement as part of your communication on the planning criteria and describe how it influenced the development of issues, impacts analysis plan, and preliminary alternatives.
<p><u>Scoping: Planning Criteria</u> Desired feedback from the public:</p> <ul style="list-style-type: none"> • Do the issues adequately capture the problems, opportunities, or potential significant effects relevant to the planning area? • Are there any suggestions to improve the way the BLM intends to conduct the effects analysis? • Has the BLM relied on invalid or outdated data or procedures, incorrect assumptions, or ineffective indicators of resource conditions? • Is there new information relevant to the planning area the BLM needs to consider? • Is there information related to reasonably foreseeable actions by other entities that are relevant to effects that the BLM needs to consider? <p>Minimum requirements for public involvement:</p>

- The BLM must provide an opportunity for the public to review the proposed planning criteria, including any significant changes to such criteria (43 CFR 1610.2(f)(2)).
- To develop, revise, or amend RMPs, BLM must publish a notice in the *Federal Register* and appropriate local media, including newspapers of general circulation in the state and field office area (43 CFR 1610.2(c)). The field manager may also decide if it is appropriate to publish a notice in media in adjoining states.
- The BLM must document the principal issues discussed and comments made in any public participation activity and provide the documentation to the public, along with a list of attendees. The BLM must provide 30 days for participants to clarify their views (43 CFR 1610.2(d)).

Additional opportunities for public feedback on the analysis of the management situation:

- Does the preliminary purpose and need statement adequately capture the problems, opportunities, and desired outcomes in the planning area?
- Has the BLM developed an adequate range of preliminary alternatives to respond to the purpose and need?
- Is any rationale presented for the preliminary alternatives based on sound reasoning?
- Does the analysis of the management situation accurately reflect the resource, environmental, ecological, social, and economic conditions of the planning area or is there something else the BLM needs to be considering?

Documentation of how public input was considered:

- We recommend that you identify the information you received during the review of the planning criteria in the scoping report and identify how you refined the purpose and need, preliminary alternatives, issues and impacts analysis plan, and baseline information.
- The draft RMP/EIS must include a summary of the information submitted during scoping and must append or otherwise publish all comments (or summaries thereof) received during the scoping process (40 CFR 1502.17). You may publish the scoping report as a stand-alone document ahead of publication of your draft RMP/EIS and incorporate the document by reference to fulfill this requirement. Alternatively, you can provide the scoping report as an appendix to the draft RMP/EIS when it is released.

Review of the Draft RMP/EIS

Desired feedback from the public:

- Has the BLM conducted a sufficient analysis of the issues to evaluate the differences between the alternatives?
- Is there new information available that is relevant to the analysis of the alternatives?
- Does the BLM's information contain inaccuracies based on facts, or on a reasonable interpretation of facts?
- Is the rationale for the preferred alternative based on sound reasoning?
- Is there an adequate range of alternatives?

Minimum requirements for public involvement:

- The BLM must provide an opportunity for a minimum 90-day public comment on the draft RMP/EIS (43 CFR 1610.2(f)(3), 40 CFR 1503.1(a)).

Documentation of how public input was considered:

- The BLM must respond to substantive public comments on the draft RMP/EIS in the proposed RMP/final EIS (40 CFR 1503.4).

Protest of the Proposed RMP/Final EIS

Desired feedback from the public:

- Is the proposed RMP inconsistent with law, regulation, or applicable policy?
- Did the BLM follow established procedures and consider relevant information in reaching the proposed decision?
- Is there a new issue that became apparent after the close of the opportunity for public comment on the draft RMP/EIS?

Minimum requirements for public involvement:

<ul style="list-style-type: none"> Any member of the public who participated in the planning process for an RMP (or amendment) and has an interest which may be adversely affected by the approval of a proposed RMP or RMP amendment may file a written protest protesting such approval with the BLM Director within 30 days of the date Environmental Protection Agency published the notice of receipt of the final EIS or for within 30 days of the publication of the notice of its effective date for a proposed amendment supported by an EA. A protest may raise only those issues which were submitted for the record during the preparation of the RMP (43 CFR 1610.5-2(a)). <p>Documentation of how public input was considered:</p> <ul style="list-style-type: none"> The BLM Director¹ must render a written decision on protests. The BLM must notify the protesting parties of the decision (43 CFR 1610.5-2(a)(3)).
<p><u>Significant Changes after Publication of the Proposed RMP/Final EIS</u></p> <p>Desired feedback from the public:</p> <ul style="list-style-type: none"> Are the significant changes consistent with the framework of the purpose and need for the planning effort? Has the BLM conducted a sufficient analysis of the issues for the significant changes? Are the significant changes consistent with law, regulation, or policy? Did the BLM consider relevant information in making the significant change? <p>Minimum requirements for public involvement:</p> <ul style="list-style-type: none"> The BLM must provide public notice and comment on any significant change made to the proposed plan (43 CFR 1610.2(f)(5)). <p>Documentation of how public input was considered:</p> <ul style="list-style-type: none"> You may respond to comments during this comment period in the ROD.
<p><u>New Recommendations by Governor after Publication of the Proposed RMP/Final EIS</u></p> <p>Desired feedback from the public:</p> <ul style="list-style-type: none"> Do the Governor's recommendations provide for a reasonable balance between the national interest and the state's interest? <p>Minimum requirements for public involvement:</p> <ul style="list-style-type: none"> During the governor's consistency review, the governor of an involved state may identify inconsistencies and recommend changes to the RMP within 60 days of the State Director submitting the proposed RMP to the Governor. If the recommended changes have not been raised previously in the planning process, the BLM must provide the public with an opportunity to comment on the recommendations (43 CFR 1610.3-2(e)). If the BLM accepts the governor's recommendations, an additional comment period must be provided that announces the significant changes (43 CFR 1610.3-2(e)). <p>Documentation of how public input was considered:</p> <ul style="list-style-type: none"> You may respond to comments during this comment period in the ROD.

Note: The BLM must provide 15 days' notice for activities where the public is invited to attend. Any notice requesting written comments must provide at least 30 days for submission of those comments (43 CFR 1610.2(e)).

¹ The Assistant Director for Resources and Planning has been delegated the authority to resolve protests.

In addition to the public involvement required by FLPMA, NEPA, and the BLM's land use planning regulations, public input may be solicited by the field manager at any time during the planning process, on any item, and through any of a variety of strategies. When requesting this type of public input, it is recommended that you:

- Explain what input is most useful at a particular step in the planning process;
- Describe how this input may be used in the planning process;
- Identify the type of response, if any, the BLM will provide to the public; and
- Identify future opportunities for involvement.

2.1.2 Public Involvement for Plan Amendments

An RMP amendment supported by an EIS follows the same procedures required for an RMP revision (43 CFR 1610.5-5(b)).

While not all the public involvement steps for the development or revision of an RMP are required for RMP amendments supported by an EA, the field manager may provide these opportunities for an RMP amendment process supported by an EA. Refer to section **14.3, *Planning Steps for RMP Amendments Supported by an EA*** for detailed information on public involvement for RMP amendments supported by an EA.

2.1.3 Announcing Opportunities for Public Involvement

At a minimum, all opportunities for public involvement are announced by:

- Posting a notice on the BLM's official national NEPA register, at all BLM offices within the planning area, and at other public locations, as appropriate;
- Notifying those individuals or groups on the RMP mailing list (refer to section **2.1.3.1, *RMP Mailing List***); and
- Providing notification to those who have requested it on an individual action (40 CFR 1501.9(c)(5)(i)).

If you invite the public to attend an RMP process event (such as a meeting, open house, or field tour), you must notify the public at least 15 days before the event (43 CFR 1610.2(e)). We recommend that you hold any public meetings at least 15 days before the end of comment period.

We recommend providing additional notifications using formats that are relevant and accessible to those interested in or affected by a particular planning effort. For example, the BLM could post an announcement at a local library, post office, or other frequently visited location; issue a local, regional, or national press release; notify community leaders; or post an announcement using various social media. The use of these additional formats would vary based on the location and public interest in the planning effort.

2.1.3.1 RMP Mailing List

A list of individuals and groups known to be interested in or affected by an RMP must be maintained by the field manager and those on the list must be notified of public participation activities. Individuals or groups may ask to be placed on this list to ensure BLM notifies them of opportunities for public involvement related to the preparation or amendment of an RMP (43 CFR 1610.2(d)).

We recommended you begin compiling a mailing list as soon as possible when beginning the RMP process and maintain it through issuance of the ROD. Include anyone who has submitted a comment (though this may not be feasible if you receive a large number of form letters; refer to box below) or attended a meeting, in addition to individuals or groups that specifically ask to be added to the mailing list. The BLM may notify individuals or groups on the public mailing list through written or electronic correspondence.

You may receive numerous comments through form letters. Attempt to identify the groups responsible for form letters and include the group on the RMP mailing list. You are not required to individually notify individuals submitting form letters unless they specifically requested to be added to the mailing list. Be sure to notify the public how the BLM intends to handle form letters and provide instructions about how to be added to the mailing list.

Be sure to ask your state office land use planning lead if there are groups that have made blanket requests to be added to the mailing lists of all planning efforts in your state. For example, implementation of the *2006 Federal Lands Hunting, Fishing and Shooting Sports Roundtable Memorandum of Understanding* requires the BLM to notify sportsmen’s organizations when land use plans or activity plans (including travel management plans) are developed, revised, or amended.

You must notify the public of their privacy rights. BLM Headquarters periodically provides updated guidance via instruction memoranda. Check with your state office land use planning or communications staff for current guidance and include only the following (or updated) statement in all information requesting public comment:

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

2.1.3.2 *Federal Register Notices*

At specific steps during the planning process, publication of a notice in the *Federal Register* is required to initiate public involvement:

- The BLM must publish a notice when the BLM starts to develop, revise, or amend a resource management plan (43 CFR 1610.2(c)), whether supported by an EIS or an EA. This notice may also constitute the notice of intent required by NEPA for planning efforts supported by an EIS (40 CFR 1502.4(e)).
- The BLM must provide at least 90 days for the public to comment on the draft RMP/EIS. This public comment period officially starts with the Environmental Protection Agency’s publication of a NOA for the document in the *Federal Register* (43 CFR 1610.2(e)). The BLM also publishes a public notice to provide information not contained in the Environmental Protection Agency’s NOA about the project, including the comment period, contact information, and other supplemental information. This BLM published public notice must appear in the *Federal Register* for actions with effects of national concern (40 CFR 1501.9(c)(5)(ii)). Ideally, both public notices will publish on the same date; however, if this does not happen, the 90-day comment period begins when the Environmental Protection Agency’s NOA publishes.
- Publication of the Environmental Protection Agency’s NOA for the BLM’s proposed RMP/final EIS officially initiates the public protest period. The BLM publishes a public notice as well, which contains information about the project, protest period and filing instructions, contact information, and other supplemental information not contained in the Environmental Protection Agency’s NOA. This BLM published public notice must appear in the *Federal Register* for actions with effects of national concern (40 CFR

1501.9(c)(5)(ii)). Individuals and entities have 30 days from the publication of Environmental Protection Agency’s NOA of the document to file a protest with the BLM Director (43 CFR 1610.5-2)).

- The BLM must provide public notification of the availability of the approved RMP/ROD, and that notification must include publication of a NOA in the *Federal Register* for actions with effects of national concern (40 CFR 1501.9(c)(5)(ii), 40 CFR 1505.2).

2.1.4 Timeframes for Public Comment and Protest Periods

The BLM must provide at least 30 calendar days for the public to respond whenever requesting written comments unless a longer period is required by law or regulation (43 CFR 1610.2(e)). The BLM must provide at least 90 calendar days for the public to provide written comments on a draft RMP (amendment)/EIS. This period begins when the Environmental Protection Agency publishes an NOA for the draft EIS in the *Federal Register* (43 CFR 1610.2(e)). In computing these dates, the day after publication is counted as the first day. When a date falls on a weekend or holiday, the next Federal business day is used (1 CFR 18.17).

If a *Federal Register* notice is not required, then the period would begin when the BLM announces the availability of the document on the BLM’s official national NEPA register, including the opportunity for public comment on the BLM’s official national NEPA register, and posts a notice at the BLM office where the plan is being prepared. For example, the BLM may choose to offer an opportunity for public comment on an RMP amendment supported by an EA, and that does not require a *Federal Register* notice.

If the BLM grants an extension to the comment period, consider how to notify the public of the extension. Provide notice of an extended comment period in a manner that will best notify the parties interested in your planning effort of the new comment timeframe. A *Federal Register* notice is not required to provide notice of an extended comment period. If you used a *Federal Register* notice to announce the start of the comment period, you will need to decide if another *Federal Register* notice is necessary to reach interested parties that may not be reached by other notification methods, or if methods such as notification on the BLM’s official national NEPA register, press releases in local newspapers, or notices sent to mailing lists can reasonably notify your interested and affected parties of the change. Refer to the BLM NEPA Handbook (H-1790-1) for guidance on notifications related to extensions of comment periods.

2.1.5 Recordkeeping Related to Public Involvement

Public involvement activities conducted by the BLM must be documented by a record or summary of the principal issues discussed and comments made. We recommend that you include the date, type of meeting, list of attendees, and any decisions or agreements that were made during the meeting in the record or summary and that you maintain these records as the activities occur. **Table 2.1, *Public involvement in the preparation of an RMP*** provides a high-level overview of each public involvement step in the RMP process. A complete record of public involvement, including persons attending public meetings, is necessary for the BLM to confirm a person’s participation in the process to help the BLM determine whether a person has standing to protest a proposed RMP. If you have not kept complete public participation records, the BLM Director will be unable to dismiss any protests based on standing (refer to section **11.2.2, *Initial Evaluation of Protests***). The documentation together with a list of attendees must

be available to the public and open for 30 days to any participant who wishes to clarify the views they expressed (43 CFR 1610.2(d)). Refer to section 1.6, ***Required Record Keeping for Land Use Planning*** for additional guidance on contemporaneous recordkeeping requirements.

2.2 Coordination with Other Federal Agencies, Indian Tribes, and State and Local Governments

Section 202(c)(9) of FLPMA provides for coordination with other Federal agencies, Indian tribes, and state and local governments (43 CFR 1610.3-1(a)). The FLPMA directs the BLM during land use planning to the extent consistent with the laws governing the administration of the public lands, to coordinate the land use inventory, planning, and management activities with the land use planning and management programs of these entities within which the lands are located. Although the BLM cannot delegate its decision-making authority, other Federal agencies, Indian tribes, and state and local governments within the planning area can furnish advice to the BLM with respect to the development and revision of land use plans.

The FLPMA and BLM planning regulations emphasize coordination with other Federal agencies, Indian tribes, and state and local governments to ensure consistency with the officially approved and adopted plans and policies of tribes, and state and local governments, to the extent consistent with Federal law and the purpose of the Act. The NEPA provides for a cooperating agency relationship between the BLM and other Federal agencies, Indian tribes, and state and local governments throughout the NEPA process.

Refer to section 2.3, ***Cooperating Agency Involvement*** which further describes how the cooperating agency relationship moves beyond coordination to engage other entities in a working partnership as a cooperating agency.

We recommend you establish a clear coordination process with other Federal agencies, Indian tribes, and state and local governments for your planning effort. Each party may jointly agree upon roles and expectations for coordination, clarify processes for document reviews and how data is maintained, and disclose of any potential conflicts for consistency in the planning documents. In identifying the process for planning efforts, consider opportunities that foster:

- Openness, transparency, and clear communication;
- Early engagement, such as with the identification of potential issues;
- Incorporation of institutional and indigenous knowledge of the people who live, work, and recreate in the planning area;
- A forum that benefits the objectives to be attained through coordination; and
- Mutual understanding of responsibilities, requirements, and established plans.

The BLM's [Desk Guide to Cooperating Agency Relationships and Coordination with Intergovernmental Partners](#) provides valuable information on coordinating and cooperating with other government entities and we recommend that you share it with your partners when initiating a planning effort. **Table 2.3, *Comparison of cooperation and coordination with other governmental entities*** provides a comparison of cooperation as compared to coordination with other Federal agencies, Indian tribes, and state and local governments.

Table 2.3. Comparison of cooperation and coordination with other governmental entities.

Who	BLM's Obligations	Focus of Relationship during Land Use Planning
<p>Cooperating agencies: Eligible governmental entities that have jurisdiction by law or special expertise (40 CFR 1501.8(a))</p> <p><i>Primary Authority: NEPA (Section 102(2)(C), 107)</i></p>	<p>1) As appropriate, develop a memorandum of understanding with other Federal agencies, Indian tribes, and state and local governments to ensure a common understanding of each agency's role in the planning process, schedules, and staff commitments. Refer to the BLM <u>NEPA Handbook</u> (H-1790-1) for guidance on development and content of cooperating agency memoranda of understanding.</p> <p>2) Collaborate with all cooperating agencies concerning those issues relating to their jurisdiction and special expertise, during the following steps in the planning process: preparation of the analysis of the management situation; formulation of RMP alternatives; estimation of effects of alternatives; preparation of the draft RMP; and preparation of the proposed RMP (43 CFR 1610.3-1).</p>	<p>Early collaboration with eligible governmental entities that have jurisdiction by law or special expertise. The BLM often engages cooperating agencies during various planning steps prior to soliciting input from the public and routinely shares draft documents. The BLM may also invite staff from cooperating agencies to participate as part of the interdisciplinary team, especially if the agency has expertise that the BLM does not.</p>
<p>Coordination: Other Federal agencies, Indian tribes, and state and local governments</p> <p><i>Primary Authority: FLPMA (Section 202(c)(9))</i></p>	<p>1) Keep apprised of non-BLM plans.</p> <p>2) Consider those plans, policies, and management programs that are germane in the development of RMPs and RMP amendments.</p> <p>3) Assist in resolving, to the extent practical, inconsistencies between the RMP and non-BLM plans.</p> <p>4) Provide meaningful public involvement, including early notice of proposed planning decisions that may have a significant impact on non-Federal lands.</p>	<p>Coordination with other governmental entities so that RMPs will be consistent with officially approved or adopted land use plans of other Federal agencies, Indian tribes, and state and local governments to the maximum extent possible consistent with the purposes of FLPMA and other federal laws and regulations applicable to public lands, and the purposes, policies and programs of such laws and regulations (43 CFR 1610.3).</p>

“Participating agency” and “participating Federal agency” are more inclusive terms that refer to any agencies participating in an environmental review or authorization of an action (40 CFR 1508.1(cc) and (dd)). All designated cooperating agencies are participating agencies, but not all participating agencies are cooperating agencies. A participating – but not cooperating – agency will generally have less authority, special expertise, responsibility, and involvement than a cooperating agency. Refer to the BLM NEPA Handbook (H-1790-1) for guidance on the requirements associated with participating agency involvement.

The BLM must notify the public when it begins to develop, revise, or amend an RMP (43 CFR 1610.2(c)). At the same time, the BLM must also notify other governmental entities that have either requested to be notified or the BLM has reason to believe would be interested in the planning effort (43 CFR 1610.3-1(e)). The BLM must also provide other governmental entities

early notice of decisions that may have a significant impact on non-Federal lands (43 CFR 1610.3-1(a)(4)).

To facilitate coordination, we recommend you seek input on the timing, scope, and coordination of resource management planning; defining planning areas; and scheduling public involvement activities. Unlike a cooperating agency relationship, a memorandum of understanding is not required for this type of coordination; however, a field manager may seek a written agreement with a governor or a county commissioner. Such an agreement may be especially helpful when coordinating with multiple states, state agencies, or counties.

The BLM must, to the extent practical, keep apprised of the officially approved and adopted land use plans of other governmental entities. However, the BLM “shall not be accountable for ensuring consistency if they have not been notified, in writing, by State and local governments or Indian tribes of an apparent inconsistency” (43 CFR 1610.3-2(c)).

If there are discrepancies between state and local government approved or adopted resource related plans, the BLM will normally strive for consistency with those of the higher authority (43 CFR 1610.3-2(d)). For example, a county’s capital improvement plan might identify a parcel of BLM-administered land for acquisition to build a fire station or a community center, but a state’s capital improvement plan may reflect a policy against any acquisition or use of public lands. In such instance, the BLM would strive for consistency with the state capital improvement plan, not that of the county.

The state director must submit the proposed RMP (or proposed amendment) to the governor and must identify any relevant known inconsistencies with state or local plans, policies, or programs (43 CFR 1610.3-2(e)). Section **11.3, Governor’s Consistency Review** provides detailed information on how inconsistencies are identified and resolved prior to issuing an approved RMP or amendment.

2.3 Cooperating Agency Involvement

The cooperating agency relationship as provided for under NEPA and incorporated into the BLM planning regulations moves beyond coordination toward engaging these entities in a working partnership. Skills and resources are shared to help the BLM develop RMPs and associated environmental analyses that better reflect the policies, needs, and conditions of their jurisdictions and citizens.

The purpose of cooperation with other governmental entities is to:

- Gain early and consistent involvement of cooperating agency partners;
- Incorporate local knowledge of economic, social, and environmental conditions, as well as Federal, state, local, and Tribal land use requirements into the planning process;
- Address intergovernmental issues;
- Avoid duplication of effort; and
- Make better, more informed decisions.

Some of the potential benefits of cooperation with other governmental entities could include enhanced local credibility of an RMP and its associated NEPA analysis; cooperating agency

support for management decisions; and relationships of trust and cooperation among government entities.

2.3.1 Inviting Agencies to be Cooperating Agencies

A cooperating agency is any other federal agency, state, or local government or Indian tribe that has jurisdiction by law or special expertise and has entered into an agreement with the BLM to participate in the development of an EIS or EA as a cooperating agency under NEPA and in the planning process (40 CFR 1508.1(g)).

Jurisdiction by law means an agency has “authority to approve, veto, or finance all or part of the proposal” (40 CFR 1508.1(t)). Special expertise means an agency has “statutory responsibility, agency mission, or related program experience” (40 CFR 1508.1(nn)). Tribes, cities, and counties interested in a planning area may possess special expertise due to their understanding of local land use plans, local social, economic, and political conditions, and indigenous knowledge. Refer to the BLM NEPA Handbook (H-1790-1) for guidance on the requirements associated with cooperating agency involvement.

2.3.2 Opportunities for Cooperating Agency Involvement

The cooperating agency relationship is founded on sharing information and expertise among a diverse group of government entities with the aim of developing broadly acceptable solutions to complex problems. Cooperating agencies may, by agreement with the BLM, help to do the following (43 CFR 46.230):

- Identify issues to be addressed;
- Arrange for the collection and/or assembly of necessary resource, environmental, social, economic, and institutional data;
- Analyze data;
- Develop alternatives;
- Evaluate alternatives and estimate the effects of implementing each alternative; and
- Carry out any other task necessary for the development of the environmental analysis and documentation.

Engaging in a cooperating agency relationship during the planning process does not change the BLM’s jurisdiction or authority or that of the other government entities. The BLM remains the decisionmaker and is responsible for the environmental analysis that supports its decisions. In addition to cooperating agency reviews, a cooperating agency may also submit comments during public involvement opportunities and may submit a protest during the public protest process on a proposed RMP or amendment.

An eligible entity can become a cooperating agency at any time during the planning process. However, we encourage you to reach out to potential cooperators early in the process, ideally prior to developing or updating the analysis of the management situation to encourage them to submit input prior to the development of alternatives.

Refer to the BLM NEPA Handbook (H-1790-1) for guidance on working with cooperating agencies.

Participation as a cooperating agency does not replace BLM’s obligation to conduct required consultation with other Federal agencies or Indian tribes. For example, participation by an Indian tribe as a cooperating agency does not change BLM’s responsibility to conduct Tribal consultation (refer to section **2.4, Consultation**).

2.4 Consultation

Consultation is mutual, open, and direct two-way communication in good faith to secure meaningful and timely participation in the decision-making process, as allowed by law. You must complete any necessary consultations prior to issuing a decision for your land use plan. Consult with the Office of the Solicitor if you are considering signing a decision before completing necessary consultations.

A planning process generally includes consultation regarding three types of resources: Tribal, historic properties, and Federally listed species.⁴ Below is a general description of these three types of consultation.

Tribal Consultation: The BLM, on behalf of the Federal government, is required to initiate and conduct government-to-government consultation with affected Indian tribes as sovereign nations. When it becomes apparent that the nature and/or the location of an activity could affect Tribal issues or concerns, the BLM manager is responsible for initiating appropriate consultation with potentially affected Indian tribes, as soon as possible. The BLM’s Improving and Sustaining BLM-Tribal Relations Handbook (H-1780-1) provides detailed guidance for this consultation as part of the land use planning process.

We recommend that you formally initiate consultation with Indian tribes early in the planning process, to allow for those conversations to inform development of alternatives, issues for analysis, and the development of the proposed RMP. Indian tribes are also eligible to participate as cooperating agencies in the planning process and such participation can facilitate communication that is beneficial to the BLM’s separate requirements for Tribal and cultural consultation.

Historic Properties Consultation: The BLM consults with State Historic Preservation Officers, tribes, and other appropriate consulting parties to manage historic properties consistent with Section 106 of the National Historic Preservation Act and its implementing regulations at 36 CFR Part 800, the BLM National Programmatic Agreement executed under the authority of the National Historic Preservation Act, other pertinent statutes and agreements, and the BLM 8100 manual series and 1780 manual and handbook.

We recommend designated line officers initiate formal consultation with Indian tribes, Tribal Historic Preservation Officers and State Historic Preservation Officers as early as possible in order to inform the process. Early engagement ensures you have the most current data, conditions, trends, plans, guidance, and strategies relevant to the planning area to include in the analysis of the management situation. Early engagement also identifies potential issues and

⁴ Per Department of the Interior policy on Consultation with Alaska Native Claims Settlement Act Corporations, the BLM must also consult with Alaska Native Claims Settlement Act Native corporations in Alaska, where relevant and appropriate.

methodologies for analyzing those issues to include in the planning criteria. You must meet the requirements of Section 106 of National Historic Preservation Act prior to issuing a decision on your RMP (CEQ and ACHP, *NEPA and NHPA: A Handbook for Integrating NEPA and Section 106*, March 2013). Consult with cultural program staff to determine what the Section 106 requirements are for your decision.

Federally Listed Species Consultation: Section 7 of the Endangered Species Act generally directs Federal agencies to aid in the conservation of listed species and requires consultation between the BLM and the U.S. Fish and Wildlife Service and National Marine Fisheries Service (also known as NOAA [National Oceanic and Atmospheric Administration] Fisheries), where appropriate, to avoid jeopardizing the continued existence of threatened and endangered species or adversely modifying or destroying designated critical habitat. The Magnuson-Stevens Fishery Conservation and Management Act requires the BLM to consult with the National Marine Fisheries Service for actions that may adversely affect designated essential fish habitat. The BLM Special Status Species Management Manual (6840) provides program-specific policy describing the responsibilities of BLM for Section 7 and the importance of early coordination.

We recommend early and frequent engagement with the U.S. Fish and Wildlife Service and National Marine Fisheries Service, as appropriate, to help facilitate Endangered Species Act consultation for your planning effort. Initiate informal consultation with the U.S. Fish and Wildlife Service and National Marine Fisheries Service as you begin to collect information to develop your analysis of the management situation and planning criteria. This early engagement allows for: better understanding of how the BLM planning process and timelines will interact with the Endangered Species Act consultation process and timelines; mutual consideration and understanding of applicable science and analytical methods and tools used in species evaluations; input on development of alternatives including development of objectives and management direction to support the conservation and recovery of special status species; and the potential to reconcile differences in determinations of effects. A demonstrable way to initiate engagement is to enter into a consultation agreement with the U.S. Fish and Wildlife Service and National Marine Fisheries Service, as appropriate, which helps provide timely coordination between the land use planning process, the NEPA process, and the Endangered Species Act consultation process. To minimize any conflicts between the BLM and the consulting agency, we recommend you establish timelines and outline the nature and frequency of communication about issues with the consulting agency early in the planning process.

As plan development progresses, if informal consultation indicates a potential for effects on listed species or designated critical habitat, we recommend compiling the plan components in the draft RMP/EIS that contribute towards the conservation and recovery of species and submitting the information to the regulatory agencies as part of section 7(a)(1) procedures when you are releasing the draft RMP/EIS for public review. Through continued coordination, the U.S. Fish and Wildlife Service and/or National Marine Fisheries Service, as appropriate, may affirm the conservation actions you have incorporated into your plan and can provide advice or technical assistance on plan components that could best help contribute to the recovery of species to consider in the development of the proposed RMP alternative. Since most proposed RMP alternatives are similar to or developed from the preferred alternative in the draft RMP/EIS, we

recommend you use the preferred alternative identified for your draft RMP/EIS in your section 7(a)(1) considerations to facilitate informal or formal section 7(a)(2) consultation.

When the BLM initiates formal consultation, finalizes a biological assessment, and submits it to the U.S. Fish and Wildlife Service or National Marine Fisheries Service, as appropriate, this starts a 135-day review. In the land use planning process, this review would occur when you have sufficiently developed and analyzed the effects of your proposed RMP alternative. The 135-day period begins when the U.S. Fish and Wildlife Service and National Marine Fisheries Service formally accepts the biological assessment the BLM submitted as complete. Coordination of the planning, NEPA, and consultation processes may facilitate completing the biological assessment concurrent with your NEPA analysis for the proposed RMP/final EIS and allow the regulatory agencies to be prepared to provide formal acceptance of the biological assessment soon thereafter. In such cases, it is possible that you could initiate section 7(a)(2) consultation prior to the public release of your proposed RMP/final EIS to help keep your planning effort to the determined schedule. After reviewing the biological assessment, the U.S. Fish and Wildlife Service or National Marine Fisheries Service will issue a biological opinion documenting the agency's final findings. We recommend you complete Section 7(a)(2) consultation before you issue your planning decision. Consult the BLM Special Status Species Manual (MS 6840) or the Office of the Solicitor for additional information.

2.5 Other Special Considerations

Other authorities and processes that need to be considered during the planning process include the Federal Advisory Committee Act and review by the Resource Advisory Councils.

2.5.1 Federal Advisory Committee Act Guidance

Congress passed the Federal Advisory Committee Act in 1972 to reduce special-interest-group influence on decisionmakers and to foster equitable access to the decision-making process for the public. The Federal Advisory Committee Act governs how the BLM can engage with certain types of groups and you will need to understand these limitations when designing your public involvement strategy. Additionally, there are specific requirements when a Federal Advisory Committee Act group exists who will need to be involved the RMP process. Refer to the BLM NEPA Handbook (H-1790-1) and the BLM's *Federal Advisory Committee Act Guidebook* for an overview of how to comply with the Federal Advisory Committee Act.

2.5.2 Resource Advisory Councils

Section 309 of FLPMA directs the Secretary of the Interior to establish advisory councils that may furnish advice to the Secretary to represent citizens' interests in land use planning and the management of public lands in the area for which the advisory council is established. A resource advisory council is a citizen-based group that is chartered under the Federal Advisory Committee Act to provide advice and recommendations to the BLM. It is recommended that resource advisory councils be kept informed of the BLMs planning processes.

Each resource advisory council consists of up to 15 members from diverse interests in local communities, including tribes, state, and local government officials, academics, environmental groups, industry, and other public land users. The resource advisory councils have been successful in bringing diverse and often competing interests together to address issues of mutual

concern and have demonstrated that consensus-driven recommendations can lead to solutions that benefit natural resources and often have a high level of public support.

If a resource advisory council or other Federal Advisory Committee Act chartered advisory council has been established in a planning area, the BLM must inform that council, seek its views, and consider them throughout the planning process (43 CFR 1610.3-1(g)). We recommend that you coordinate with the resource advisory council early in the planning process to determine how best to address their meeting schedule and meeting notice requirements so that you receive timely feedback during appropriate steps in the planning process. For example, they may be willing to accommodate the BLM's schedule by considering the exchange of information where you are not seeking a formal agreement via email.

All resource advisory council meetings are open to the public and the news media. Schedule meetings and prepare agendas in a manner that encourages public attendance and participation. Anyone from the public may appear before the resource advisory council and give a statement regarding matters on the meeting agenda (43 CFR 1784.4-3). All public statements given at a resource advisory council meeting are comments to the resource advisory council, to inform their recommendations to the BLM, rather than public comments to the BLM. Detailed records must be kept for each resource advisory council meeting and all records and documents prepared by, or submitted to the resource advisory council must be available for public inspection (43 CFR 1784.5-3). Check with your State Office Records Administrator regarding specific recording keeping requirements for resource advisory council engagement.

Resource advisory council subgroups are sometimes formed during a planning process to study a particular issue in more detail (43 CFR 1784.6-2). The resource advisory council subgroup members are identified by the resource advisory council and the subgroup reports back to the resource advisory council rather than giving recommendations directly to the BLM. The BLM can help facilitate the resource advisory council subgroup by providing them information and answering questions. It is important to note that the same requirements for meeting notices, open meetings, and record keeping also apply to subgroup meetings (43 CFR 1784.4-2, 43 CFR 1784.4-3, and 43 CFR 1784.5-3). It is recommended as a best practice to clearly articulate in writing the purpose of the subgroup and when the subgroup would no longer be needed.

For example, a resource advisory council covers five field offices and its members were from different areas across the region. One of those field offices began an RMP revision process and a subgroup of the resource advisory council was formed to provide local knowledge of how the allocations of travel management areas (i.e., open, limited, or closed) in the alternatives interact with the local transportation network. The subgroup was composed of local representatives from diverse perspectives (43 CFR 1784.6-1(c)) who were able to study the allocations for travel management areas in the action alternatives and provide recommendations to the resource advisory council. The resource advisory council then provides feedback to the BLM on the range of alternatives and planning criteria. The subgroup benefited the resource advisory council by providing them with local knowledge. An additional benefit was that key representatives from the local community worked with the BLM to understand the proposed alternatives in detail and could help explain the planning process to other community members and reduce the spread of misinformation.

2.5.3 Cooperation to Identify Situations Where Action Can be Taken Based on Another Agency's Plan or a Land Use Analysis

Within a planning area, the BLM-administered surface lands and subsurface mineral estate interests are often intermingled with non-Federal mineral estate, or with lands that are managed by or under the jurisdiction of other Federal agencies, Indian tribes, or state and local governments. The BLM's land use planning regulations authorize the preparation of an RMP for whatever public land interests exist in a given land area, including mixed ownership where the public land estate is under non-Federal surface, or administration of the land is shared by the BLM and another Federal agency (43 CFR 1610.5-7). While RMPs can identify lands the BLM would like to acquire, if possible, and specify how such lands, if acquired, would be managed, RMPs only govern public lands.

The BLM may rely on the NEPA analysis documents of other agencies when split or shared estate conditions exist in any of the situations outlined below. Refer to the BLM NEPA Handbook (H-1790-1) for more information on adopting the analysis in another agency's EIS or EA and the benefits of participating as a cooperating agency in the NEPA process supporting development of the other agency's plan.

1. After evaluation and review, the BLM may adopt another agency's plan for continued use as an RMP if an agreement is reached between the BLM and the other agency to provide for maintenance and amendment of the plan, as necessary, to comply with law and policy applicable to the public lands (43 CFR 1610.5-7(b)).

Example: The BLM may share responsibility for managing a particular area with another agency. There may be BLM inholdings within a State Wildlife Area. Rather than preparing an RMP to address the inholdings within the State Wildlife Area, you could adopt the State's management plan for that area to use as the RMP. When adopting another agency's plan as the BLM's RMP, you would need to consider if their plan was consistent with the BLM's land use planning regulations as well as the requirements of NEPA.

2. A land use analysis may be relied on to consider a coal lease when there is no Federal ownership interest in the surface and when coal resources are insufficient to justify plan preparation costs. The land use analysis process, as authorized by the Federal Coal Leasing Amendments Act, consists of:
 - a) An environmental assessment or impact statement;
 - b) Public involvement as required by 43 CFR 1610.2;
 - c) The consultation and consistency determinations required by 43 CFR 1610.3;
 - d) The protest procedure described by 43 CFR 1610.5-2; and
 - e) A decision on the coal lease proposal (43 CFR 1610.5-7(c)).

Chapter 3 – Land Use Plan Components

General

- 3.1 Goals and Objectives
- 3.2 Designations
- 3.3 Allocations for Allowable Resource Use
- 3.4 Management Direction
- 3.5 Describing Where Plan Components Apply
- 3.6 Management Areas
- 3.7 Integrating Management

General

The fundamental purpose of an RMP is to guide and control future implementation actions and the development of subsequent, more detailed activity plans for resources and uses. The BLM’s planning regulations (43 CFR 1601.0-5(n)) generally outline the following land use plan components to help reach this purpose:

1. Goals and objectives for resource conditions;
2. Administrative designations;
3. Allocations for allowable resource uses and related levels of production or use; and
4. Management direction (which includes identification of support actions, program constraints, and general management practices to achieve desired outcomes).

Plan components are tailored to the resources, uses, and issues in the planning area. While they may be used to carry out laws, regulations, or policies, they do not merely repeat existing requirements from those authorities. In combination, plan components support the principles of multiple use and sustained yield. In this handbook, we use the term “resource” broadly to cover a variety of public land resources, including but not limited to environmental, social, economic, scenic, recreational, cultural, and historic.

Plan components in an RMP:

- Acknowledge and do not exceed the BLM’s authority;
- Have a clear intent and are written without ambiguity to aid in evaluating whether future implementation actions are in conformance with the RMP;
- Are internally consistent to avoid conflicting direction for a given geographic area; and
- Are spatially explicit and identify whether they apply to the entire planning area, a specific geographic area, or land with specific characteristics or conditions.

All future authorizations and implementation actions, and more detailed or specific planning, must conform to the components in the approved plan (43 CFR 1610.5-3(a)). A plan component may only be changed through an RMP amendment or revision, except to correct typographical or mapping errors, or to reflect minor changes in data which may be accomplished through plan maintenance (43 CFR 1610.5-4, 5-5, and 5-6). Refer to section **13.1.2, *Plan Maintenance*** for guidance on what constitutes plan maintenance and how to document it.

In addition to the plan components listed above, this chapter also describes how to address future activity plans, monitoring and evaluation standards, and acquired lands management in RMPs.

3.1 Goals and Objectives

Goals and objectives are the foundation of an RMP; together they provide direction on the BLM's desired outcomes for resource conditions and uses in the planning area. All other plan components must support achievement of the goals and objectives. While the design of all action alternatives must support the achievement of goals and objectives, as described below, goals and objectives are distinctly different in the roles they serve in the planning process. RMP goals describe outcomes that we are trying to reach through planning to address the problems or opportunities. During land use planning goals do not vary by action alternative. Planning RMP objectives are desired outcomes that meet the RMP goals, however during land use planning they will generally vary across your range of action alternatives.

3.1.1 Goals

Planning goals are broad, generally qualitative statements of opportunities to meet desired resource management conditions within your planning area. NEPA requires development of a purpose and need for a proposed action. In the NEPA document for a planning effort, the BLM identifies a "need" for the action as the underlying problem or opportunity to which the BLM is responding with the planning action; a "purpose" is described as the outcome that we are trying to reach through planning. In the planning context, the statement of purpose and need equates to the goal(s) for the RMP and you are not required to write goals separately from your purpose and need statement, though if you do the goal statements should be concise to avoid redundancy and must be consistent with and reflect your purpose and need.

Your purpose and need statement directs how the planning area (or a portion of the planning area) will need to be managed to some extent under all action alternatives. Refer to section **5.4, *Purpose and Need for A Land Use Plan*** for guidance on developing a purpose and need that reflects the goals for your planning effort.

3.1.2 Objectives

Objectives are specific and measurable desired resource and resource use conditions within a planning area. Objectives may vary across the alternatives as needed to reflect different ways to achieve the purpose and need (which reflects your goals) for the RMP. Objectives provide a framework for identifying designations, allocations, and management direction to achieve those desired conditions under each alternative.

An objective is measurable to allow for evaluating progress toward achievement and may have established time frames for achievement. We recommend objectives be expressed in terms of outcomes rather than actions, so BLM can evaluate their achievement (refer to section **Chapter 4, *RMP Evaluations***).

3.1.2.1 *Identifying Measurable Objectives*

The BLM evaluates monitoring data to determine if progress is being made to achieve objectives. Therefore, we recommend your objectives include measurable indicators that will show how the implementation of actions in conformance with your management direction moves you toward achievement of objectives. Identify objectives in a manner that clearly identifies the information necessary to measure the objective and establish thresholds for which the BLM will test against in RMP evaluations.

Objectives do not have to be quantified to be measurable. An example of a measurable objective is:

- *Maintain and restore access to stream channels for all life stages of fish species.*

For this example, the desired condition is “accessible stream channels for all life stages of aquatic fish species.” The measurable component is the amount (miles) of accessible stream channel for aquatic fish species. When the BLM evaluates whether this objective is being achieved, it will use inventory and monitoring data to identify the miles of accessible streams to be able to evaluate whether there are the same number of miles of stream channel accessible to fish species, or if it has increased or decreased, from the amount that existed at the time of the RMP’s approval. In this way, this example objective has clearly identified the baseline (miles of stream accessible for all life stages of fish species at the time of the RMP approval) and clearly identifies the types of monitoring and inventory data that will be necessary (changes to miles of accessible stream channel) to evaluate the RMP. This measurable objective also establishes the impact indicator to use (miles of accessible stream) in the analysis supporting the RMP. Refer to **Chapter 13, *After the Decision*** for more information on implementing and monitoring RMPs, **Chapter 4, *RMP Evaluations*** for more information on evaluating RMPs, and section **6.1.2, *Outlining the Impacts Analysis Plan*** for more information on identifying units of measure for analysis.

When identifying a measurable objective, be mindful of how practical it is to monitor and consider whether the same monitoring indicator could be used to evaluate multiple objectives. Use established national monitoring indicators whenever possible. Examples of national monitoring indicators include BLM terrestrial and aquatic core indicator data and interpreting indicators of rangeland health assessments.

Other examples of measurable objectives include:

- *Maintain or increase the number of active special status raptor nests for each species within the planning area.*
- *Manage commercial timber sale areas as VRM Class IV areas. In VRM Class IV, major modifications to the existing character of the landscape are allowed and the level of change to the characteristic landscape can be high.*
- *Limit air quality degradation from authorized activities on BLM-administered lands. Within the scope of the BLM’s authority, minimize emissions that 1) cause or contribute to violations of air quality standards, or 2) negatively impact air quality-related values, such as acid deposition and visibility, with particular emphasis on Federal Class I areas (for example, wilderness areas over 5,000 acres) and Class II areas (for example, national monuments).*
- *Maintain and enhance habitat for special status plant species so that there are at least three populations of both the Willamette daisy and Bradshaw’s lomatium with at least 5,000 individuals in each population.*
- *Manage sagebrush communities in the Dry Valley Watershed to achieve an average of 35 percent sagebrush canopy cover within 15 years to sustain sagebrush-obligate species.*

Because you must monitor plans to determine if progress is being made in reaching objectives, we recommend that you use indicators that can be measured. Often when people hear the term “measurable,” they think in terms of measuring a quantity (such as the length of a stream or the number of caribou, for example). However, there are many ways to describe how a variable could be measured or how numbers could be grouped by using scales of measurement. The four scales of measurement are nominal, ordinal, interval, and ratio. An objective may reference indicators that represent more than one of these four scales.

Congress has recognized the importance of public lands as a source of minerals, food, timber, and fiber (FLPMA, section 102(a)(12)). However, it may be challenging to develop measurable objectives for resource uses since the level of use may fluctuate throughout the implementation of the plan based on any number of variables such as market conditions, technology, wildfire, or drought. We recommend your objectives identify that the BLM would provide opportunities for a resource use so long as it does not exceed acceptable levels of impacts to other resources.

Objectives for resource uses can address potential conflicts with resources, protections, and other uses. Like objectives for resources, it would be appropriate for resource use objectives to vary across your range of alternatives.

Examples of resource use objectives:

- *Maintain availability of mineral material sites needed for development and maintenance of access roads for forest management, local communities, rights-of-way for energy production and transmission, and other uses.*
- *Manage wind energy to allow the authorization of the maximum extent practicable without precluding other land uses.*
- *Manage oil and gas authorizations to prevent exceedances of national, state, or local ambient air quality standards.*
- *Provide for livestock grazing while maintaining the health of public rangelands.*

When you include limitations on uses of public lands, focus on addressing conflicts and trade-offs between resource or resource use, protections, and development, or resolving disagreements about the best way to use a resource or prevent an unwanted resource condition. For example, under current technology, the BLM’s analysis may identify how many oil and gas wells could be permitted without exceeding the National Ambient Air Quality Standards. However, what might happen if the Environmental Protection Agency lowered one of the standards? The BLM may have to reduce the number of wells that could be permitted to continue to meet the air quality standard. Conversely, what might happen if technological improvements reduced the emissions from oil and gas wells? The BLM might then be able to permit an increased number of oil and gas wells and still meet the air quality standard. When our resource use objectives reflect limitations needed to address conflicts and trade-offs between resource or resource use, protections, and development, or resolve disagreements about the best way to use a resource or address an unwanted resource condition, our RMPs are more durable, and we can respond to changing circumstances while still achieving the desired conditions identified in our RMPs.

3.2 Designations

Designations identify geographic areas of public land where management is directed toward one or more priority resource values or uses (43 CFR 1601.0-5(n)(1)). They include two types:

1. Administrative designations, identified in BLM or Department of the Interior program-specific policies or regulations, are established through the BLM's land use planning process to achieve RMP objectives; and
2. Presidential, Congressional, or Secretarial designations are those that can only be established by the President, Congress, or the Secretary of the Interior pursuant to specific legal authority.

The BLM develops administrative designations to prioritize specific resource values or uses when making subsequent decisions affecting the designated area. The BLM is not compelled to designate an area in an RMP but may be required by program-specific regulations or policy to analyze potential designations across a range of alternatives as part of the planning process. The BLM identifies administrative designations in alternatives when they support one or more objectives of the alternative consistent with legal requirements, regulations, and policies for such designation. It would also be appropriate to identify allocations (refer to section **3.3, *Allocations for Allowable Resource Use***) that apply within the designations to describe uses that support or are compatible with the administrative designation.

Administrative designations are limited to those that BLM may establish through the land use planning process. Some, such as areas of critical environmental concern, can only be designated as part of the planning process, while others, such as right-of-way corridors, may be designated either in an RMP or during subsequent implementation-level planning. Consult program-specific guidance in handbooks, manuals, or regulation for specific direction on establishing administrative designations.

When the BLM makes designations through approval of an RMP, the BLM is making a commitment to manage those lands for that prioritized use. Example administrative designations include:

- Area of critical environmental concern (designated pursuant to FLPMA) (43 CFR 1610.7-2)
- Research natural area (43 CFR 8223.0-5)
- Back country byway (BLM Handbook 8357)
- Scenic byway (BLM Handbook 8357)
- Special recreation management area (BLM Manual 8320.06(C)(3)(a))
- Herd management area (BLM Manual 4700.06(C))
- Watchable wildlife viewing areas and sites (Fish & Wildlife 2000, National Strategy Plan (1992))
- Right-of-way corridor (43 CFR 2802.11, BLM Manual 2802.1.B.4)
- National scenic and historic trail corridor (16 U.S.C. 1246(a)(2), BLM Manual 6280.4)

Be cautious in considering the creation of overlapping designations. The purpose of a designation is to identify where the BLM has decided that management will be primarily focused on the achievement of specific resource objectives.

Circumstances where overlapping designations might be appropriate include where doing so would facilitate clear and transparent understanding of the BLM's intentions for the management of the specific public lands, or where such overlap would allow for prioritized management to support the protection or conservation of resources. For example, the designation of a special recreation management area within a national monument could provide for the protection of the objects and values identified in the proclamation by ensuring recreation is prioritized and managed in designated areas determined through the planning process to be appropriate, rather than allowing degradation of the objects and values of the monument through dispersed and unmanaged recreation.

Creation of overlapping designations can lead to confusion as to which resource objectives take precedence and may result in conflicting allocations and management direction or confusion during implementation. For example, the designation of a special recreation management area could potentially conflict with management of an area of critical environmental concern if intensive recreation were negatively impacting the relevant and important values that warrant designation of the area of critical environmental concern. Review plan components relevant to each designation under each alternative to ensure appropriate consistency in areas that overlap, as the application and extent of overlap can vary among alternatives. The RMP analysis must identify potential impacts related to overlapping designations.

Designations established by the President, Congress, or the Secretary of the Interior cannot be established or changed through the BLM's land use planning process. They include but are not limited to:

- California Desert National Conservation Lands
- Connecting Trail (associated with a National Recreation, Scenic, or Historic Trail)*
- Conservation Management Area
- Cooperative Management and Protection Area
- FLPMA Section 204 Withdrawal
- FLPMA Section 603 Wilderness Study Area
- Forest Reserve
- National Conservation Area
- National Scenic and Historic Trail
- National Monument
- National Recreation Area
- National Scenic Area
- National Historic Landmark
- National Natural Landmark
- National Recreation Trail, including National Water Trails*
- Outstanding Natural Area
- Side Trail (associated with a National Recreation, Scenic, or Historic Trail)*
- Wilderness Area

- Wild and Scenic River*

* For the single asterisked items above, the BLM may include recommendations for designation in an RMP.

Where these kinds of designations occur within the planning area and are relevant to your decision, identify them in the RMP. Develop objectives and management direction for the area, when necessary, consistent with BLM policy for managing those specific types of designations and with the overarching direction provided in the proclamation, legislation, or order through which this kind of designation was established.

3.3 Allocations for Allowable Resource Use

Allocations are used to describe whether specific uses of the public lands (such as livestock grazing or energy development) are allowed, restricted, or prohibited. Allocations are identified and defined in program-specific policy so that all allocations are identified consistently across all BLM RMPs; not all programs have established policy to identify allocations in RMPs.

Allocations are not administrative (BLM), Presidential, Congressional, or Secretarial designations. For example, FLPMA Section 204 withdrawals are not an allocation made in the land use plan (refer to discussion of Presidential, Congressional, and Secretarial designations in section 3.2, *Designations*).

The BLM allocates allowable resource uses in an RMP and sets related levels of production or use to be maintained (43 CFR 1601.0-5(n)(2)) on an area-wide basis. Specific use levels are normally identified during implementation-level planning, such as through activity plans or project-specific analysis. Allocations are used to describe where future management in a specific geographic area differentiates from the geographic areas around it. When developing allocations, consider whether any restrictions on allowed uses are necessary to achieve the desired resource conditions described in the objective. The BLM identifies allocations on every acre within the decision area consistent with the objectives for each alternative. As such, allocations will overlap on a parcel across the entire planning area. **Table 3.1, *Examples of types of allocations for allowable resource use*** provides a list of some kinds of allocations. Consult program-specific guidance for the current list of allocations that must be made that are relevant to your land use plan and the criteria for evaluating which allocation is appropriate.

Table 3.1. Examples of types of allocations for allowable resource use.

Resource Use	Allocation
Fire	<ul style="list-style-type: none"> • Suitable to manage unplanned natural ignitions to achieve resource benefits (when conditions are appropriate) • Not Suitable to manage unplanned natural ignitions to achieve resource benefits
Timber Harvest	<ul style="list-style-type: none"> • Available for sustained-yield timber harvest • Available for special forest products harvest • Unavailable
Livestock Grazing	<ul style="list-style-type: none"> • Available for livestock grazing • Unavailable for livestock grazing
Off-Highway Vehicles	<ul style="list-style-type: none"> • Area is open to all types of vehicles • Area is limited (e.g., to existing or designated trail, season of use, type of trail) • Area is closed to off-highway vehicles
Fluid Minerals	<ul style="list-style-type: none"> • Open to leasing – subject to standard lease terms and conditions • Open to leasing – subject to moderate constraints (timing limitations or controlled surface use stipulations) • Open to leasing – subject to major constraints (no surface occupancy stipulations) • Closed to leasing
Coal	<ul style="list-style-type: none"> • Acceptable for further consideration for coal leasing – all mining methods • Acceptable for further consideration for coal leasing – only certain stipulated mining methods • Unsuitable for leasing
Mineral Materials	<ul style="list-style-type: none"> • Open to mineral materials disposal • Closed to mineral materials disposal
Non-Energy Leasable Minerals	<ul style="list-style-type: none"> • Open to non-energy mineral leasing and development • Closed to non-energy mineral leasing and development
Visual Resource Management	<ul style="list-style-type: none"> • Identified for preservation of the existing natural character of the landscape. • Identified for retention of the existing natural character of the landscape. • Identified for partial retention of the existing natural character of the landscape. • Identified that alteration of the existing natural character of the landscape is allowable.

Program-specific statutes, regulations, or policies establish criteria for resource use allocations. The BLM must use that criteria to determine the appropriate allocations across all BLM-administered lands. For example, while an RMP can identify lands as generally available for disposal under a variety of authorities, if the BLM intends to identify a tract as available for disposal by sale under FLPMA 203 and allocate the tract as such in the RMP, the BLM must describe in the RMP how the tract meets one or more of the criteria set forth in FLPMA 203 (a)(1)-(3). The BLM may identify additional criteria in the RMP that a tract must meet to be identified for disposal under FLPMA 203 but must identify the specific tract and evaluate the tract against these FLPMA-established criteria at a minimum.

For some resources or uses, it may be sufficient to identify an allocation without any additional criteria. For example, an off-highway vehicle open area is an area where all types of vehicle use are permitted at all times, anywhere in the area subject to the operating regulations and vehicle

standards set forth in the regulations (43 CFR 8340.0-5(f)). Due to the nature of this allocation, it would not be appropriate to include additional criteria that restrict use in this area.

In other circumstances, it would be necessary to identify additional specific criteria. For example, for an off-highway vehicle limited allocation, the BLM would need to specify how use would be limited within the area and the RMP may further define the allocation as limited to type of vehicle, season of use, or type of trail. For a fluid minerals allocation of open to leasing subject to moderate constraints, the BLM would need to specify the constraints and the criteria required to consider exception, modification, and waiver associated with any oil and gas lease stipulations. When you have identified additional criteria for an allocation, changes to those criteria would result in a change in the terms, conditions, and decisions of the approved plan and must be made through a planning process (43 CFR 1610.5-5), such as an RMP amendment.

When the RMP identifies an area where a use would be allowed, such as an allotment available for livestock grazing, the BLM would not be making a commitment to permit all such uses within that area. Rather, the allocation of those allotments as available for livestock grazing would be an indication that such use may be consistent in that area. When implementing the RMP, the BLM would conduct a finer scale of NEPA analysis prior to making a decision to issue a grazing permit or other authorization for an individual project or activity associated with allowable resource uses. If the BLM identifies an area where a use would be excluded, such as a right-of-way exclusion area, that future use or activity could not be authorized by the BLM because such an authorization would not be in conformance with the land use plan covering the project area. In this example, the BLM would need to complete an RMP amendment or revision to change the existing allocation to allow a right-of-way in the area in order to authorize the activity to ensure plan conformance.

3.4 Management Direction

Land use plans also identify management direction to achieve desired outcomes (objectives), including program constraints, general management practices, and support actions (43 CFR 1601.0-5(n)(4), (5), and (6)). These are measures that will be applied to all subsequent relevant implementation activities to achieve RMP objectives.

In writing management direction, we recommend you use language that clearly directs the future actions to take, any rules for implementing that direction, and any standards necessary to achieve the objectives. Consistent implementation of your management direction supports achievement of RMP objectives. We recommend you avoid writing management direction that identifies process requirements or what to think about before implementing this future direction, as this kind of direction does not help the reader understand the effectiveness of those actions to achieving the objectives. For example, management direction that says, “Consider allowing some naturally ignited fires to burn under prescribed conditions” only gives direction of what to think about, not whether to take an action. We also recommend you use language that provides for consistency in implementation. In the example, the use of “some” does not help you know how much is necessary to be working towards the achievement of the objective. Revising this example management direction to state “Allow naturally ignited fires to burn when Industrial Fire Precaution Levels are below 4 and ignitions are outside of the wildland urban interface” would clearly tell you what action to take and the conditions that must be met to take it.

Some examples of management direction that clearly describe the action that will be taken, rules for implementing that action, and any standards necessary to achieve the objectives include:

- *Develop roads and trails to provide access for electric technologies such as e-bikes and other power-driven mobility devices to provide opportunities for persons with disabilities where feasible and compatible with other resource objectives.*
- *Issue vending permits that complement visitor activity or contribute to resource protection.*
- *Use manual, mechanical, cultural, chemical, and biological treatments to manage invasive species infestations.*

Through plan monitoring, the BLM assesses whether implementation of project actions is being done in accordance with the management direction in the RMP and is effective at achieving RMP objectives. Refer to section **13.1.1, *Plan Conformance*** and section **13.2, *Monitoring*** for further guidance on plan conformance and monitoring.

Management Direction vs Best Management Practices

Management direction comprises land use planning decisions that must be applied to all subsequent relevant implementation actions; any future implementation-level decision that does not apply the relevant management direction would not conform to the land use plan (43 CFR 1610.5-3).

Best management practices are methods, measures, or practices that have been developed through professional experience or research to minimize undesirable impacts to the environment.¹ Best management practices may not be applicable to every subsequent implementation action – their application would depend upon professional judgement, project-specific conditions, technical feasibility, and resource availability. They also may be updated over time due to improved understanding of ecosystem interactions or changes in technology. Best management practices are not plan components; they are not subject to plan conformance and can be updated without an RMP amendment. To avoid confusion with plan components, we recommend that best management practices, if published in conjunction with an RMP, either be listed as an appendix separate from plan components or published on the BLM’s official national NEPA register as a separate stand-alone supporting document. Explain to the public that any such list of best management practices is not intended to be all-inclusive, nor does it replace a finer scale of project planning (which may require the use of different or additional best management practices).

You have the discretion to identify best management practices concurrently with a land use planning effort, during development of an activity plan, or during project-specific analysis. In deciding whether to publish a list of best management practices in conjunction with your RMP, consider staff capacity, workloads, and project schedules. While there may be advantages to developing best management practices at the planning area-scale, you may determine that limitations on staff capacity or time warrant waiting to do so as part of subsequent implementation actions.

For a project-driven amendment, be sure to clearly identify which best management practices would be required terms or conditions on the approved land use authorization or permit.

¹ Best management practices are defined differently by different programs and regulations (for example, the Clean Water Act and the BLM’s *Surface Operating Standards and Guidelines for Oil and Gas Exploration and Development* (or “Gold Book”). Best management practices may also be incorporated as mitigation for adverse effects under NEPA during project-specific review. In this handbook, we are referring to best management practices in a general sense.

3.4.1 Flexibility vs. Predictability in Management Direction

When identifying management direction, it is important to understand how broadly stated management direction will influence your analysis and implementation differently from management direction that is stated in a specific or focused way. Neither approach is wrong, and it is important to understand the state director's intentions and consider any guidelines for developing statements of management direction that provide for flexibility or predictability in implementation for a particular resource or resource use.

Specific and focused management direction increases predictability and certainty about the effects of those actions and the intended accomplishments. Specific management direction can be particularly helpful for identifying targeted outputs of annual or decadal amounts in your RMP or thresholds for use. However, focused or specific management direction also limits flexibility for subsequent implementation.

For example, management direction for timber harvest that requires the retention of 5-15 percent of a stand's pre-harvest basal area after regeneration harvesting within a specific management area allows the BLM to predict with high certainty the amount of timber that can be removed annually and decadal from that management area. However, implementation of regeneration harvest in this management area would not provide the flexibility to harvest timber and retain trees outside of this percentage range without an RMP amendment.

In another example, you determine that an area has such sensitive resources that you establish management direction requiring special recreation permits to be issued for all visitors to that area, and you establish maximum thresholds for group sizes of 12 people and total daily visitation of 20 people. This management direction would provide the sideboard for determining what the effects to those sensitive resources would be based on visitor use thresholds and through the special recreation permit's outlined use instructions for those visitors. However, the BLM would not be able to allow more than 20 total visitors to the site on any day without an RMP amendment.

Management direction that is not highly focused provides greater flexibility during implementation but may present a challenge when writing a detailed effects analysis. However, it is not always necessary to have detailed certainty about effects analysis at the planning scale.

For example, management direction to manage livestock grazing in accordance with the *Standards for Rangeland Health and Guidelines for Livestock Grazing Management for Public Lands* provides flexibility that allows implementation-level analysis and decisions regarding the appropriate animal unit months, type of livestock, seasons of use, or other stipulations for a particular allotment. In this example, the specifics of an allotment's authorized stipulations are not necessary to understanding the effects of the decisions of if the allotment is available or unavailable and what the BLM is directing as a standard for allotment-specific management. Broadly stated management direction can be particularly useful for management that is held to a particular program standard like this, because the BLM will have the flexibility to adjust any specific numbers associated with outcomes-focused allotment management to meet the standard without having to complete an RMP amendment.

Your RMP will likely have both broadly stated management direction and specific or focused management direction, as some resources or programs require flexibility in implementation to achieve objectives and some resources or programs require predictability to achieve the certainty of specific outcomes.

3.4.2 Accounting for Acquired and Discovered Lands

The BLM acquires management responsibility for new parcels of land through purchase, donation, exchange, and administrative transfers. The BLM also discovers lands through cadastral survey that were not known at the time the RMP was approved. We recommend that your land use plan describe and analyze how plan components would be applied to land acquired or discovered within the planning area in the future. We recommend you include clear language in the RMP describing how decisions will be applied to future acquired or discovered lands and the process by which management for those lands will be determined and documented such as:

- *Manage newly acquired lands for the purpose for which they were acquired or in a manner that is consistent with management objectives for adjacent BLM-administered lands or other BLM-administered lands having similar resource values.*
- *Manage discovered lands in a manner that is consistent with management objectives for adjacent BLM-administered lands or other BLM-administered lands having similar resource values.*

Management direction like the examples above would establish that acquired or discovered lands surrounded by or adjacent to BLM-administered lands would have the applicable land use plan decisions applied upon acquisition. This application would be achieved by plan maintenance that documents the applicability of the previously approved plan decision to the newly acquired parcel (43 CFR 1610.5-4) if there are no unresolved management issues associated with the newly acquired or discovered lands. In some cases, statutory or regulatory provisions may require the BLM to complete a plan amendment to provide management for newly acquired or discovered lands. Documenting the process for managing future acquisitions or discovered lands where you have discretion will allow you to clearly understand when you can apply RMP decisions to these lands via plan maintenance, and when a plan amendment or revision may be necessary.

3.5 Describing Where Plan Components Apply

Land use planning decisions can be defined either by a geographic boundary or a description of the conditions or criteria under which they would apply.

Decisions tied to specific geographic boundaries are static. Changing where those decisions apply requires a plan revision or amendment to determine how the decisions would change and associated NEPA analysis to understand the effects of those changes.

For example, your RMP may identify that all lands presently designated as critical habitat for a specific endangered species are to be closed to fluid mineral leasing. That decision would be static to the designated critical habitat at the time your RMP is approved. If the U.S. Fish and Wildlife Service were to later revise and expand its designation of the critical habitat boundary,

an RMP revision or amendment would be required to consider also closing the revised and expanded area to fluid mineral leasing or if the addition of more critical habitat changes conditions that may allow the critical habitat to remain open to fluid mineral leasing with major or moderate constraints.

A static geographic boundary can be appropriate when there are legal requirements attached to the boundary, such as decisions bound to designated critical habitat for an endangered species. A static geographic boundary may also be appropriate when there is no expectation of a boundary to change when the BLM seeks to make decisions to support those specific geographic areas. A static geographic boundary would also be appropriate when it is needed to provide for certainty in where decisions would apply to provide for predictability in the availability of or impacts to resources and resource uses (refer to section 3.4.1, *Flexibility vs. Predictability in Management Direction*).

Be sure to review program-specific requirements for allocations, as some programs contain requirements for specific geographic identification of allocations. For example, Section 203 in FLPMA requires that each tract of land determined to meet the criteria to be eligible for sale during the land use planning process is specifically identified using legal land or other type of description in the RMP.

Decisions tied to criteria are dynamic. Where those decisions apply may change during implementation of the approved RMP. Criteria-based descriptions are appropriate when there is uncertainty about the geographic boundary or when resource occurrences are likely to change during plan implementation and the BLM has determined that flexibility to respond to those changes is of greater importance than providing predictable management. Uncertainty in the geographic boundary may be caused by incomplete information or changes in on-the-ground conditions, such as the natural movement of a river corridor. The location of a resource, such as nesting habitat for a special status species, may change over time within a planning area due to either additional survey information or changes in distribution due to changes in vegetation composition. For criteria-based decisions, you may include a map in the RMP showing current conditions, but the map itself is not the planning decision; the criteria describing the conditions for the allocation is the planning decision.

Updating maps and geospatial data of an existing criteria-based decision to reflect areas based on new inventory information can be accomplished through plan maintenance (refer to sections 12.2.1, *Planning and Decision Area* and 13.1.2, *Plan Maintenance*).

When using criteria-based decisions, we recommend your RMP specifically address how the BLM would resolve potential future conflicts and thresholds of change that would result in planning decisions applying beyond the scope of the analysis.

For example, the BLM may create a criteria-based decision governing designated critical habitat for a threatened plant species as an exclusion area for future rights-of-way. During plan implementation, new inventories may reveal a broader distribution of the plant than was known when the RMP was approved, resulting in right-of-way exclusions throughout the broader distribution. Or the U.S. Fish and Wildlife Service may update its designation of critical habitat

to cover more than half of the decision area whereas at the time the RMP was approved it covered less than a tenth, resulting in a substantively different management landscape for right-of-way authorizations than assumed in the analysis to inform the decision in the RMP.

The analysis of the impacts supporting the criteria-based decision would need to provide assumptions about these occurrences that the BLM can use when evaluating the RMP to determine if changed conditions have moved beyond the scope of the impacts analyzed. The RMP would also need to address how the BLM would resolve conflicting plan components if the criteria-based decisions result in conflicts on-the-ground, such as if a threatened and endangered plant was later found within a designated utility corridor identified in the RMP as the best route for interstate pipelines or power lines.

3.6 Management Areas

If you have a suite of complementary objectives and management direction for a geographic area, it may be helpful to assign a label as a management area to this suite to facilitate communicating the management for that area. Management areas are not established by regulation or policy. They are merely labels or descriptions for an area and not plan components. All objectives, allocations for allowable resource uses, and management direction applicable to any identified management areas are plan components. A management area is an optional tool available for describing portions of your planning area where multiple resources are desired to be managed for complementary objectives.

For example, management of aquatic species, systems, and habitats often requires establishing objectives and management direction that involve multiple resources and resource uses including fisheries, hydrology, recreation, vegetation, livestock grazing, access, and fuels. Labeling a management area encompassing the suite of these resources and resource uses established for the management of aquatic species, systems, and habitats can facilitate communication with the public during analysis and simplify the understanding of what management direction applies where during implementation.

Use of management areas to describe different portions of your planning area where you intend to manage multiple resources for complementary objectives does not replace the need to identify the appropriate allocations for allowable resource uses on every acre within the decision area consistent with the objectives for each alternative (refer to section **3.3, *Allocations for Allowable Resource Use***).

Use of management areas is also not a replacement for considering administrative designations to support objectives for each alternative (refer to section **3.2, *Designations***). The tool of management areas can help describe the interrelationship of plan components within the planning area to support understanding of how the alternatives are constructed. For example, you may elect to identify a management area for all Congressionally designated lands and lands managed under the National Landscape Conservation System to clearly identify that these lands all have a common objective of being managed consistent with the proclamation or legislation establishing them and the protection of the values for which they were designated.

The use of management areas can be helpful for ensuring your alternatives are designed to have

integrated management (refer to section 3.7, *Integrating Management*).

The example (**Figure 3.1**) shows how a management area can help organize multiple resources with multiple objectives and management direction.

<p>Riparian Management Area</p> <p>The Riparian Management Area encompasses all BLM-administered lands within 200 feet of perennial streams and fish bearing streams and 100 feet of intermittent, non-fish bearing streams; 100 feet extending from the ordinary high water line from lakes, natural ponds, reservoirs, and wetlands; and 25 feet from constructed water impoundments. The following objectives and management direction applies to BLM-administered lands within these described perimeters.</p>
<p>Objectives:</p> <ul style="list-style-type: none"> • Contribute to the conservation and recovery of Endangered Species Act-listed fish species and their habitats. • Provide for conservation of Bureau special status fish and other Bureau special status riparian-associated species. • Maintain and restore natural channel dynamics, processes, and the proper functioning condition of riparian areas, stream channels, and wetlands by providing shade, sediment filtering, leaf litter and large wood sources, and stream bank and channel stability. • Maintain water quality and streamflows within the range of natural variability to protect aquatic biodiversity and provide quality water for contact recreation and drinking water sources. • Meet state water quality criteria. • Maintain high water quality and contribute to the restoration of degraded water quality for 303(d)-listed streams.
<p>Management Direction:</p> <ul style="list-style-type: none"> • Cut or tip individual live trees directly into the stream channel, or cut and tip live trees and move, for fish habitat restoration. • Implement instream and riparian restoration activities, such as gravel augmentation, aspen restoration, or placement of boulders and large wood in streams, including trees lining from adjacent riparian areas for all streams. Use manual or ground-based methods. • Remove or modify human-caused fish passage barriers to restore access to stream channels for all life stages of aquatic species. • In new recreational developments, install sanitation systems that maintain water quality (e.g., sealed vault or similar). • Apply low or moderate-severity prescribed burns where needed to invigorate native deciduous tree species. Moderate severity prescribed burns will be limited to no more than 20 percent of Riparian Management Area lands within a subwatershed (HUC 12) each year. • Maintain vegetation, access, and plumbing for water impoundments and constructed ponds associated with sources of water for fire management purposes for all types of firefighting equipment (e.g., engines, aircraft, and tenders). • Maintain access to roads and facilities by removing hazards and obstructions, including logs, from roads and facilities. Place any logs removed in streams for fish habitat restoration unless removal of logs is necessary to maintain access to roads and facilities. • Apply vegetation treatments and prescribed burns as needed to reduce the potential for uncharacteristic wildfires. • Manage livestock grazing at a level that meets Rangeland Health Standards (BLM 1997) and allows for maintenance or development of an upward trend toward the proper functioning condition of riparian and wetland plant communities. Implement practices such as installing and maintaining livestock exclosures, managing season of use and intensity, developing off-stream watering facilities, and other techniques to attain this condition.

Figure 3.1. Example of how identifying a management area can help organize multiple resources for with multiple objectives and management direction.

3.7 Integrating Management

In the land use planning context, integrating management means that all the plan components within an alternative are complementary and work together to provide management under the principles of multiple use and sustained yield to meet the purpose and need for the RMP. During plan development, make sure all your individual planning decisions are integrated with one another so that you are designing management for complementary objectives and so that you do not have conflicting decisions established within your planning area creating impossible conditions for implementation.

There are many ways you can integrate management in the RMP, including:

- **Identify opportunities that reflect desired outcomes for the planning area and that may incorporate several objectives involving different disciplines or programs.** For example, identifying an opportunity of managing for a fire-resilient landscape may have specific objectives that include multiple resources or uses such as vegetation management (including invasive weeds), fire management, livestock grazing, and wildlife habitat.
- **Keep plan components internally consistent. Within an alternative, ensure that one plan component does not conflict with another plan component.** You will want to identify plan components that allow for compatible or commensurate management where possible and appropriate. For example, you would not want to allocate an area as open for oil and gas development and intend to manage it as a Visual Resource Management Class II area.
- **Combine similar management direction for different programs into a comprehensive plan component.** For example, when working independently, the interdisciplinary team developed multiple management directions specifying controlled surface use to minimize impacts from oil and gas development on riparian vegetation, special status fish habitat, and water quality. A better, more integrated approach would combine those multiple management directions into a single, comprehensive management direction that would address the various resource concerns associated with development adjacent to streams.

Developing integrated plan components is an iterative process that revolves around the interdisciplinary team continually evaluating whether the proposed plan components within an alternative complement each other or respond to the purpose and need. If the plan components do not complement each other or do not respond to the purpose and need, then you need to revise the plan components. If the plan components complement each other and respond to the purpose and need, consider if there are opportunities to integrate similar management direction into a single plan component addressing the suite of separately identified plan components. **Figure 3.2, *Flowchart example of the iterative process for developing plan components and alternative development for integrating management*** illustrates the iterative process for developing integrated plan components.

We recommend you use geospatial tools and software to map the objectives, designations, and allocations overlays to help evaluate whether the proposed plan components complement each other (within an alternative). Management areas may be a useful tool to facilitate integration of plan components, because management areas describe portions of your planning area to be managed for complementary objectives (refer to section **3.6, *Management Areas***).

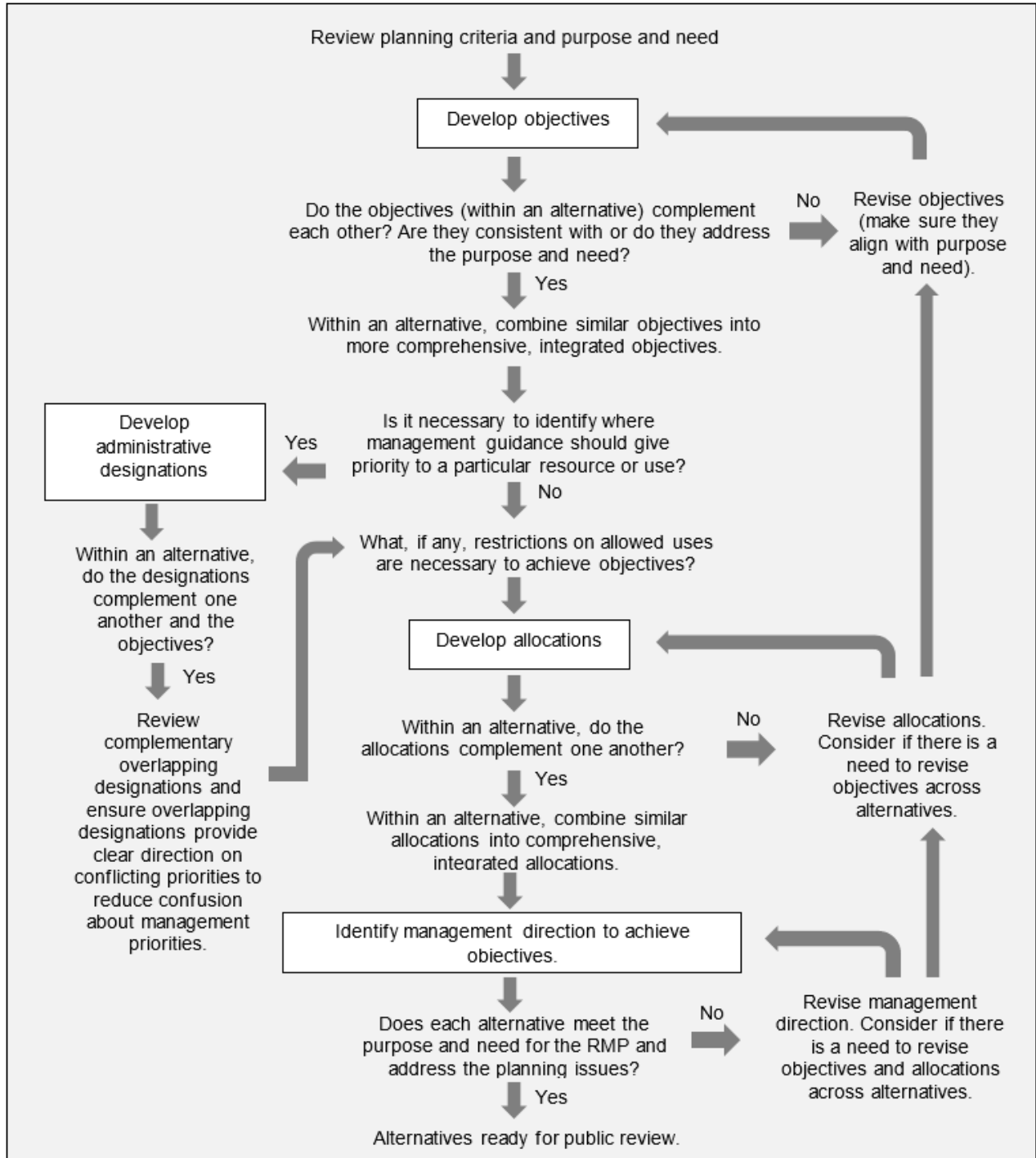


Figure 3.2. Flowchart example of the iterative process for developing plan components and alternative development for integrating management to meet the purpose and need for the RMP.

Chapter 4 – RMP Evaluations

General

- 4.1 Timeline for Conducting RMP Evaluations
- 4.2 Process for Conducting RMP Evaluations
- 4.3 Determining If Decisions are Still Relevant and Effective
- 4.4 Documenting the RMP Evaluation’s Findings

General

RMP evaluations are a cornerstone of the planning cycle. RMP evaluations are critical to the planning process because they reveal whether existing decisions in your RMPs remain relevant and applicable to current land conditions in a constantly changing environment. A state director may find it appropriate to establish a new land use plan for an area, revise an existing land use plan, or amend an existing land use plan. This begins with the identification through an RMP evaluation of a need to change BLM’s management of public lands from the current RMP (43 CFR 1610.5-5 and 43 CFR 1610.5-6).

Evaluating an RMP is an internal process through which the BLM determines whether the decisions of the approved RMP “are satisfactory, whether there has been significant change in the related plans of other Federal agencies, Indian tribes, or state or local governments, or whether there is new data of significance to the plan” (43 CFR 1610.4-9). The RMP evaluation a communication between BLM staff and leadership conveying the status and trends within the planning area and the relevance of planning decisions over time. The BLM may share the findings of the evaluation with the public or others, or include others as part of the evaluation process (refer to section 4.2.2, *Options for External Engagement to Inform RMP Evaluations*).

Evaluation is the process of reviewing the plan components, RMP monitoring results (refer to section 10.2.3, *RMP Monitoring Strategy*) and completed effectiveness monitoring to determine if plan decisions are still appropriate, and whether the plan is being implemented as expected and having effects within the scope analyzed in the RMP EIS. In making these determinations, your evaluation considers whether the allocations, designations, and management direction identified in the current plan are achieving the plan objectives. Your evaluation also considers whether new information may prompt a revision or amendment of the RMP to change any plan components to alter the scope of resource uses. And the evaluation also identifies whether implementation or new information may be resulting in effects that are outside the scope of the NEPA analysis that supported approval of the RMP, and that initiation of a new planning effort may be warranted.

When conducting scheduled RMP evaluations, the BLM must review the entirety of the planning area and the full scope of land use plan decisions (including any subsequent amendments) since RMP evaluation findings inform the need to initiate revisions or amendments of your RMP (43 CFR 1610.5-5 and 43 CFR 1610.5-6).

The BLM's implementation and effectiveness monitoring provide essential data for RMP evaluations. The BLM identifies new resource needs or emerging issues through RMP evaluations and identifies the means for addressing these needs and issues, including through plan maintenance or the initiation of a plan revision or amendment process. As such, it is important that you complete the implementation and effectiveness monitoring work that informs the RMP evaluation across the entire planning area, and not just in the most troublesome or litigated locations. Refer to section **13.2, *Monitoring*** for more information about the relationship of implementation and effectiveness monitoring to RMP evaluations.

4.1 Timeframe for Conducting RMP Evaluations

You must evaluate the RMP in accordance with the evaluation intervals identified in the RMP (43 CFR 1610.4-9). We recommend you evaluate your RMP at least every five years. You may conduct the first scheduled evaluation in the sixth year to have five complete years of data to inform your first evaluation.

A land use plan undergoing an amendment is not a reason to fail to conduct a scheduled evaluation. The BLM is responsible for evaluating the RMP decisions at the scheduled intervals. When conducting scheduled evaluations on land use plans undergoing amendment, the state director may find it appropriate to limit the scope of the evaluation to the decisions not under consideration for the amendment.

The BLM may also conduct RMP evaluations at any time, regardless of the established evaluation schedule. The BLM may choose to conduct targeted (focused) RMP evaluations outside of the normally scheduled reviews to consider new information or changed circumstances, or to evaluate trends appearing in RMP monitoring results. The state director has the discretion to conduct an unscheduled RMP evaluation and set the scope and scale of the unscheduled evaluation.

Congressional or Presidential action may necessitate establishment of an implementation-level plan for a new area, such as to comply with the statutory requirement to complete a comprehensive river management plan within three fiscal years after a new wild and scenic river is designated. We recommend you conduct an RMP evaluation following such action to assess whether an RMP amendment may be needed to support any implementation-level activity planning, or to gather information to inform the purpose and need for an RMP amendment for the area (refer to section **5.4, *Purpose and Need for Land Use Planning***).

4.2 Process for Conducting RMP Evaluations

RMP evaluation involves coordination between the state director and appropriate field offices to initiate, conduct and document the evaluation, and requires state director review and approval of the evaluation findings (**Figure 4.1, *RMP evaluation process***).

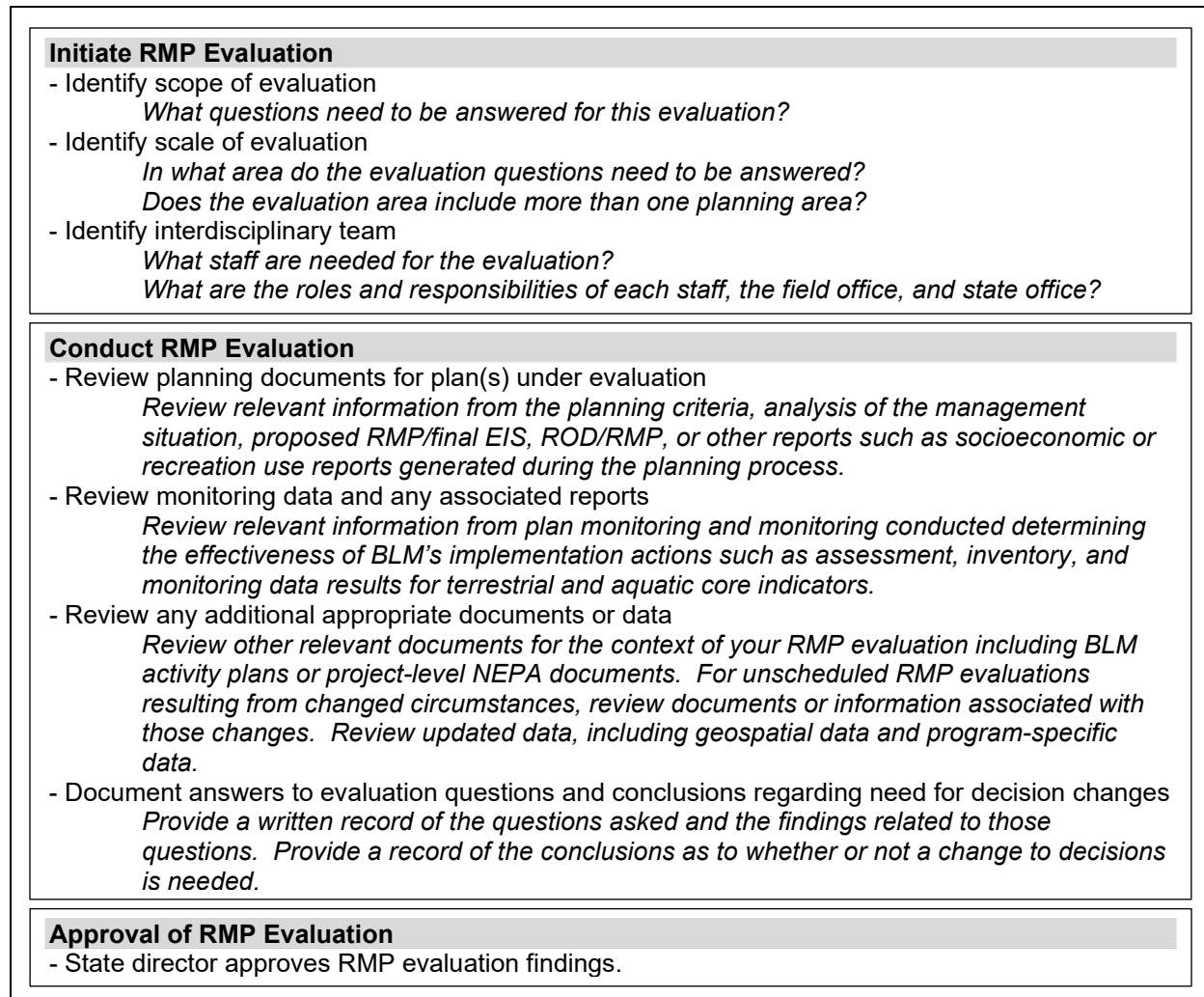


Figure 4.1. RMP evaluation process.

The state director is responsible for RMP evaluations. We recommend the state director identify and communicate the initiation of the scheduled evaluation process to the BLM offices involved, including identifying BLM managers and state office staff responsible for completing the work. The state director must approve the initiation of any unscheduled RMP evaluations, such as those responding to changed circumstances or identified trends in RMP monitoring data. We recommend you coordinate with the appropriate state program leads when preparing a request for an unscheduled RMP evaluation.

We recommend you identify any appropriate opportunities to group multiple planning areas together to evaluate plans across boundaries. This may be particularly relevant to assist in looking at issues that cross BLM-administrative boundaries to assess the effectiveness of BLM's management across a broader geographic area. In situations where multiple RMPs are evaluated at the same time, we recommend you document RMP evaluations for each RMP and prepare a summary report pertaining to all the RMPs evaluated. Refer to section 4.4, ***Documenting the RMP Evaluation's Findings*** for further guidance on the documentation of your RMP evaluation findings.

4.2.1 Participants in RMP Evaluations

Identification of BLM staff with responsibility for completing an RMP evaluation depends on the scope and scale of your planning area and the scope and scale of your evaluation. In many cases, BLM staff at multiple levels in the organization will hold some role or responsibility for each RMP evaluation. For example, evaluations of RMPs that cross multiple BLM-administrative boundaries may require coordination that is best facilitated by state office program leads. By contrast working on the details and specifics of the evaluation may best be completed by field office staff with specific knowledge of the planning area being evaluated. For single-unit or focused RMP evaluations within one BLM office, that BLM field office may be responsible for the work and the coordination. RMP evaluations targeted to a single change across multiple BLM-administrative units, such as a Congressional direction for land conveyances or a monument designation within a planning area may be the responsibility of the state office. Because the specifics of the RMP evaluation will determine what staff should be engaged, we recommend that the roles and responsibilities of staff be identified with the initiation of scheduled evaluations or approval of unscheduled evaluations.

We recommend you conduct RMP evaluations using an interdisciplinary team. At a minimum, include interdisciplinary team staff from the programs related to the focus of the RMP evaluation. For scheduled evaluations, we recommend identifying staff representing programs related to the monitoring questions and program reporting items identified in the RMP's monitoring strategy. You may need to expand the team to include support staff, such as geospatial information systems specialists, to assist with data analysis and synthesis.

Depending on the scope of your RMP evaluation, you may also wish to invite BLM staff from other offices or staff from other Federal agencies, Indian tribes, and state and local governments where they can provide expertise to assist in contextualizing the results of the evaluations. For example, it may be helpful to engage staff from a neighboring field office in your evaluation where species habitats cross administrative boundaries and understanding the trends in both field offices to provide context for evaluation of the species habitat as it may be affected by the decisions in your RMP.

4.2.2 Options for External Engagement to Inform RMP Evaluations

RMP evaluations provide an opportunity to engage with external parties regarding BLM land management. While external engagement is not required as part of the RMP evaluation process, you may consider engaging with external parties as part of your RMP evaluation process for multiple reasons. It may be helpful to engage:

- Partner groups within the planning area that have been key collaborators with the BLM in collecting data related to effectiveness monitoring to ensure the BLM understands what the data means, and may also allow partners to have a better understanding of how the data gets used more broadly in the BLM's work;
- Members of the public and environmental justice communities through workshops or censusing to get locally specific data or independent research findings related to socioeconomic conditions or trends for BLM to incorporate into the evaluation; or
- Indian tribes or local governments to gain insights on management concerns or opportunities for collaborative efficiencies presented by interconnected decisions with BLM land management decisions.

In addition to the information BLM can gain, external engagement around RMP evaluations can facilitate meaningful conversations on land management issues and projects of importance to external groups and support development of opportunities for collaboration and relationships. The BLM’s Collaborative Action and Dispute Resolution program can assist in providing professional facilitation for any external engagement you may choose to pursue.

4.3 Determining If Decisions are Still Relevant and Effective

RMP evaluations explore whether existing land use plans remain current in a constantly changing environment. Specifically, the BLM’s land use plans are evaluated to determine if decisions are relevant to current issues and effective in achieving or making progress toward achieving objectives. RMP evaluations provide state directors with the information to determine whether to initiate planning to revise or amend the decisions. We recommend RMP evaluations address:

- Whether the plan is achieving or making progress toward achieving the desired conditions described in the objectives;
- Whether there is relevant new information that may substantially alter the scope of resource uses; and
- Whether there is relevant new information that indicates that implementation may be resulting in effects that are outside of the scope of the NEPA analysis for the RMP and warrant initiation of a new planning effort.

We recommend that you clearly identify at the beginning of the evaluation process specific questions for each of these three areas that you will answer during the process. We recommend you coordinate with the state office to ensure the questions clearly capture the scope of the state director’s approval for the RMP evaluation and collect any necessary information to facilitate the identification of trends across the planning area. Identify the questions you evaluate commensurate to the type of RMP evaluation you are doing, having focused questions for focused evaluations and comprehensive questions for larger-scale evaluations. The questions you ask will help to determine whether to initiate new planning based on the circumstances in your planning area.

Note that some questions may need to be asked more than once depending on the scope of the evaluations and some of the initial answers. For example, the question below of “Has the BLM been implementing the plan as written?” may result in mixed answers, where the answer when looking at one area of the RMP or one program may be yes, but for another area or program it is no. Using an interdisciplinary team to look at these questions will help make sure you look at each of these questions from all perspectives.

We recommend your RMP evaluation clearly explain how you reached recommendations and conclusions in your RMP evaluation. A plan evaluation informs whether to initiate a new decision-making process and associated NEPA compliance, and the evaluation itself does not involve any new decisions or new analysis.

4.3.1 Evaluating Whether Decisions are Achieving or Progressing Toward Objectives

Identify questions to understand whether the BLM's implementation of the RMP is being effective in achieving the desired outcomes established through the objectives. To evaluate this, consider the following questions in your RMP evaluations:

- Does the implementation monitoring show the BLM has been implementing the plan as written?
- Does effectiveness monitoring show BLM actions implementing management direction are achieving or progressing toward the achievement of the RMP's objectives?
- Are the allocations and designations effective in protecting resources or prioritizing uses toward the achievement of the objectives in the plan?

In evaluating these questions, it is important to determine if inconsistent implementation of the management direction or the actual management direction in the plan are the reason objectives may not be achieved. When your evaluation identifies that management direction may be the cause, new planning may be appropriate. When inconsistent implementation may be the cause, planning may not be appropriate.

4.3.2 Evaluating Whether New Information Substantially Alters the Scope of Resource Uses

New issues may arise after approval of the RMP. Through the RMP evaluation, you would assess any changes identifying unmet needs or new opportunities that may result in the need to change plan components to address those changes, needs, or opportunities. To evaluate this, consider the following questions in your RMP evaluations:

- Have there been substantive changes to existing conditions within the planning area that may now preclude the ability of the BLM to achieve the objectives in the plan?
- Have there been substantive changes to non-BLM land management policies, programs, or officially approved and adopted plans that may now preclude the ability of the BLM to achieve the objectives in the plan?
- Have monitoring or inventory shown that administrative designations, including areas of critical environmental concern, made in the RMP may no longer be necessary or appropriate, either because values or resources no longer exist within the designation boundary or because demand within the planning area has changed and the designation is no longer the prevailing use needed in the planning area?
- Are there new legal, regulatory, or policy direction as a result of new statutes, proclamations, or court orders not addressed in the plan?

If plan components are no longer relevant or appropriate, they may need to be replaced or changed through a plan amendment or revision. Examples of situations where the BLM may want to develop new plan components or amend existing components include:

Changes in policy. For example, an RMP approved in 2012 would have identified every acre of the planning area as either a special recreation management area or extensive recreation management area (as allocation decisions) consistent with policy guidance at that time. In 2014, the recreation program revised their policy in the BLM Planning for Recreation and Visitor Services handbook (H-8320-1) and now instructs that special and extensive recreation management areas are to be identified as distinct areas where BLM is managing for recreation (as designation decisions). Consistent with the revised policy, it may be

appropriate to change recreation management area decisions from allocations to designations when revising that 2012 RMP.

Monitoring information demonstrating the inability to meet resource objectives. For example, land health assessments may indicate that land health standards cannot be achieved under any level or management of livestock use. It may be appropriate for the BLM to modify the allocation identifying that allotment as being unavailable for livestock use.

Changes to designations within the planning area. For example, new designations of critical habitat for Endangered Species Act species or changes to national monument or Congressionally designated areas may change legal mandates related to management such that the plan components for areas affected by these changes are no longer appropriate.

Changes to conditions within the planning area. For example, large-scale wildfires may change conditions such that the plan components for areas affected by these changes are no longer appropriate. New scientific research may also identify changes in understanding of the effectiveness of management direction in the changed landscape in achieving the objectives.

In some cases, you may find that circumstances have changed, but there are no plan components to change. For example, when developing your RMP you may have included in your NEPA analysis an assumption that wildfire would result in the destruction of 5% of critical habitat for a species in the first decade but at the first evaluation, you learn that 15% of critical habitat was destroyed by wildfire in just the fourth year of implementation. Based on this information and other information from your plan evaluation you may conclude not to initiate planning. While your ability to tier to the RMP EIS in NEPA analysis for future actions may now be limited, we recommend that you retain the information to assist you to understand the trends over time for future planning.

4.3.3 Evaluating Whether New Information Results in Effects Outside the Scope of the Assumptions Used for the NEPA Analysis

The RMP evaluation identifies whether implementation or a new understanding of information may be resulting in or demonstrating effects that are outside the scope of the assumptions used for the NEPA analysis. The answers to these questions provide the context for understanding if changes to the approved RMP are needed. To answer these questions, the BLM will need to review reports, data, monitoring results, or other information relevant to the scope and scale of the RMP evaluation. Examples of information that may be helpful to review include core terrestrial and aquatic indicator data summaries, rapid ecoregional assessments, area-wide mineral reports or data, socioeconomic studies, reasonably foreseeable development scenarios, or new research. To evaluate this, consider the following questions in your RMP evaluations:

- Are there new data that identify the effects of implementation that are outside of the scope of the NEPA analysis (either in the proposed RMP/final EIS or in the analysis of subsequent amendments)?
- Is there new analysis determining effects of implementation that are substantially different from those projected in the NEPA analysis?

Whether implementation resulting in effects outside the scope of the assumptions used for the proposed RMP's NEPA analysis would prompt revision or amendment depends on whether the BLM can change implementation practices to realign with the scope of analysis. For example, the BLM could identify that implementation is outside of the scope of the assumptions used for the NEPA analysis because the BLM has not been implementing the full spectrum of plan components. This could occur if the BLM has not been pursuing the development of new recreation areas designated in the RMP and therefore the assumptions for the amount and type of recreation opportunities that would be available over time are not being met. To resolve the matter, the BLM may decide to prioritize developing new recreation sites identified in the RMP to rebalance the implementation of plan components to move those effects back within the scope of the RMP's NEPA analysis assumptions. As another example, if through RMP evaluation you identified that your monitoring results show implementation of oil and gas fields in exceedance of the reasonably foreseeable development scenario in your proposed RMP/final EIS, your ability to tier to the final EIS for consideration of effects analysis in subsequent oil and gas proposals may be limited. However, this information may not prompt the BLM to initiate an RMP amendment, depending on how the applicable plan components are specifically phrased.

4.4 Documenting the RMP Evaluation's Findings

The BLM must document all RMP evaluations findings and conclusions. We recommend you prepare documentation that clearly identifies findings regarding the effectiveness of the plan evaluated and your recommendations and rationale for any recommended changes and how the need for changes can be addressed, such as through plan maintenance, amendment, or revision. Documenting the findings will provide a valuable reference for subsequent RMP evaluations conducted for the same planning area to help the BLM better understand trends and issues that only become visible by looking at information collected over the long term.

We recommend you document your evaluation findings in an evaluation report. Clearly identify the area under evaluation and the scale and scope of the evaluation in the report to provide context. Where appropriate, we recommend you document any methods used to evaluate information. We recommend you document the results and findings of your evaluation in a manner that clearly demonstrates the effectiveness of the plan in achieving the objectives, as well as any effectiveness of specific management direction. This does not mean you must write up a narrative for every single RMP designation, allocation, and management direction identified in the current plan are achieving the plan objectives. Rather, narratives on groups of RMP plan components can be summarized. Identify for each finding what the conclusion is regarding implications for tiering, identified needs for plan maintenance, or whether the BLM determines changes to the plan's decision are needed to address the findings. We recommend you use graphics including maps, charts, or graphs to help demonstrate the findings where appropriate.

Once the state director has approved the report findings and identified instructions for actions to take resulting from the findings, you may find it helpful to make the findings available to the public. We recommend you make the evaluation report publicly available through the BLM's official national NEPA register when you choose to share the results publicly. You may choose to make the report available through other means to partners or other interested parties.

The RMP evaluation findings will inform whether the state director initiates revisions or amendments of RMPs, but the state director's approval of a RMP evaluation finding does not, itself, constitute approval to initiate a plan revision or amendment. For example, the findings of the evaluation may identify that a revision is appropriate, but the state director may instruct that a revision will not be initiated immediately due to commitments to other planning efforts or capacity issues. They may also request additional information before they direct staff to initiate the revision. The state director has discretion whether to initiate the process to revise or amend a plan, as provided in this handbook in **Chapter 5, *BLM or State Director Planning Guidance***.

Chapter 5 – BLM or State Director Planning Guidance

General

- 5.1 Role of BLM or State Director Planning Guidance
- 5.2 Information Provided by BLM or State Director Planning Guidance
- 5.3 Identifying Planning and Decision Areas
- 5.4 Purpose and Need for A Land Use Plan

General

At the outset of the pre-planning process, the BLM Director or state director may provide planning guidance to help the field manager, interdisciplinary team, and other BLM staff develop, revise, or amend a specific RMP (43 CFR 1610.1(a)). The BLM Director or state director planning guidance is an internal BLM document that provides direction on the scope for the planning effort by identifying the problems and opportunities that the plan will address through alternative development and focused analysis. When this planning guidance is provided, it is also the foundation upon which the state director must select the preferred alternative (43 CFR 1610.4-7).

We recommend the BLM Director or state director provide this guidance in writing to give the field manager, interdisciplinary team, and other BLM staff a consistent message regarding the planning effort. The planning guidance may be provided in writing through different means, commonly in project initiation letters, memoranda, or as part of a larger planning strategy document for the state.

The BLM Director or state director must reconsider the planning guidance any time during the planning process that the guidance is found, through public involvement or other means, to be inappropriate when applied to a specific planning area (43 CFR 1610.1(a)(3)). However, reconsideration of the planning guidance does not require revising the original written guidance and ‘reissuing’ the original documentation. You may provide written documentation of the reconsideration in a manner most appropriate to the topic being reconsidered. For example, the planning guidance will provide a preliminary purpose and need statement and any guidance to the interdisciplinary team regarding information the state director needs to finalize the purpose and need statement. As the interdisciplinary team collects the information, provides it to the state director, and ultimately refines and revises the purpose and need statement, this will lead to written reconsiderations in multiple forms, potentially including emails, meeting notes, and documents with draft revisions of the text. We recommend any completed reconsiderations, such as the revised version of the purpose and need, also be provided in writing to the field managers and interdisciplinary team.

There is no requirement to make the initial BLM Director or state director planning guidance document available to the public. The subject-matter content of the planning guidance is shared with the public during the planning process in the form of interactive maps, presentations, and displays at early engagement public meetings, circulation of the analysis of the management situation and planning criteria, and publication of the NOI.

5.1 Role of BLM or State Director Planning Guidance

While the BLM planning regulations do not require the BLM Director or state director to provide this guidance, managers or policy makers may do so to govern the planning effort and provide consistent and clear messaging. The planning guidance is the method by which the BLM Director or state director communicates their requirements for a specific planning effort to the field manager, interdisciplinary team members, and other BLM staff regarding national level policy, analysis requirements, planning procedures, disciplines of interdisciplinary team preparers, and any other RMP-specific information or instruction. This information may also provide context and content to other steps in the planning process, such as the planning criteria. When provided, the planning guidance also serves as the foundation upon which the state director must select the preferred alternative (43 CFR 1610.4-7).

5.2 Information Provided by BLM or State Director Planning Guidance

By providing planning guidance at the outset of the planning process, the BLM Director or state director informs the field manager and assigned BLM staff of the focus and framework for the planning effort, including the scale of the planning area, and the scope of the planning effort through the identification of a preliminary purpose and need.

We recommend guidance include the following:

- National level policy which has been established through legislation, regulations, Executive Orders, or other Presidential, secretarial, or BLM Director-approved documents. This policy may include appropriately developed resource management commitments, such as a right-of-way corridor crossing several field offices, which are not required to be reexamined as part of the planning process (43 CFR 1610.1(a)(1)).
- A preliminary planning boundary and any guidance to the interdisciplinary team regarding information the state director needs to finalize the planning boundary. If the preliminary boundary is different from that of the field office boundary, provide rationale for why the boundary is deemed to be more appropriate (refer to section **5.3, *Identifying Planning and Decision Areas***).
- A preliminary purpose and need statement and any guidance to the interdisciplinary team regarding information the state director needs to finalize the purpose and need statement (refer to section **5.4, *Purpose and Need for Land Use Planning***).
- Identification of any known preliminary alternative management approaches to resolve any conflicts over resource uses the state director wants addressed through the planning effort (refer to section **6.2.2, *Basis for Formulating Reasonable Alternatives***). This may include identification of any regional policies or priorities based on BLM interagency assessments, strategies, or resource management commitments that may drive alternatives.
- Direction for analysis requirements, planning procedures, or other written information and instructions the state director wants the interdisciplinary team to consider or address in the planning process (43 CFR 1610.1(a)(2)). If the planning effort is an RMP amendment, provide direction as to whether an EA or EIS will be required to support the planning effort.
- Expectations and framework for necessary and appropriate coordination, public involvement, and consultation. This includes direction on external engagement methods

and opportunities both before and after publication of your NOI (refer to **Chapter 2, *External Engagement***).

- Instruction for the hiring, contracting, or prioritization of staff assigned to the planning effort as appropriate to the resources and resource uses involved, purpose and need for the planning effort, and preliminary issues understood to have arisen from BLM data and inventory.

Examples of BLM or state director planning guidance include:

- Incorporate energy transport corridors (pipeline and power line utility corridors) that were designated by the BLM to meet the requirements of Section 368 of the Energy Policy Act of 2005.
- Do not re-examine a right-of-way corridor that crosses several districts or field offices as part of the planning process.
- Use ecosystem-based management principles to create more integrated management objectives to reduce the need to manage for a single resource or single species.
- Clearly define the adaptive management approach for incorporation in the RMP.
- Work closely with the State Department of Environmental Quality to integrate state requirements of Water Quality Management Plans at the RMP level.
- Develop a consultation agreement with the U.S. Fish and Wildlife Service that includes an outline for early engagement to facilitate appropriate Endangered Species Act consultation.
- Designate areas that are available and have the capacity for planned, sustained-yield timber harvest or special forest product harvest.
- Provide a framework to facilitate subsequent effects analysis and reduce the scope of project-level NEPA analysis (for example, including no livestock grazing or no leasing alternatives).
- Provide analysis to facilitate subsequent project-level NEPA analysis through tiering and incorporation by reference.
- Review existing special recreation management areas and extensive recreation management areas and adjust boundaries, revise management direction, eliminate non-essential recreation management area designations, and add additional potential recreation sites and trails to the list of possible designation of recreation management areas for future development.
- Alternatives will not be constrained by anticipated budget levels. Comparison between alternatives will be accomplished by comparison to current budget levels.

We recommend that the planning guidance provided by the BLM Director or state director be specific to the issues, resources, and specifics of each planning effort.

5.3 Identifying Planning and Decision Areas

We recommend the state director identify the preliminary planning area and decision area as part of the planning guidance. The planning area is the geographic area for the preparation or amendment of the RMP that includes all lands regardless of jurisdiction. The decision area includes only those BLM-administered lands within a planning area for which the BLM has authority to make land use and management decisions. The BLM has jurisdiction over all BLM-administered lands (surface and subsurface) and over the subsurface minerals in areas of split

estate (areas where the BLM administers Federal subsurface minerals, but the surface is owned or administered by someone other than the BLM).

We recommend the state director consider spatial scales and levels of organization when delineating the appropriate planning area boundary for each planning effort. The BLM’s planning regulations (43 CFR 1610.1(b)) state that a resource management plan “shall be prepared and maintained on a resource or field office area basis, unless the state director authorizes a more appropriate area.” The state director may authorize a planning area other than a field office boundary for any reason that would facilitate preparation of the RMP, such as the purpose and need for the RMP, issues requiring analysis, or resources and resource uses present. For example, a state director may find it is more appropriate to refine a planning area boundary to the scale of a national monument smaller than the field office because the purpose for management in the area is directed by the proclamation and unique to that portion of the landscape. Conversely, a state director may find it is more appropriate to combine multiple field offices as one planning area to be able to more effectively evaluate and manage development of solar energy across the landscape in the context of multiple uses of the public lands. State directors may also collaboratively consider opportunities for regional planning efforts, such as RMP amendments to address a resource use program or resources across state boundaries. Certain Department officials other than BLM state directors, including the BLM Director, have authority to make planning decisions with a multi-state or national scope.

When appropriate, we recommend the state director clearly document in the planning guidance what information is outdated or where additional information is still needed to evaluate and manage for the resources and resource uses present, and to finalize the planning area in the analysis of the management situation report (refer to section **6.2.1.1, *Tailoring Data and Information to the Planning Effort***).

5.4 Purpose and Need for A Land Use Plan

The purpose and need statement for a land use plan describes the problem or opportunity to which the BLM is responding (need) and what the BLM hopes to accomplish through the planning effort (purpose). A carefully crafted purpose and need statement communicates the goals for the RMP (refer to section **3.1.1, *Goals***) and controls the scope of the analysis and thereby increases efficiencies by eliminating unnecessary analysis and reducing delays in the process (refer to BLM NEPA Handbook (H-1790-1)). The statement of purpose and need dictates the range of reasonable alternatives (refer to section **6.2.2, *Basis for Formulating Reasonable Alternatives***). Action alternatives are not reasonable if they do not respond to the purpose and need for the RMP (refer to BLM NEPA Handbook (H-1790-1)). The purpose and need for action also influence issues that must be analyzed in detail (refer to BLM NEPA Handbook (H-1790-1)).

FLPMA requires the BLM to develop, maintain, and, when appropriate, revise land use plans which provide by tracts or areas for the use of the public lands (Section 202(a)). We recommend that your purpose and need statement clearly reflect how it is applying the principles of multiple use and sustained yield and the policies for public land management described in FLPMA and any other applicable laws or executive orders. However, in doing so your purpose and need should not be as general as to “create a land use plan” or “to comply with FLPMA’s requirement

to develop an RMP for BLM-administered lands.” We recommend the purpose and need statement also reflects the specific balance of land and resource management for the planning area. Think about what makes your specific planning effort unique from other planning efforts and describe those problems and opportunities within your purpose and need statement. As described below, we recommend that your purpose and need statement be informed by the results of any previous monitoring and evaluation in the planning area; Federal laws and regulations applicable to the public lands; and the purposes, policies, and programs implementing such laws and regulations.

Normally, there will be multiple purposes and multiple needs for a planning effort. We recommend that your purpose and need statement be concise, unambiguous, specific, and easily understood by the public.

We recommend that the state director identify the preliminary purpose and need statement in state director planning guidance. In addition to documenting the preliminary purpose and need, we recommend that the state director also identify any specific information needed as part of the analysis of the management situation to further refine the purpose and need for the analysis of the management situation report (refer to section **6.2.1.1, *Tailoring Data and Information to the Planning Effort***).

The statement of purpose and need for action will vary depending on whether you are preparing an RMP revision or a plan amendment. For any planning effort, the purpose and need statement helps to focus the range of alternatives. For an RMP amendment, the purpose and need statement also articulates which topics are within the scope of the planning effort. Where BLM has determined that only certain areas warrant updating or revision, a focused purpose and need can limit the scope of decisions to be made in the plan amendment. If the purpose and need statement is silent on a topic, then the BLM is communicating that there is no need to update those plan components and they are outside of the scope of the amendment planning effort. For an RMP revision, the BLM must provide for comprehensive management of the planning area and thus there are no plan components that would be outside the scope of the planning effort. In this scenario, if the purpose and need is silent on a topic, then the BLM is communicating that the topic is not a topic that is driving the development of the range of alternatives for the revision. We recommend you clarify these sideboards in your description of the decision to be made in your NEPA analysis supporting the planning effort (refer to BLM NEPA Handbook (H-1790-1)). Identifying the purpose and need statement is a NEPA requirement rather than a BLM planning requirement (40 CFR 1502.13; 40 CFR 1501.5(c)(2)(i)). Refer to the BLM NEPA Handbook (H-1790-1) for additional guidance on developing purpose and need statements.

5.4.1 Statements of Purpose and Need for RMP Revisions

For plan revisions, we recommend that your need statement reflect any challenges of implementing your current RMP identified in your RMP evaluation (refer to section **Chapter 4, *RMP Evaluations***), including any changed circumstances relevant to the planning area that may be prompting BLM initiation of the planning effort. Plan monitoring informs RMP evaluation by tracking the trends and providing the factual basis to clearly identify the scope of the problem you need to address through plan revision. We recommend clearly identifying how the RMP

evaluation has identified the purpose and need for a plan revision (**Figure 5.1, *Example of purpose and need statement for an RMP revision***).

Need for the Action
<p>The BLM-conducted plan evaluations concluded that “(a) plan revision is needed to address the changed circumstances and new information that has led to a substantial, long-term departure from the timber management outcomes predicted under the 1995 RMPs” (BLM 2012a, p. 12). These evaluations also concluded that plan decisions for the fisheries and aquatics programs need to be modified or updated because of changed circumstances and new information.</p> <p>Moreover, the BLM needs to revise existing plans because of new scientific information and policies related to the northern spotted owl. Since the 1995 RMPs were approved, there have been new demographic studies and other analyses and research on the effects of land management on northern spotted owl habitat and the effects of barred owls on northern spotted owls. In addition, there is a revised recovery plan and new designation of critical habitat for the northern spotted owl.</p>
Purposes of the Action
<p>The purposes for this proposed action are to make land use plan decisions to guide the management of BLM-administered lands. Specifically, it includes the purposes to:</p> <p><i>Provide a Sustained-Yield of Timber</i> The O&C Act requires that the revested Oregon and California Railroad Grant lands and reconveyed Coos Bay Wagon Road Grant lands (O&C lands) be managed “for permanent forest production, and the timber thereon shall be sold, cut, and removed in conformity with the principal of sustained yield for the purpose of providing a permanent source of timber supply, protecting watersheds, regulating stream flow, and contributing to the economic stability of local communities and industries, and providing recreational facilities” (43 U.S.C. 1181a).</p> <p><i>Provide Large, Contiguous Blocks of Late-Successional Forest</i> The purpose of the action includes contributing to the conservation and recovery of threatened and endangered species within the planning area, including the northern spotted owl, marbled murrelet, and threatened and endangered anadromous fish. Thomas <i>et al.</i> (1990, pp. 23–27) described that a conservation strategy for the northern spotted owl requires large blocks of nesting, roosting, and foraging habitat (i.e., suitable habitat) that support clusters of reproducing owls, distributed across a variety of ecological conditions and spaced so as to facilitate owl movement between the blocks. Courtney <i>et al.</i> (2004, pp. 9-11, 9-15), in the status review for the northern spotted owl, evaluated the conservation needs of the northern spotted owl and concluded that, based on existing knowledge, large contiguous blocks of suitable habitat are still necessary for northern spotted owl conservation. Culminating this confirmation of the scientific information on the conservation needs of the northern spotted owl, the owl recovery plan recommends managing for large, contiguous blocks of late-successional forest (FWS 2011, p. III-19).</p> <p><i>Provide for Older and More Structurally Complex, Multilayered Conifer Forests</i> Thomas <i>et al.</i> (1990) described high-quality northern spotted owl habitat as older, multilayered, structurally-complex forests characterized by large-diameter trees, high amounts of canopy cover, numerous large snags, and lots of downed wood and debris. Courtney <i>et al.</i> (2004, pp. 5–18), in the status review for the northern spotted owl, evaluated the existing scientific information on spotted owl habitat and confirmed that nesting, foraging, and roosting habitat is associated with older, more structurally-complex multi-layered conifer forests in the Pacific Northwest. The owl recovery plan recommends the maintenance of older and more structurally-complex multi-layered conifer forests. The status review of the marbled murrelet prepared for the U.S. Fish and Wildlife Service reviewed the existing scientific information and confirmed the importance of maintaining suitable nesting habitat to the conservation and recovery of the marbled murrelet (McShane <i>et al.</i> 2004, pp. 4-61 – 4-63).</p> <p><i>Provide Clean Water in Watersheds</i> The Clean Water Act (33 U.S.C. 1251 <i>et seq.</i>) directs the restoration and maintenance of the chemical, physical, and biological integrity of the nation’s waters. The policy declaration in FLPMA states that the BLM should manage the public lands in a manner that protects many resources and their values, including the water resource (43 U.S.C. 1701[a][8]). In addition, the Oregon and California Act includes reference to protecting watersheds and regulating stream flows while managing for permanent forest production (43 U.S.C. 1181a). The status review of threatened and endangered anadromous fish prepared by the National Marine Fisheries Service reviewed the existing scientific information and confirmed the importance of maintaining existing habitat and restoring degraded habitat to the conservation and recovery of threatened and endangered fish (Good <i>et al.</i> 2005).</p>

Figure 5.1. Example of purpose and need statement for an RMP revision.

5.4.2 Statement of Purpose and Need for a New RMP

For BLM-administered lands for which the BLM has not yet developed an RMP, newly acquired BLM-administered lands, or for BLM-administered lands with new management directed by Congressional or Presidential action, such as after a change to a national monument boundary made by a presidential proclamation, you may not have an RMP evaluation to assist you in developing your purpose and need. However, your purpose and need would still not be to “create a land use plan” in these circumstances nor “to comply with FLPMA’s requirement to develop an RMP for BLM-administered lands.” We recommend your purpose and need be specific to the planning area and be derived from data and information available in inventories or geospatial databases about resources, conditions, trends, and uses.

For newly acquired BLM-administered lands or for BLM-administered lands with new management direction, we recommend you rely on objectives or statements of intent provided by documentation concerning the acquisition of the lands, or in statute or proclamations designating the lands, or in other origination documentation to establish the purpose and need consistent with the purposes for which the BLM is directed to manage those lands (**Figure 5.2, Example purpose and need statement for a new RMP**).

Purpose and Need for the Action
<p>In determining the suite of plan decisions necessary to protect and restore the Monument for present and future generations, this RMP responds to three important sources of overarching requirements and guidance:</p> <ul style="list-style-type: none"> • Presidential Proclamation 8947 of March 25, 2013, which created the Monument and identified the objects and values for protection and restoration. • Section 2002 of the Omnibus Public Land Management Act of 2009, which established the National Landscape Conservation System, of which the Monument is a unit, “in order to conserve, protect, and restore nationally significant landscapes.” This section also provides that the BLM manage these lands “in a manner that protects the values for which the components of the system were designated.” • The FLPMA, which provides the basic underpinnings for the BLM’s management of public lands. Section 302 of FLPMA states that the BLM is to manage public lands under the principles of multiple use and sustained yield “except that where a tract of such public land has been dedicated to specific uses according to any other provisions of law it shall be managed in accordance with such law.” Therefore, as a general rule, if a presidential proclamation that designates a Monument conflicts with FLPMA’s multiple use mandate, the Monument designating language will apply. <p>The Federal Land Policy and Management Act (FLPMA) and Presidential Proclamation 8947 establish the need for this action within the San Juan Island National Monument. The FLPMA requires the BLM to develop RMPs that provide for the use of public lands. The proclamation specifies that the BLM “shall prepare and maintain a management plan for the monument...” The BLM does not currently manage the Monument under an RMP.</p> <p>The purpose of this RMP is to provide objectives and management direction to guide the BLM’s management of the Monument. The purpose of the RMP includes protection and restoration of cultural and historic resources identified in the proclamation, including traditional use areas of the Coast Salish people and archaeological remains of their villages, camps, and processing sites throughout the Monument. Additionally, the purpose of the RMP includes protecting and restoring historic resources associated with early Euro-American settlement found in the Monument, such as lighthouses and associated structures. The purpose of the RMP regarding scientific and ecological resources is to protect and restore the wide array of habitats described in the proclamation, including forests, fire dependent grasslands, and wetlands, as well as bluffs, rocky balds, and shorelines. An additional purpose of the RMP is to address recreation, education, and scientific uses consistent with the protection and restoration of the objects and values described above.</p> <p>The RMP will also safeguard Tribal treaty rights, and will, as provided for in the proclamation “in consultation with Indian tribes, ensure the protection of religious and cultural sites in the monument and provide access to the sites by members of Indian tribes for traditional cultural and customary uses, consistent with the American Indian Religious Freedom Act (42 USC 1996) and Executive Order 13007 of May 24, 1996 (Indian Sacred Sites).”</p>

Figure 5.2. Example purpose and need statement for a new RMP.

When developing a new RMP for planning areas with which the BLM has limited familiarity, either because the BLM has been unable to inventory those lands or because the lands are new to BLM management, you may have limited information at the initial stages of your planning effort to identify a detailed purpose and need. In these cases, we recommend the state director clearly document in the planning guidance what information the BLM plans collect in the pre-planning stages to understand conditions in the planning area to formulate the purpose and need for the RMP.

5.4.3 Statement of Purpose and Need for an RMP Amendment

A BLM state director authorizes the initiation of a plan amendment to change an RMP's objectives, designations, allocations, or management direction to:

- Consider a proposal or action that does not conform to the plan; or
- Respond to new information (for example, from monitoring or scientific studies) or changed circumstances (for example new policy or changes to use on public lands).

Refer to section **1.4.1, *Determining Whether a Plan Revision or Amendment is Appropriate*** for further details on when the BLM initiates RMP amendments and how the scope of an amendment differs from an RMP revision.

The BLM initiates NEPA analysis of potential RMP amendments to evaluate changing, removing, or adding a plan component to the existing RMP based on changed circumstances in resources, resource uses, or policy or to allow for the implementation of a non-conforming project (refer to section **4.4.3, *RMP Amendment Purpose and Need***).

Regardless of the reasons for initiating the RMP amendment, your purpose and need will communicate the goals for the planning area (refer to section **3.1.1, *Goals***). It may also be helpful for your discussion of the decision to be made to identify the specific objectives, designations, allocations, or management direction in the current RMP that you are proposing to change. Identifying this in your purpose and need identifies for the interdisciplinary team and for the public the scope and scale of the potential amendment, and those plan components that are not within the scope of the RMP amendment under consideration. It is useful also to identify the context for the change being considered for these same reasons. Together, these elements allow your purpose and need to narrow the range of alternatives of the RMP amendment to analyze in detail only those alternatives that address the specific problem or opportunity presented. A broadly stated purpose and need that does not address specific circumstances may open your RMP amendment to the analysis of alternatives that do not respond to the changed circumstances or the non-conforming project proposal. For example, a broadly stated purpose and need to update plan components related to oil and gas leasing, exploration, and development to address a change to a reasonably foreseeable development scenario could include analysis of a range of alternatives that may include closing additional BLM-administered lands to leasing. However, increases in levels of development may not lead to the need to, or even prompt the BLM to initiate changes to the areas that are currently open or closed to leasing in the existing plan. A focused purpose and need would allow the range of alternatives analyzed in detail to be kept to those relevant to the manager's intent for pursuing the planning effort, such as considering changes to lease stipulations (reflected in allocations) and management direction in those areas open to leasing under the current RMP.

Figure 5.3 provides an example of a purpose and need for an RMP amendment that includes both the specific allocation needing to be changed and the context for the needed change. In this example, any alternative proposed to amend the RMP to identify lands currently allocated as available for exchange as, instead, allocated as suitable for retention would not meet the purpose and need and would be dismissed from detailed consideration in the NEPA analysis.

Purpose and Need for the Action
<p>The Resource Management Plan assigns all lands administered by the District to one of three land tenure zones. Lands in Zone 1 are identified for retention and may not be transferred out of Federal ownership by exchange or sale, while lands in Zone 2 may be considered for exchange, and those in Zone 3 may be considered for sale or exchange. The regulations at 43 CFR 2711.1-1(a) require that no parcel of public land may be offered for sale until it has been specifically identified in an approved land use plan (i.e., assigned to Land Tenure Zone 3).</p>
<p>The proposed Hancock exchange includes a 113.7-acre parcel in Douglas County that is currently assigned to Land Tenure Zone 1. The tract must be reassigned to Land Tenure Zone 2 or 3 before it can be included in the final exchange package. The BLM has been attempting to acquire the private lands offered to the United States in the proposed Hancock exchange since the mid-1980s. Their acquisition would place approximately 2 miles of Whittaker Creek, which provides habitat for anadromous fish including Coho and steelhead salmon, and associated riparian reserve into public ownership. Acquisition of the Hancock parcels by the BLM would place most of the primary stream bed in public ownership, which would increase the opportunities for additional stream habitat enhancements and for additional recreation facilities complementing the adjacent Whittaker Creek Recreation Site. Such habitat enhancement projects and recreational developments would be subject to further environmental analysis before they could be implemented.</p>
<p>The two parcels of public land that are encumbered by longstanding unauthorized use situations, containing approximately 4 acres, are currently assigned to Land Tenure Zone 2. Both parcels meet the criteria for disposal disclosed in the Record of Decision and Resource Management Plan. However, they cannot be sold until they are reassigned to Land Tenure Zone 3 by a plan amendment. One of these parcels is a survey hiatus (narrow strip of parcels that were transferred out of public ownership years ago).</p>
<p>The parcel proposed for transfer to Lane County contains approximately 17 acres and is currently assigned to Land Tenure Zone 2. The site has been used by the county under the authority of a Recreation and Public Purposes Act lease since 1963 when a small rural landfill was established. The use was changed to a transfer site in 1973. Current Bureau policy states that landfills and transfer site leases should not be renewed when they expire and, if continued use of the site is needed, ownership of the land should be transferred to the lessee. Although the site could be exchanged to Lane County under the current RMP, it cannot be sold until it is reassigned to Land Tenure Zone 3 by plan amendment. Reassignment to Land Tenure Zone 3 would permit the option of a proposal for either a direct sale or land exchange with Lane County.</p>

Figure 5.3. Example of purpose and need statement that includes both the specific allocation needing to be changed and the context for the needed change.

Figure 5.4 provides an example of a purpose and need for an RMP amendment that addresses a geographically broad area for a focused topic with the context for the needed change. In this example, any alternative proposed to amend the RMP to analyze a different suite of decisions would not meet the purpose and need and would be dismissed from detailed consideration in the NEPA analysis.

Purpose and Need for the Action

The purpose of this RMPA process is to evaluate alternative approaches for oil and gas planning decisions to maintain, conserve, and protect big game corridors and other big game HPH on BLM-administered lands and Federal mineral estate in Colorado. This draft RMPA/EIS establishes goals, objectives, and needs to address conflicts or issues related to oil and gas development and big game HPH. Under the authority of Section 202 of the Federal Land Policy and Management Act of 1976 (FLPMA), the BLM also seeks to evaluate consistency with plans or policies and programs of other Federal agencies, Indian tribes, and State and local governments, to the extent consistent with Federal laws, regulations, policies, and programs applicable to BLM-administered lands.

This RMPA process will consider current big game population and habitat data and evaluate planning alternatives' consistency with the policies and programs of State agencies that manage big game populations and regulate oil and gas operations in Colorado – Colorado Parks and Wildlife (CPW) and the Colorado Energy and Carbon Management Commission (ECMC). CPW manages wildlife in Colorado, and the ECMC regulates oil and gas development. Senate Bill 19-181 Oil and Gas Act gives the ECMC the authority to promulgate regulations that are protective of human health, safety, welfare, the environment, and wildlife resources. The ECMC 1200 series rules identify certain big game habitats where oil and gas operations are subject to specific ECMC requirements. CPW's consultation role within the ECMC requirements for HPH is intended to avoid, minimize, and mitigate impacts to big game habitats.

Therefore, this action is needed to ensure the BLM fulfills its responsibilities under FLPMA by considering current big game population and habitat data and evaluating management consistency with plans, policies, and programs of other Federal agencies, Indian tribes, and State and local governments, to the extent consistent with Federal laws, regulations, policies, and programs applicable to BLM-administered lands. This RMPA process also complies with the terms of the settlement agreement in *State of Colorado v. Bureau of Land Management* (U.S. District Court for Colorado, 1:21-cv-00129).

Colorado's iconic big game species, including bighorn sheep, elk, mule deer, and pronghorn, are important to natural systems, hunting and wildlife viewing enthusiasts, and local economies. Some big game species and local populations, including elk and mule deer, have suffered declines in recent decades. Anthropogenic activities and development infrastructure can alter wildlife habitat use and behavior where animals may be forced to relocate from high quality habitat areas to lower quality areas, experience greater energy expenditures from frequent flight responses and increased vigilance, or shift their behaviors (e.g., foraging, reproduction, etc.) to avoid time periods of high human activity. Activities related to oil and gas development and operations may reduce the amount of habitat available to wildlife, which can lead to changes in animal physiology, reproduction, survival, and population trends. The BLM will consider alternative management approaches to minimize oil and gas disturbance to priority big game habitat and improve conservation of elk, mule deer, pronghorn, and bighorn sheep priority habitat.

Figure 5.4. Example of purpose and need statement for a geographically broad RMP amendment for a focused suite of decisions.

The BLM encounters changed circumstances when there are changes to resource conditions, resource uses, or policy changes. Changed circumstances do not always indicate the need for a RMP amendment. When contemplating whether any changed conditions warrant amending your RMP, it may be helpful to complete an unscheduled RMP evaluation to identify what the changes may or may not mean for any of the plan components in your existing RMP (refer to **Chapter 4, RMP Evaluations**). For example, you may initiate an RMP amendment to change management direction because an RMP evaluation showed implementation of the approved RMP is not achieving or moving toward the desired condition in the objective. The RMP evaluation may have also identified the context or reason for the needed change, such as an increase in use or rate of extraction, and identifying that context or reason in your statement of purpose and need will allow you to eliminate alternatives from detailed analysis that do not meet this identified reason for change or address the changing context. An unscheduled RMP evaluation may also help identify whether a revision or an amendment is more appropriate.

There may be situations where it is appropriate for the BLM to consider changing all plan components for a particular resource or resource use through an RMP amendment to update the decisions related to that resource or resource use. In these circumstances, make sure you clearly identify the context of the change being considered to maintain the focus of the RMP amendment. Resource or resource use updates through RMP amendments allows the BLM to update these decisions without needing to reconsider a suite of decisions that are not ripe for consideration at the time the RMP amendment is being pursued.

During the planning process for a plan amendment that the BLM initiated because of a change to BLM or Department of the Interior written policy, we recommend you provide a reasoned explanation in the purpose and need for the change in course. For example, if the amendment rests on factual findings or conclusions that are inconsistent with those that supported the prior policy, you would provide a reasoned explanation for distinguishing those prior facts and circumstances.

The BLM often initiates RMP amendments in response to projects proposed by external applicants. In such instances, we recommend you develop a statement of purpose and need for your proposed approval of the project separate from the statement of purpose and need for your planning action. This approach will ensure correct articulation of alternatives as relating to the proposed project approval and as relating to the planning action. Refer to the [BLM NEPA Handbook](#) (H-1790-1) for guidance on developing a purpose and need appropriate for externally generated project actions.

For RMP amendments initiated to address non-conforming project proposals, we recommend your statement of purpose and need for the planning action clearly and concisely identify the conflict between the action proposed and the objectives, designations, allocations, or management direction of the RMP you are proposing to amend.

Chapter 6 – Planning Criteria and Analysis of the Management Situation

General

6.1. Planning Criteria

6.2 The Analysis of the Management Situation Process

6.3 Documenting Planning Criteria and the Analysis of the Management Situation

General

The planning criteria and analysis of the management situation each provide unique information for the planning process. This handbook presents these two foundations for land use planning sequentially consistent with the BLM’s planning regulations at 43 CFR 1600. However, we recommend you develop the analysis of the management situation and planning criteria concurrently. Information gathered for understanding the context of your planning area in the analysis of the management situation may highlight an additional issue warranting analysis under a planning criterion, and the analytical framework provided by the planning criteria will influence the scope of the information you need in your analysis of the management situation.

Planning criteria must be developed for all planning efforts whether new RMPs, RMP revisions, or RMP amendments. Public comment on planning criteria is also required for both RMP amendments supported by an EIS or an EA (43 CFR 1610.2(e)(f)). We recommend that you combine review of the planning criteria (43 CFR 1610.2(f)(2)) with scoping.

You must prepare an analysis of the management situation when conducting an RMP amendment supported by an EIS (43 CFR 1610.5-5(b)), however it is not required for an RMP amendment supported by an EA. While some sections of this chapter refer specifically to a draft RMP/EIS, the guidance is also applicable to a draft RMP amendment/EIS. When preparing the analysis of the management situation for an RMP amendment supported by an EIS, you have the option to prepare new documentation of the planning area profile or to rely on some of the existing discussions in the analysis of the management situation prepared for the approved RMP if it is still current. Refer to section **14.2, *Planning Steps for RMP Amendments Supported by an EIS*** for additional guidance. We recommend that you document the planning criteria and analysis of the management situation together in one report (refer to section **6.3, *Documenting Planning Criteria and the Analysis of the Management Situation***).

6.1 Planning Criteria

The land use planning regulations state that the “estimation of effects shall be guided by the planning criteria and procedures implementing the National Environmental Policy Act” (43 CFR 1610.4-6). As such, the planning criteria set out the framework for the impacts analysis plan that will guide the NEPA analysis of your issues. By publishing the planning criteria to explain what is framing the analysis, the BLM enhances the feedback that is received regarding the issues needing analysis, which is essential to any planning effort and ensures:

- The planning effort is tailored to the issues previously identified; and
- The BLM avoids unnecessary data collection and analyses (43 CFR 1610.4-2(a)).

6.1.1 Identifying Issues and Framing Analysis

An issue is a point or matter of discussion, debate, or dispute about the potential environmental impacts of proposed management on a resource or resource use. When evaluating specific project proposals during plan implementation, the BLM determines which issues will be analyzed in detail based on whether the issue is related to how the alternatives respond to the purpose and need or if the issue is important (refer to BLM NEPA Handbook (H-1790-1)). The BLM avoids unnecessary data collection and analysis by identifying issues for each planning effort. The BLM must comply with all NEPA requirements for effects analysis in the EIS or EA supporting the planning effort. As in project-level NEPA analysis, the BLM must identify issues for NEPA analysis in land use planning. Some of the issues considered for analysis may additionally be driven by program-specific planning requirements established in law, regulation, or policy. The land use planning process may also identify differences in decisions for resources or programs between alternatives as part of exploring and analyzing the trade-offs to ensure an informed decision. In setting forth objectives that represent trade-offs necessary to achieve the purpose and need for action, and presenting analysis of the environmental consequences of different ways of meeting the objectives (alternatives analysis), BLM RMPs and their supporting NEPA analysis serve as comprehensive documents that include analysis of management direction for all resources and resource uses relevant to the planning area.

The test for whether you will need to analyze an identified issue in detail in your planning effort's NEPA analysis is the same as for project-level NEPA: issues are analyzed in detail when they are important to making an informed decision. Important issues include those that are related to how the alternatives are responsive to the purpose and need in order to inform a choice between alternatives or are associated with a significant (or potentially significant) effect (refer to BLM NEPA Handbook (H-1790-1)). You may be required to consider some issues during land use planning by program-specific law, regulation, or policy. However, requirement for *consideration* of these issues does not mean they must be *analyzed in detail* in your NEPA analysis. For example, the BLM's policy on wilderness characteristics (BLM's Considering Lands with Wilderness Characteristics in the BLM Land Use Planning Process Manual (6320)) requires the BLM to "consider wilderness characteristics of public lands when undertaking land use planning." This policy further requires the BLM to analyze the effects of "(1) plan alternatives on lands with wilderness characteristics and (2) management of lands with wilderness characteristics on other resources and resource uses." However, the BLM conducts these analyses *in detail* only when the management of lands with wilderness characteristics relates to the purpose and need, or when managing lands with wilderness characteristics would have significant effects on other resources and resource uses, or when other resources and resource uses could have significant effects on lands with wilderness characteristics. You will only analyze issues related to program-specific planning requirements in detail when the issues are relevant to the purpose and need, associated with a significant effect, or associated with a specific value or use for that program. The process of documenting your planning criteria and analysis of the management situation in a report will help you begin to identify which issues you need to analyze in detail in your EIS or EA and those that may not require detailed analysis.

You will analyze issues in detail that are relevant to the purpose and need you identified and would help inform a choice between alternatives. For example, if your purpose and need is to manage lands to provide for oil and gas leasing opportunities while protecting critical sage-

grouse habitats, your alternatives would vary in how and where leasing opportunities were provided just as they would vary in how and where sage-grouse habitat would be protected. Two issues for analysis might include “What are the effects of the alternatives on the availability of sage-grouse habitat and dispersal capability between populations?” and “How would various lease stipulations affect the recovery of Federal minerals across the alternatives in oil and gas plays?” The analysis of these issues would provide information about trade-offs and effectiveness of the alternatives developed in meeting that purpose and need to inform a choice between alternatives.

You will generally analyze issues in detail that are relevant to understanding significant, or potentially significant, effects caused by selecting a plan alternative. For example, an issue about potential impacts to every species of wildlife that may occur within a planning area would be too broad if there is no potential that management actions could result in potentially significant effects to all wildlife. Instead, the BLM would only analyze issues related to species that could experience significant effects caused by relevant management under the planning alternatives, such as effects caused by the plan on species’ habitat or lifecycle function. Focused analysis (for a targeted planning effort, for example) may mean you need more than one issue for a resource or program and have no issues for other resources or programs, depending on the scope of your planning action and your planning area.

You may also need to consider issues in your planning effort’s NEPA analysis responsive to program-specific NEPA requirements. For example, the Council on Environmental Quality’s NEPA regulations requires the BLM to consider how proposed actions may affect communities with environmental justice concerns (40 CFR 1501.3(d)(2)(vii); 40 CFR 1502.16(a)(13)). As part of your early external engagement efforts and as part of public scoping, you would be able to preliminarily determine if your planning area includes any communities with environmental justice concerns, and whether the proposed action might affect those communities.

Understanding the avenues by which the BLM identifies issues may be helpful in confirming that an issue requiring consideration has not been missed. You do not need to articulate in your planning criteria, EIS, or EA why the issue is relevant for analysis (i.e., whether it will help inform a choice between alternatives or evaluate potentially significant effects).

6.1.2 Outlining the Impacts Analysis Plan

The impacts analysis plan guides the effects analysis that forms the basis for decisions in the RMP. Developing an impacts analysis plan that details how you will structure and complete your analysis, including identifying any specific methodologies you might employ, ensures that the analysis is objective, quantified, achievable, feasible, and based on high-quality information. Identifying this analysis framework in your planning criteria enhances feedback during scoping regarding the data and methods you are proposing to use for analysis.

We recommend all planning criteria outline the impacts analysis plan for each issue identified using the following categories:

1. Present your analytical question.

Your issue statement for NEPA analysis is your analytical question. We recommend that you avoid ‘yes’ or ‘no’ questions as your issue statements. Instead, we recommend that your issue statements articulate the cause-and-effect relationship between the action proposed and the resource, use, value, condition, or context. Refer to the BLM NEPA Handbook (H-1790-1) for more information and guidance for developing issue statements. **Figure 6.1** provides examples of analytical questions articulated as issue statements appropriate for planning efforts.

<p>Fire and Fuels</p> <ul style="list-style-type: none"> • How would the alternatives affect fire risk within close proximity to developed areas?
<p>Hydrology</p> <ul style="list-style-type: none"> • How would BLM road construction and road decommissioning under the alternatives affect disturbance and sources of fine sediment that may be delivered to stream channels?
<p>Invasive Plants</p> <ul style="list-style-type: none"> • How would the alternatives affect the risk of invasive plant introduction and spread?
<p>Lands and Realty</p> <ul style="list-style-type: none"> • How would the alternatives affect land tenure in the planning area? • How would the alternatives affect the availability of BLM-administered lands for rights-of-way in the planning area?
<p>Energy and Mining</p> <ul style="list-style-type: none"> • How would oil and gas leasing allocations affect the recovery of Federal fluid mineral resources? • How would solid mineral allocations and fluid mineral allocations under the alternatives affect the extraction of these Federal mineral resources where they co-exist?
<p>Recreation and Visitor Services</p> <ul style="list-style-type: none"> • How would the alternatives affect the types and levels of BLM-provided recreation opportunities across the planning area? • How would the alternatives affect the types and levels of BLM-provided recreation supply and demand across the planning area?
<p>Socioeconomics</p> <ul style="list-style-type: none"> • How would the alternatives contribute to economic stability in the planning area? • How would the alternatives impact environmental justice communities (disproportionately high and adverse effects on minority, low-income, or Tribal populations of communities)? • What would be the cost to the BLM to implement the alternatives?
<p>Special Status Species Plants</p> <ul style="list-style-type: none"> • How would the alternatives affect special status species plant habitat?
<p>Sustainable Energy</p> <ul style="list-style-type: none"> • How would right-of-way avoidance and exclusion areas in the alternatives affect the potential siting of wind energy projects and sustainable energy corridor designations?

Figure 6.1. Examples of analytical questions (issue statements).

Analytical questions address the effects from each alternative on the resource use or program. These issues help the state director understand what the environmental consequences of the actions proposed are on a particular resource use or program including trade-offs. The more specific the issue statement the more clearly the analytical question frames exploration of

how the design of the planning decisions under each alternative would meet the purpose and need or where there may be significant effects.

2. *Identify your geographic and temporal scope for analysis.*

Issues may vary spatially (ecoregional, planning area, or smaller-specific scope) and temporally (short term versus long term), which provides a comprehensive basis for implementing resource management direction. It is important that you give careful consideration to your geographic and temporal scope so that the analysis allows for clear and complete analysis of the issue's analytical question. Additionally, consider the ability of any subsequent NEPA to tier to this analysis. The geographic and temporal scope of analysis will vary by issue.

The appropriate geographic scope, or your analysis area, may extend beyond the planning area, such as an issue involving effects on a big game migration corridor, or encompass a small portion of the planning area, such as an issue involving an individual recreation site. Additionally, you may need to conduct analysis of an issue at multiple scales to resolve issues for a geographic area that differs from the planning area. Information presented at multiple geographic scopes helps BLM to understand issues, analyze impacts, and tailor decisions to specific needs and circumstances.

Temporal scopes for analysis are largely influenced by the relationship between the decisions being considered in the planning effort and the timeframes in which those decisions would direct the scope of work to achieve the desired outcomes in the RMP. Your analysis will often need to consider issues with different temporal scopes in a single planning effort. Certain natural processes and implementation of management direction may occur over a relatively short period, whereas other natural processes and implementation of management direction occur over very long periods. In cases where management objectives may not be achieved for decades or more, it may be appropriate to identify interim benchmarks or rates of progress, where possible. Setting the temporal scope of analysis for RMP actions is more challenging than for implementation actions, because of the undefined duration of the RMP and because effects are largely caused by the implementation actions. As such, consider setting the temporal scope of the analysis based on the duration of analysis needed to identify comparative differences among the alternatives. We recommend you do not set the temporal scope as 'the life of the RMP' because forecasting the lifespan of an RMP is speculative.

3. *Identify all relevant assumptions that will influence your analysis, including those made when information critical to the analysis is incomplete or unavailable (40 CFR 1502.21).*

Your analysis will incorporate assumptions that reflect scientific understanding and the interrelationships among resources within natural systems in the planning area that are necessary to conduct your analysis. Your assumptions identify cause-and-effect relationships between plan components varying among the alternatives. Analytical assumptions are not a list of true statements regarding a resource, and we recommend that you identify only those that are relevant to the specific analysis of each issue. Analytical assumptions may include, for example, averaging data for a resource condition that varies, applying data from one location to a broader or different area, or forecasting future actions. Where possible, we recommend your analytical assumptions identify thresholds or measures of acceptability or viability to

display the limits of the assumptions relied upon. Cite all analytical assumptions identified from research, studies, or other reference materials.

For example, relevant assumptions for an issue stated as “How would management of designated recreation management areas affect the supply of recreation opportunities on BLM-administered lands?” would potentially include:

- The BLM assumes that the projected annual visitation rate increase in recreation use by activity will remain constant over the next decade.
- The BLM assumes that the projections for future annual visitation rate increase for recreation visitor activity use will increase at the same rate for all decades beyond the first decade.
- The BLM assumes that the greater the amount of acres and miles available for a recreation opportunity, the more likely it will be able to meet current and future demand of a recreation opportunity.
- The BLM assumes that a score of three or greater in the recreational needs assessment that was completed for the 2019 Statewide Comprehensive Outdoor Recreation Plan and utilizes a range of 1 to 5 for the level of need for state or county-level recreation amenities, is an unmet recreation need for that county.
- The BLM assumes that fewer trail miles available of a certain trail type, based on estimated visitation rates would mean that it is less likely the BLM will meet the demand rate for those types of trails, and a greater number of trail miles available per visitor per trail type, would mean the BLM will more likely meet the demand.
- The BLM assumes that the majority of visitors to day-use recreation sites will be within a 60-minute drive time, and day-use visitors prefer to only have to drive for 30-minute (E.M. White, D.B. Gooding, and D.J. Stynes (2013)).

4. Describe the methodology and techniques you will apply to complete the analysis (40 CFR 1506.6).

The models, quantitative, or data-based qualitative approaches you use to complete your analysis may consist of procedures or models adopted from scientific papers, previous EISs, or procedures developed by BLM specialists. It is not necessary to choose only one model for your analysis if there are competing models, different models recommended by cooperating agencies, or if it is otherwise difficult to choose between two. Relying on more than one model can provide further validation to your analysis results or help you demonstrate why different results may be possible from different ways to answer the same question and what the different results might mean for land management decisions. For example, a socioeconomic analysis valuing livestock grazing permits on a replacement basis of the cost to buy a permit produces different information than a methodology that considered valuing livestock grazing permits that measures market values and ranch operations as a whole. Both methods may be valid for the analysis. Depending on the specifics of your planning area and the issue, you may determine one of these provides the information necessary to understand the relevant effects, or you may find both are necessary. Consider how your selection of analytical methodology may facilitate tiering by implementation-level NEPA analyses to the NEPA analysis for the RMP action.

Models, quantitative, or data-based qualitative approaches each incorporate direction for the steps for analysis or the process (i.e., the “how”) by which you will use data. Cite all analytical methods and techniques identified from research, studies, or other reference materials and, if possible, identify their limits as to accuracy or utility.

For example, methodologies and techniques to complete an analysis for an issue of “How would alternatives affect fire risk and subsequent risk to firefighter and public safety within the wildland urban interface?” would potentially include:

- Describe changes to fire risk by alternative by summing the acres of land by flame length categories and changes to suppression tactics necessary to provide firefighter safety relative to the Fire Behavior Fire Characteristics Chart (Figure 1 in Andrews and Rothermel 1982) or by fire type (surface, passive, crown fire, and conditional crown fire), and increases in final fire size and cost.
- Determine fire behavior metrics (flame length or fire type) associated with the Woodstock dry and moist forest structural stages under 90th percentile eco-region weather conditions.
- Define eco-regions by dry, driest, and moist forests or major tree species, per the potential vegetation type dry forest classification system. Within these analysis areas, review historic 90th percentile weather based on energy release component values. Fire weather inputs include temperature, relative humidity, wind speed, and fuel moisture.
- Assign one of the 40 Standard Fire Behavior Fuel Models (Scott and Burgan 2005) using the LANDFIRE (USDA/DOI 2013) editing process and treatment crosswalk, assuming all hazardous surface fuels have been treated.
- Run the Forest Vegetation Simulator fire and fuels extension with “year zero” Current Vegetation Survey tree lists that represent all structural stages (10 divisions for both dry and moist forests) to determine fire type and flame length.
- Sum these onetime fire and fuels extension fire metrics associated with structural stages according to the acres of structure stages for each alternative.
- Use fire type or flame length to represent high and low hazard.

5. *Identify the unit(s) of measure your analysis will use.*

Identify the unit(s) of measure you will use for the analysis of impacts to make comparisons across the alternatives. Examples include gallons of water, acres of habitat, tons of sediment, number of recreational visitors, and acres available for leasing. You may need multiple kinds of units, or impact indicators, for a single issue. We recommend that you refer to information stored geospatially for resources or in monitoring datasets, such as assessment, inventory, monitoring data, to identify units of measure already in use to help you understand the impact implications that can be evaluated at the various scales you may need for your analysis. We recommend you identify your impact indicators consistent with those units of measure that you used to describe your affected environment and that would support the understanding of the difference in effects between and among the no action and action alternatives directed towards the objectives identified.

6. *Identify the data and information that provide the facts and evidence needed for your analysis.*

Provide specific and detailed explanations of the data needed for the issue as articulated in the issue statement and how and why it will be used in the analysis. Identify only the data relevant and necessary for the analysis of the issue and prepare the data for use in the planning context.

We recommend that you use maps and geospatial data as much as possible when assessing current conditions within the planning area to allow you to identify potential disputes, controversies, or opportunities by comparing the overlap of various resources and uses across the landscape. We recommend you coordinate data acquisition with outside entities when issues extend beyond the planning area or are affected by private or other agency lands during pre-scoping.

7. *Describe the analytical conclusion your analysis will be answering.*

Analytical conclusions are the answers provided by the information and analysis. These are based on the reasoning, deductions, inference, and arguments for the effects determinations for the issues. For example, an analytical conclusion for an issue of “Would the alternatives result in environmental justice impacts (disproportionate and adverse effects on communities with environmental justice concerns)?” would potentially be:

- A listing of geographies with environmental justice populations that the alternatives would disproportionately and adversely affect, along with any measures that could avoid or reduce these effects.

For issues informing the reader of the efficacy of the purpose and need, considerations of analytical conclusions are how we appraise, assess, rank, rate, weigh, and evaluate the performance of an alternative in meeting the purpose and need.

8. *Describe how you intend to display the data to support your analysis.*

Describe how information, analysis, and conclusions will be displayed to effectively communicate your analysis and any analytical conclusions. Visual methods are particularly valuable for effective communication, and examples include tables, charts, maps, and photographs. The aims of these display techniques, whether textual or visual, are to combine, compose, organize, integrate, and give context for the synthesis of the data. Effective data displays compare, contrast, make well-supported inferences, and provide reasons for conclusions. Describe how and when you will display your information, analysis, and conclusions.

6.2 The Analysis of the Management Situation

The analysis of the management situation helps to determine the ability of the planning area to respond to identified problems and opportunities (43 CFR 1610.4-4). While preparing the analysis of the management situation, you will analyze assessment, inventory, and monitoring data, and other information available to understand trends and resiliency of resources within the area to respond to identified purpose and need for your RMP relevant to the issues identified in the planning criteria. The analysis of the management situation also provides the basis for formulating reasonable alternatives, including the types of resources for development or protection (43 CFR 1610.4-4).

The analysis of the management situation may include, but is not limited to, the following factors (43 CFR 1610.4-4(a)-(i)):

- a) The types of resource use and protection authorized by FLPMA and other relevant legislation;
- b) Opportunities to meet goals and objectives defined in national and state director guidance;
- c) Resource demand forecasts and analyses relevant to the resource area;
- d) The estimated sustained levels of the various goods, services, and uses that may be attained under existing biological and physical conditions and under differing management practices and degree of management intensity which are economically viable under benefit cost or cost effectiveness standards prescribed in national or state director guidance;
- e) Specific requirements and constraints to achieve consistency with policies, plans, and programs of other Federal agencies, Indian tribes, and state and local government agencies;
- f) Opportunities to resolve public issues and management concerns;
- g) Degree of local dependence on resources from public lands;
- h) The extent of coal lands which may be further considered; and
- i) Critical threshold levels which should be considered in the formulation of planned alternatives.

The analysis of the management situation provides the foundation for the affected environment of your EIS (refer to section **8.5, Chapter 3 - Affected Environment**), which we recommend you document in a report (refer to section **6.3, Documenting the Planning Criteria and Analysis of the Management Situation**). The analysis of the management situation report is not intended to be an encyclopedic account of each resource, resource use, designation, and social and economic condition. As such, it is not necessary to collect or analyze inventory data that does not relate to issues identified in the planning criteria. Documenting the data associated with the issues presented in the planning criteria allows for incorporation by reference in the draft RMP/EIS, as well as future implementation-level NEPA documents.

6.2.1 Gather Data and Information

We recommend you provide opportunities for other Federal agencies, Indian tribes, , state and local governments, and the public to provide data and information to which they may have access (including indigenous knowledge), or suggest other laws, regulations, policies, guidance, strategies, or plans for BLM's consideration. When using externally provided data, we recommend you discuss data selection and management standards with the organization providing the data. Some collection of externally sourced data may require execution of a data sharing agreement (refer to BLM's Electronic Records Administration Handbook (1270-1)). Ensure externally sourced data meets the BLM standards for high quality information.

To accomplish this, we recommend you notify other governmental entities and the public during early engagement (refer to **Chapter 2, External Engagement**) that the BLM is gathering information for the analysis of the management situation through a “call for data” or other similar outreach. Other government entities often have information pertinent to the planning effort. For example, state or Federal fish and wildlife agencies will likely have the best

information related to fish and wildlife populations, and local governments or recreation user groups may have relevant information related to popular sites for recreational use. Identify any areas where the BLM is requesting specific information from the public, such as for nominations of areas of critical environmental concern. Make sure to notify potential contributors of any requirements pertaining to data standards and any required formats for submission, including metadata requirements. Additionally, we recommend that you conduct outreach to any partners that are likely to have information related to your issues. For examples, a university may have conducted vegetation community mapping of the planning area.

6.2.1.1 Tailoring Data and Information to the Planning Effort

The BLM manages complex resources across diverse landscapes so it is possible that you could expend a tremendous amount of time and resources gathering an almost unlimited amount of data and information. However, the purpose of the analysis of the management situation is not to serve as a data repository for every fact applicable to a broad geographic area. Rather, it is to identify data relevant to the preliminary purpose and need and preliminary alternatives in the analysis of the management situation report, and the preliminary issues and impacts analysis plan identified in the planning criteria. New information and inventory data will likely reveal potentially significant issues and decisions with the greatest potential impact. The analysis of the management situation also gathers the information necessary to refine and finalize your planning and decision areas and purpose and need from the preliminary ones identified in the BLM Director or state director planning guidance (refer to section **5.3, *Identifying Planning and Decision Areas*** and section **5.4, *Purpose and Need for Land Use Planning***). The BLM must bring together inventory data and information in a manner that aids application in the planning process, including subsequent monitoring efforts (43 CFR 1610.4-3).

Whenever possible, use existing information, so long as this information meets BLM standards for quality information. Existing information may need to be translated into a new format for use specific to your planning effort.

Places to look for existing data and information on resource, environmental, ecological, social, and economic conditions include, but are not limited to:

- RMP evaluations;
- Monitoring data, including BLM assessment, inventory, and monitoring terrestrial and aquatic indicator data;
- BLM corporate or project geospatial data;
- Government or non-governmental reports;
- Regional or landscape assessments, such as the Rapid Ecoregional Assessments;
- Scientific, socioeconomic, and engineering studies; and
- Data provided by partners or the public.

Identify relevant national, regional, state, Tribal, or local laws, regulations, policies, guidance, and strategies to consider in your planning area. These may include, but are not limited to:

- Executive or Secretarial Orders;
- Department of the Interior or BLM policy;
- Interagency initiatives; and
- Tribal, State, multi-state, or local resource plans.

The BLM has identified these principles and practices to help BLM managers integrate science into land management:

- Use high-quality information relevant to the problem or decision being addressed, relying on peer-reviewed literature when it exists.
- Recognize the dynamic and interrelated nature of socioecological systems within which the BLM operates.
- Acknowledge, describe, and document assumptions and uncertainties.
- Use quantitative data when they exist, and applicable data-based qualitative data, in combination with internal and external professional scientific expertise.
- Use transparent and collaborative methods that consider diverse perspectives.

Additional information on the use of data and science can be found in [Advancing Science in the BLM: An Implementation Strategy and Principles and Practices of Integrating Science in Land Management Guidelines](#).

6.2.1.2 *Collecting New Data and Information*

You may need to collect new information for the analysis of the management situation, especially if current resource inventories are inadequate or out-of-date. Collect new data and information for the analysis of the management situation if it is:

- Required by law, regulation, or policy; or
- Necessary to address one or more of the preliminary issues identified in the planning criteria and the collection of such information is reasonable based on available budgets and time constraints.

You may also need to collect new information to complete your effects analysis to satisfy NEPA’s “hard look” requirement in support of the revised or amended RMP. Refer to the BLM [NEPA Handbook](#) (H-1790-1) for information on the NEPA requirement for a “hard look.”

6.2.2 Formulating Reasonable Alternatives

The purpose and need for your planning effort establishes the basis for formulating reasonable alternatives, consistent with applicable legal requirements and BLM Director or state director planning guidance (refer to section **5.4, *Purpose and Need for Land Use Planning***). We recommend you focus alternative development on conflicts and trade-offs between resource use, protections, and development relevant to the purpose and need to display the opportunities for different management approaches to inform decision-making. You will use the analysis of the management situation to refine your preliminary purpose and need prior to scoping.

6.2.2.1 *Action Alternatives*

In developing your reasonable alternatives, identify options available to address:

- The conflicts or opportunities and any resulting trade-offs between resource or resource use, protections, and development that have a cause-and-effect relationship responsive to the purpose and need; or
- Disagreements about the best way to use a resource or opportunities to resolve an unwanted resource condition.

For resource uses and programs not addressed in your purpose and need, we recommend that you articulate how the objectives, designations, allocations, and management direction for those resources relate to the resource uses and programs that are addressed in the purpose and need. That is, identify which other designations, allocations, or management direction for resources or resource uses in the purpose and need would have a cause-and-effect relationship with those that are not referenced in the purpose and need. For example, the BLM designates special recreation management areas through the planning process. If addressing recreation is not part of the purpose and need for your plan revision, it would not provide you with specific guidance for how to vary the consideration for special recreation management area designations across alternatives. However, the trade-offs included in alternatives in response to the purpose and need may dictate the appropriate boundaries of a special recreation management area, affect the possible or appropriate recreation management opportunities, or inform whether the special recreation management area designation would conflict with other resources or resource uses.

In addition to the range of alternatives developed in response to your purpose and need, depending on the facts in your planning area, you may need to incorporate specific alternatives regarding resource or resource uses because of requirements in law, regulation, or BLM policy. For example, BLM policy for wild and scenic rivers requires the BLM to prepare a “detailed study report for all rivers congressionally authorized for study and for all other rivers identified by the BLM as potential additions to the National System through its public planning process,” (refer to BLM Wild and Scenic Rivers - Policy and Program Direction for Identification, Evaluation, Planning, and Management Manual (6400)). The policy further requires that the NEPA document for the land use planning process (for areas where such rivers are located) must record the BLM’s evaluation of the suitability of a river for designation through alternatives “that shall, at a minimum, include: (1) no action alternative (required), (2) national designation of all eligible segments of the river, and (3) nonsuitable.” If your purpose and need does not contain direction to specifically manage for wild and scenic rivers, your alternative development will not be driven by this resource program, but you would still have to account for the range in the alternatives as required by policy.

There may be circumstances where a resource use or program BLM manages does not have a problem to address or opportunity to pursue or does not have a substantial cause-and-effect relationship with resource uses or programs addressed by the purpose and need. In these circumstances, BLM still identifies objectives and management direction, as well as designations and allocations as appropriate, for clear understanding of how BLM will implement management pursuant to that resource use or program under the RMP. You must not create an artificial or arbitrary range of alternatives for the resource use or program that does not respond to the management needs on the ground and you must make the scope of any decisions reached clear. For example, the management BLM must apply in a Congressionally designated wilderness area is prescribed by the statute that created it and the BLM may not propose alternatives varying the boundary and may not consider allowing uses that are prohibited just for the sake of having a range of alternatives related to wilderness decisions. Often RMP decisions related to wilderness areas merely confirm the decisions expressed in the statute in the context of the BLM’s land use planning decisions, and subsequent project or program decisions regarding day-to-day management are supported by NEPA analysis focused on those implementation decisions.

In land use planning, and absent any superseding statutory direction, the BLM must evaluate management strategies for applying multiple use and sustained yield principles to a wide variety of resources and resource uses that are not always compatible with one another. A focused purpose and need statement allows the BLM to evaluate alternatives that reflect different options and trade-offs in considering decisions (refer to section **5.4, Purpose and Need for Land Use Planning**). As described above, however, there are several resources or programs for which the BLM may need to make decisions in the land use planning process that involve more than the management problems and opportunities reflected in the statement of purpose and need. When identifying the varying strategies for management across resources, ensure the strategies will result in alternatives that are internally consistent in their approaches such that comparisons among alternatives can be meaningful. For example, it would not make sense to have an alternative that maximizes extractive uses at the same time it maximizes primitive, non-motorized uses. Refer to section **3.8, Integrating Management** for additional discussion on developing internally consistent alternatives.

The BLM must document the examination of the reasonable range of alternatives (43 CFR 46.415(b)); 40 CFR 1502.14. An RMP provides a good example of when there may be a large number of potentially reasonable alternatives. The NEPA does not require every conceivable alternative to be analyzed, but instead identifies that you must analyze a reasonable range that will foster informed decision making (42 USC 4332(c)(iii); 40 CFR 1502.14(a)). This range needs to include meaningful considerations of trade-offs among management options in an RMP and does not simply mean identifying a “maximum development” alternative, “maximum protection” alternative, and the BLM’s preferred alternative which lands somewhere in the middle. Meaningful consideration of trade-offs means the range explored presents differences to be evaluated relevant to your purpose and need, and not differences based on arbitrary quantitative variations, such as 0 percent, 50 percent, or 100 percent. Refer to the BLM NEPA Handbook (H-1790-1) for additional guidance on requirements for a reasonable range of alternatives.

6.2.2.1.1 Sub-Alternatives

A sub-alternative is a variation of an alternative that modifies a single or few individual management approaches in an alternative to explore how these limited changes would alter certain outcomes. In some cases, you may identify sub-alternatives that would be appropriate to assist in understanding the effects of the alternatives or to assist in decision-making. This can be particularly useful when you want to explore changing one program’s management approach in an alternative while leaving the management approaches for other programs the same. Refer to the BLM NEPA Handbook (H-1790-1) for further guidance.

6.2.2.2 No Action Alternative in Land Use Planning

A complete range of alternatives also includes a no action alternative. For land use planning, the no action alternative means continuation of present level or systems of resource use and serves as the baseline for comparing alternatives (43 CFR 1610-4.5; 40 CFR 1502.16(a)). For BLM-administered lands with existing land use plan decisions, the no action alternative for your land use plan revision or amendment is to continue to implement the existing land use plan as written, including any previously approved amendments or changes resulting from court orders.

The no action alternative for the development of a new RMP may be more difficult to define and how it is framed will depend on the reasons you are writing a new RMP, the history and management trends, and what is reasonably foreseeable regarding the BLM's anticipated management.

Presidential proclamations, court rulings, laws, and executive orders may also require consideration of a no action alternative framed a certain way that may make BLM's management of the lands more complex. For example, for an area newly established as a national monument, the no action alternative would be the decisions in the approved RMP as written, but analysis of the no action alternative would have to recognize the requirement to manage consistent with the proclamation. Taking this example further, if the approved RMP identified portions of the newly designated national monument as open for fluid mineral leasing, but the proclamation explicitly closed the entire national monument to this resource use, then the no action alternative would still show that the areas are open (even though the proclamation would prevent BLM from issuing new fluid mineral leases) and the action alternatives would change the decision to closed consistent with the proclamation. And because the BLM's implementation must be consistent with the proclamation, one of the assumptions for analysis of the no action alternative would be that no leasing for fluid minerals would occur in the area despite the decision under the no action alternative showing the area as open for fluid mineral leasing.

Situations may arise where actual management does not reflect the decisions approved in the existing RMP. For example, an area might be open to livestock grazing in the RMP but the livestock grazing permit holder might not have put cattle in that area for the past 20-years. You may address such situations in different ways. If the actual management meets your purpose and need, you may choose to analyze it as one of the action alternatives. If the actual management does not meet your purpose and need or if it does not warrant a separate action alternative, you may choose to prepare a reference analysis to address the actual management. Finally, as you must include a no action alternative which is to continue to implement the existing land use plan decisions as written, you need not evaluate the actual management through the alternatives or in a reference analysis (refer to section **6.3.6.1, *Current Conditions*** on how the actual management is addressed in the current conditions).

6.2.2.3 *Reference Analysis*

A reference analysis represents a management approach that would not be a reasonable alternative but may provide context and a point of comparison to assist in the interpretation of the effects of the reasonable alternatives. A reference analysis used in a planning effort may also provide analysis to assist with meeting program-specific requirements for the evaluation of a particular alternative. For example, to support the 2016 approved RMPs, the BLM conducted a reference analysis in western Oregon where the BLM administers lands subject to the Oregon and California Railroad and Coos Bay Wagon Road Grant Act that "removed" all lands from sustained-yield timber harvest. Such an alternative would not be consistent with the basic policy objectives for the management of the area and thus would not be a reasonable alternative (refer to section **6.2.2.4, *Alternatives Considered but Eliminated from Detailed Analysis***). However, modeling the condition of the forested landscape under a scenario where these BLM administered lands were never again harvested provided a helpful reference analysis for understanding the possibility of BLM administered lands to contribute to the recovery of the

Endangered Species Act-listed northern spotted owl in the Pacific Northwest and how the analyzed action alternatives compared to the modeled possibility. A reference analysis can be particularly helpful when your planning effort seeks to resolve competing management concerns and the contribution of BLM administered lands and management to the resolution of the concerns are unclear. Including a reference analysis in your EIS supporting your RMP may also provide you with information to incorporate by reference to support subsequent implementation-level decision-making (refer to section **1.5.1, *Incorporation by Reference and Tiering***). Refer to the BLM NEPA Handbook (H-1790-1) for further guidance.

6.2.2.4 *Alternatives Considered but Eliminated from Detailed Analysis*

During the development of alternatives, you may consider alternatives that you ultimately opt not to analyze in detail. The reasons for eliminating an action alternative from detailed analysis are the same six reasons that apply to all BLM NEPA (refer to BLM NEPA Handbook (H-1790-1)).

Because you are analyzing alternatives that would change the land use plan decisions, when evaluating an alternative's consistency with the basic policy objectives for the management of the area, you will evaluate if the alternative is inconsistent with a law applicable to the BLM-administered lands within the planning area rather than for conformance with the land use plan.

You must identify and briefly explain why you eliminated an action alternative from detailed analysis (40 CFR 1502.14(a)). We recommend you identify which of these six criteria is the reason you have eliminated the action alternative from detailed analysis in that explanation.

You may explain in the NEPA document for the planning effort that the BLM manages the public lands under the FLPMA for multiple use and that FLPMA identifies certain principal or major uses for the public lands; however, FLPMA's multiple-use mandate does not, in itself, provide an adequate basis for not analyzing in detail an alternative that eliminates a principal or major use or an alternative that imposes no restrictions on such use. Multiple use does not require that the BLM manage all lands in a planning area for a particular use. Nor does multiple use mean that analyzing an alternative that eliminates a particular use or uses or imposes no restrictions on a use or uses is automatically unreasonable. For example, the BLM could not dismiss an alternative from detailed analysis that provided for unlimited motorized recreation to meet demands identified in the planning area on the sole basis that the alternative was not reasonable because it was not consistent with BLM's multiple use mandate under FLPMA. The BLM would need to identify at least one of the criteria listed in the BLM NEPA Handbook (H-1790-1) to eliminate such an alternative from detailed analysis and explain in the NEPA document why it was eliminated from detailed analysis.

6.3 Documenting the Planning Criteria and Analysis of the Management Situation

The planning criteria and analysis of the management situation each serve distinct roles in the planning process, but the information collected for each of these steps is often intertwined and connected. Completing these steps in the planning process is often iterative, with the context and scope refined or defined in one influencing the context and scope of the other.

Because of this, we recommend that you document the planning criteria and analysis of the management situation together in one report. The guidance for documenting the planning

criteria and analysis of the management situation below assumes you will prepare such a unified document. Because your effects analysis is guided by the planning criteria (43 CFR 1610.4-6), planning criteria must be developed for all planning efforts whether new RMPs, RMP revisions, or RMP amendments. Public comment on planning criteria is also required for both RMP amendments supported by an EIS or an EA (43 CFR 1610.2(e)(f)).

There may be circumstances, such as RMP amendments, where development of specific parts of the analysis of the management situation report would not be necessary (refer to section **14.2, *Planning Steps for RMP Amendments Supported by an EIS***), or RMP amendments supported by an EA where you have the option to conduct an analysis of the management situation, but it is not required (refer to section **14.3, *Planning Steps for Amendments Supported by an EA***). To assist you in creating a stand-alone planning criteria report for an amendment that does not include an analysis of the management situation, the discussion below clearly identifies which elements are planning criteria (refer to section **6.3.5, *Planning Criteria***) and which belong in the analysis of the management situation (remaining sections). The sections below also serve as an annotated outline for creating this document in its variations.

As with the development of both the planning criteria and analysis of the management situation, the documentation of these planning steps is not a documentation of an exhaustive list of everything known about the planning area, but instead focuses on presenting only relevant information as described in section **6.1, *Planning Criteria*** and section **6.2, *The Analysis of the Management Situation***. There may have been information that you collected, reviewed, or evaluated during the process that ultimately does not have relevance to your planning effort. You must include this information in your contemporaneous decision file, but do not include it in the report.

6.3.1 Introduction

Describe in your introduction the purposes of each planning criterion and the analysis of the management situation. We recommend your introduction clearly articulate that you have combined two distinct elements of planning process into one document to facilitate public comment on the planning criteria. If you have chosen to solicit comment on portions of the analysis of the management situation, clearly identify those portions for which you are soliciting comment, such as data and information or the preliminary range of alternatives, and distinguish them from those you are not, such as the boundary of the planning and analysis areas.

Because the planning criteria and analysis of the management situation report is the first formal presentation of the BLM's thinking regarding developing, revising, or amending a particular RMP, we recommend you provide some background information to help the reader understand the basic context for your planning area and the planning effort. The inclusion of any appropriate maps, a description of the overall planning process, and your proposed schedule will provide some of this context.

6.3.2 Planning Area and Existing Management

Provide a description and map of both the planning area and the decision area finalized in your analysis of the management situation and an explanation for why the planning area boundary was selected.

In order to provide the context for identification of the planning area, we recommend you include some general information when it aids in understanding the purpose and need identified:

- How much of the planning area is managed by the BLM (percentage or acreage);
- How the BLM-administered lands are spatially related to other lands (for example, large contiguous blocks of public land, checker-board with State lands, or patchwork of private and public land);
- Where areas of BLM-administered lands are inaccessible to the public due to other land ownership or lack of legal access;
- What portion of the planning area occurs within various states or counties;
- Any split-estate lands (where the BLM administers either the surface or the mineral estate but not both);
- Predominant uses of public lands and adjacent areas;
- Whether the planning area includes rural areas or an urban interface;
- Dependence on BLM-administered lands for economic development, subsistence, or cultural practices;
- The relationship between the planning area and Tribal lands and communities; and
- The presence of environmental justice communities.

List the existing BLM land use plans, including any amendments to those plans, that apply to the planning area and identify those for which this planning effort will evaluate possible changes. We recommend that you specify if the planning area boundary for this planning effort is the same as any in existing BLM RMPs.

6.3.3 Regulatory Framework

Your analysis of the management situation documents any legal, regulatory, and policy frameworks guiding the planning effort and how they may influence or establish thresholds that will direct how the BLM can consider alternatives. When additional guidance for developing alternatives has been provided by the state director through BLM Director or state director planning guidance, we recommend you provide that information in the document to allow the public to understand the context within which the BLM will consider alternatives for the planning effort.

The BLM coordinates with other government entities to ensure that an RMP is consistent with officially approved or adopted resource related plans of other Federal agencies, Indian tribes, and state and local governments, to the extent those plans are consistent with the purposes, policies, and programs of Federal laws and regulations applicable to public lands (43 USC 1712(c)(9); 43 CFR 1610.3-2(a)). List the non-BLM land use plans with which the BLM is directed to strive for consistency within your planning effort. Discuss any inconsistencies that may have been identified during early external engagement.

In addition, identify opportunities for consistency with other BLM land use plans. For example, a neighboring BLM field office may have identified a utility corridor that runs to the boundary of your planning area. You may want to consider extending that utility corridor into your planning area.

6.3.4 Purpose and Need

The analysis of the management situation includes the purpose and need for your planning effort, as it provides the basis for formulating reasonable alternatives (43 CFR 1610.4-4; refer to section **6.2.2, *Formulating Reasonable Alternatives***). We recommend you explain the role of the purpose and need statement in controlling the scope of analysis for your planning effort. Document your purpose and need in a manner that is clear and concise.

6.3.5 Planning Criteria

In this section, we recommend you document your planning criteria. That is, document each issue with the corresponding impacts analysis plan identified (refer to section **6.1.2, *Outlining Impacts Analysis Plan***). This provides reviewers an opportunity to understand how the BLM is proposing to conduct the analysis for each issue, and to provide specific feedback about possible alternative methodologies, data sources, or resources. If you have a large planning area or several issues within a single resource or program, we recommend that you present issues by the resource or program first, thus facilitating review of multiple issues for the same resource or program.

Developing and sharing your planning criteria with a high level of detail before conducting the analysis enables the public to provide feedback of comparable detail that you can use to conduct objective and rigorous analysis of the alternatives. We recommend you make the planning criteria available for public review during the public scoping period (refer to section **7.1, *Public Review of Planning Criteria***).

6.3.6 Planning Area Profile

The analysis of the management situation documents your planning area profile (as briefly and concisely as possible) the current conditions, trends, and forecasts for resources, resource uses, existing legislative, Presidential, or Secretarial designations, and social and economic conditions relevant to the purpose and need and issues. Discuss any known resource thresholds, constraints, or limitations.

6.3.6.1 Current Conditions

Describe current conditions for each issue for resource, resource use, designation, and social and economic conditions (e.g., Tribal rights and interests, economic conditions, social conditions, and public health and safety) to be included in the draft RMP/EIS using the units of measure or impact indicators identified for that issue's analysis in the planning criteria (refer to section **6.1.2, *Outlining the Impacts Analysis Plan*** for guidance on identifying units of measure). By describing your current conditions with these units of measure, you establish the baseline for understanding the effects of the alternatives during analysis and for understanding trends towards achieving the objectives during implementation of the approved RMP. Describe the relationship between the resources or resource uses and any dominant ecological processes, disturbance regimes, and stressors, such as drought, wildfire, invasive species, and climate change. Identify key features that guide alternatives development. For example, certain soil types might be important for special status species habitat, while others might be important for critical mineral development. Key features will often help identify strategies for responding to the purpose and need.

Identify any known constraints or limitations regarding resources, resource uses, designations, or social and economic conditions. For example, wildfire susceptibility in an area might lead you to the reasonable conclusion that wildlife habitat would be affected by natural disturbance, thereby exacerbating any other impacts associated with recreation or industrial development in this area. Another example may be that while forecasted oil and gas development would require additional pipeline infrastructure, existing pipeline corridors may be reaching capacity and topography may limit where new corridors could be located on the landscape.

As you develop the description of the current conditions for the resources in your planning area, remember your description of the current conditions should reflect the effects of actual management and not necessarily accurate implementation of the approved land use plan decisions. Your analysis of the no action alternative, however, would need to include analytical assumptions reflecting accurate implementation of the approved land use plan decisions. For example, if the approved land use plan decisions allocated an area as open to oil and gas development but the BLM never received any applications for permit to drill for that area, your description of the current conditions would reflect that no oil and gas development has occurred in that area. But as in the analysis of the no action alternative, you would assume that oil and gas development could occur in that area consistent with the reasonably foreseeable development evaluated to support the approved land use plan.

6.3.6.2 *Trends*

Observations of the results of past events can reveal trends. For each issue, we recommend you describe any patterns or changes in resource, resource use, designation, or social or economic condition or use over time, based on available data.

Trends can reflect slow change over a relatively long period. For example, monitoring data for grazing allotments within a watershed could indicate consistent improvement in rangeland health over the last 15 years. Trends may also reflect relatively recent or rapid changes. For example, changes in technology may have facilitated a relatively rapid change from single well pads to multi-well pads with the number of wells per pad increasing each year.

6.3.6.3 *Forecasts*

As appropriate, describe any projected or forecasted resource, resource use, designation, or social or economic conditions based on the continuation of current management or trends associated with each issue. Models can provide a tool to help inform forecasts associated with the resources addressed in the purpose and need and to help identify alternative approaches for addressing potential future priorities. Use of models or forecasts is not necessary or appropriate for analysis of all resources. We recommend that you consider models and forecasts when they are likely to provide valuable information related to identifying trade-offs with management alternatives to address the purpose and need.

Examples of projected or forecasted conditions might include interpretations of an air quality model, a state economic and transition model, a species distribution model, or a reasonably foreseeable development scenario. Forecasts are not speculative but are estimates based on high-quality information. Identify any assumptions for these forecasts and the limits to their application and any estimates of uncertainty.

6.3.7 Preliminary Range of Alternatives

The analysis of the management situation report provides the first venue for the BLM to communicate the range of preliminary alternatives, including any sub-alternatives, based on the identified purpose and need (refer to section **6.2.2, *Formulating Reasonable Alternatives***). We recommend you present the preliminary alternatives in a way that highlights how their different management trade-offs respond to the purpose and need. The objectives, designations, allocations, and management direction identify how the BLM could achieve the purpose and need for the planning effort. Refer to **Chapter 3, *Land Use Plan Components*** for more information about each type of plan component.

In presenting your preliminary alternatives in the analysis of the management situation report, we recommend you provide at least sufficient detail to convey the context of the broad management concepts and major alternative plan components for each alternative. You may also provide a more detailed description of your alternatives, including strategies developed for resources or programs not addressed by the purpose and need or program-specific requirements for varying your alternatives. Detailed descriptions of your preliminary alternatives may assist you by providing information for you to later incorporate by reference in the draft RMP/EIS. We recommend you also provide maps of the preliminary alternatives showing the geospatial relationship of different management concepts and plan components in the planning area.

A complete range of preliminary alternatives also includes a no action alternative. Because the no action alternative may not always be obvious or clear, we recommend you include the description of your no action alternative for your planning effort in the analysis of the management situation report. Refer to section **6.2.2.2, *No Action Alternative in Land Use Planning*** for information to understand how to identify your no action alternative.

It is possible that early external engagement or interdisciplinary discussions may have identified some preliminary alternatives that you have screened and determined are not reasonable prior to the documentation of alternatives in the analysis of the management situation. Identify any alternatives considered but eliminated from detailed analysis and the BLM's rationale for doing so in the analysis of the management situation report to facilitate incorporation by reference in the draft RMP/EIS. Refer to section **6.2.2.4, *Alternatives Considered but Eliminated from Detailed Analysis*** for more information on criteria for eliminating alternatives.

If you intend to provide a reference analysis as part of your planning effort (refer to **6.2.2.3, *Reference Analysis***), we recommend that you identify your intent to do so with the description of your alternatives. Describe the reason you are doing a reference analysis with the description of what the reference analysis would be.

Chapter 7 – Notice of Intent and Scoping

General

7.1 Public Review of Planning Criteria

7.2 Scoping Notices

7.3 Public Review of Scoping Comments

General

Scoping is a NEPA requirement for EISs (40 CFR 1502.4) and, for land use planning, is required to signify the start of the environmental analysis that will accompany development of the RMP and notify the public of this start (43 CFR 1610.2(c)). We recommend you provide the notice for initiating planning and the notice of intent to prepare an environmental impact statement in the same NOI, for planning decisions supported by an EIS.

The purpose of scoping for the development, revision, or amendment of a plan is to allow the public an opportunity to respond to BLM's planning criteria prior to their approval for use in the planning process (43 CFR 1610.4-2(c)). We recommend you publish the planning criteria and analysis of the management situation reports in a single document. You may solicit public comment on the analysis of the management situation, including requesting feedback on the preliminary range of alternatives (refer to section 6.1, *Public Review of Planning Criteria*).

Refer to the BLM NEPA Handbook (H-1790-1) for additional information on scoping and public engagement.

The scoping process and review of the planning criteria is the same for all planning efforts whether new RMPs, RMP revisions, or RMP amendments. For an RMP amendment supported by an EA, you may choose to prepare a scoping report or simply summarize the scoping comments in the EA depending on the volume and complexity of comments you receive. While a NOI is also required for an RMP amendment supported by an EA, the required content of the notice is different from the content required for a planning effort supported by an EIS.

7.1 Public Review of Planning Criteria

Planning criteria must be made available for a minimum 30-day public review and comment period prior to use (43 CFR 1610.4-2(c); 43 CFR 1610.2(e)). We recommend you make the planning criteria available for public review during the public scoping period. Making the planning criteria available at this time provides you with the opportunity to share your thinking with the public and partners based on input provided by the state director from planning guidance (refer to **Chapter 5, *BLM or State Director Planning Guidance***) and from results of pre-scoping public participation, consultation discussions, and work done through the cooperating agency process.

Provide the planning criteria for public review on the BLM's official national NEPA register and other methods appropriate to the interested public in your planning area. The planning criteria is a primary tool for you to be transparent about the planning process, available options, and strategies for management of BLM-administered lands that are being evaluated. Inviting public

comment on the planning criteria helps the BLM to identify additional issues to analyze and help improve the analytical methodology.

Some elements of the planning criteria will likely be refined or changed during the planning process as other steps in the process are completed or if new information becomes available (43 CFR 1610.4-2(d)). For example, public scoping could identify a new issue for analysis that was not included in the planning criteria that was released to the public. The BLM is not generally required to re-release planning criteria that are amended during the planning process for public review. However, if the BLM makes significant changes to the planning criteria, such as those that would occur to a range of alternatives or multiple issues if the BLM substantively changed the purpose and need for the planning effort, the BLM must provide the public with an opportunity to review and comment on the significant changes prior to being approved for use for the planning effort (43 CFR 1610.4-2(c)). We recommend you briefly discuss any other changes made to the planning criteria in the scoping report (refer to section **7.3.1, *Scoping Report***).

We recommend you include the planning criteria and the analysis of the management situation report in one document and make the document available during public scoping (refer to section **6.3, *Documenting the Planning Criteria and Analysis of the Management Situation*** and section **7, *General***). While there is no formal comment period associated with the analysis of the management situation report, the report contains valuable information that will help inform comment on the planning criteria such as the planning area, decision area, and purpose and need. The analysis of the management situation report will also help reviewers understand the range of preliminary alternatives already being considered and to present additional alternatives in their comments.

7.2 Scoping Notices

The BLM must announce that it is starting to develop, revise, or amend an RMP and initiate the scoping period by publishing a NOI in the *Federal Register* (43 CFR 1610.2(c)). You must also publish notice in appropriate local media, including newspapers of general circulation in the planning area (43 CFR 1610.2(c)). In addition, we recommend you provide public notice by:

- Posting a notice on the BLM’s official national NEPA register;
- Posting a notice at all BLM offices within the planning area;
- Notifying Federal agencies, Indian tribes, Alaska Native corporations, and state and local governments that have requested to be notified or that the field manager has reason to believe would be interested in the RMP; and
- Notifying individuals or groups on the mailing list.

It may also be appropriate to issue a press release in local newspapers to announce scoping. However, issuing a press release is not the same as publishing a notice in a newspaper. Since newspapers have the discretion to decide whether to print a news release, you would need to purchase a legal notice in the newspaper to ensure the notice to announce scoping would be printed. We recommend that you work with your public affairs staff to determine which newspapers are appropriate for publishing notices.

The BLM planning regulations require that the NOI announcing planning and notice in local media including newspapers of general circulation in the planning area, must include the following:

- Description of the proposed planning action;
- Identification of the planning area for which the RMP is to be prepared;
- The general types of issues anticipated;
- The kind and extent of public involvement opportunities to be provided, as known at the time;
- The times, dates, and locations scheduled or anticipated for any public meetings, hearings, conferences, or other gatherings, as known at the time;
- The name, title, address, and telephone number of the BLM employee who may be contacted for further information; and
- The location and availability of documents relevant to the planning process (43 CFR 1610.2(c)).

We recommend you make it clear the BLM is requesting comment on the planning criteria and that the information provided for the analysis of the management situation can assist the public in formulating their comments.

In addition to the requirements outlined by the planning regulations, the NEPA regulations have content requirements for all NOIs to prepare an EIS (40 CFR 1502(e)). Refer to the BLM NEPA Handbook (H-1790-1) for those requirements and guidance on how to include the information in your NOI for planning efforts supported by an EIS. In addition, programs may have specific requirements for *Federal Register* notices. For example, BLM Manual Areas of Critical Environmental Concern (1613) contains specific requirements for information regarding areas of critical environmental concern that must be included in the NOI. Consult program-specific guidance when developing the NOI.

Publication of an NOI in the *Federal Register* currently requires approval from the BLM Director's office and the Department of the Interior's Executive Secretariat. Coordinate with your State Office land use planning staff on the current requirements for requesting publication of an NOI and associated timeframes.

7.3 Public Review of Scoping Comments

Unlike responding to substantive public comments on the draft RMP/EIS, the BLM does not have to provide a written response directly to comments during scoping. However, the BLM must document a record or summary of the principal issues discussed, comments made, and a list of meeting attendees and make that information available to the public for 30 days to allow participants to clarify their views (43 CFR 1610.2(d)). Additionally, NEPA requires that a draft EIS include a summary of scoping information and append or otherwise publish all comments (or summaries of comments) received during scoping (40 CFR 1502.17). We recommend you summarize the principal issues discussed, comments made, and a list of meeting attendees in a scoping report and make it available on the BLM's official national NEPA register.

7.3.1 Scoping Report

This section outlines the recommended format for presenting the scoping comments for public review to meet the above requirements. You may publish this information as a stand-alone scoping report ahead of publication of your draft RMP/EIS, or as an appendix to the draft RMP/EIS when it is released.

7.3.1.1 Planning Effort

Provide a brief introduction to the planning effort, including the purpose and need for the plan. Provide a map and general description of the planning and decision areas and refer the reader back to the planning criteria and analysis of the management situation report for more information on how those boundaries were chosen. If the purpose and need or planning or decision area boundaries were modified based on input received during scoping, explain the rationale for the changes.

7.3.1.2 Summary of Public Involvement

The scoping report describes the various notifications and outreach efforts (such as newsletters or public meetings) that were used to solicit public involvement during the scoping period. However, remember the scoping report is a concise summary. Include all of the original early engagement comments, a copy of the NOI, other methods of public notification, and other outreach materials in the decision file, but you do not need to include copies of these records as part of the scoping report.

We recommend you summarize the level and type of public participation by describing how many people attended various meetings and the number of comments received. Include a statement that a list of public meeting attendees is available upon request. It is not necessary to identify by name every person who submitted a comment, but it can be informative to list the various groups or organizations that submitted comments.

We recommend the scoping report include a list of all the agencies that were invited to participate as cooperating agencies and which agencies decided to participate as cooperating agencies. Include any agencies that were not invited by the BLM but requested to participate as cooperating agencies, and whether or not the state director agreed they had the requisite jurisdiction by law or special expertise necessary to participate as a cooperating agency. Be sure to describe any meetings held with the agencies.

Identify Indian tribes or Alaska Native Claims Settlement Act Corporations with rights or interests in the planning area and describe what steps taken to initiate consultation.

7.3.1.3 Summary of Public Comment

The scoping report provides a summary of public comments on the planning criteria rather than restating comments. When summarizing public comments, provide enough detail to avoid over-generalization that obscures the concerns raised.

The BLM may change planning criteria in response to public comments (43 CFR 1610.4-2(d)). If you make changes to any of those items due to public comment received during the scoping period, we recommend you identify and explain the changes in the scoping report.

Chapter 8 – The Draft RMP/EIS

General

- 8.1 Dear Reader Letter
- 8.2 Summary
- 8.3 Chapter 1 – Introduction
- 8.4 Chapter 2 – Alternatives
- 8.5 Chapter 3 – Affected Environment
- 8.6 Chapter 4 – Environmental Consequences
- 8.7 Chapter 5 – Consultation and Coordination
- 8.8 Appendices
- 8.9 Supplementing the Draft RMP/EIS

General

Approval of an RMP is considered a major Federal action significantly affecting the quality of the human environment (43 CFR 1601.0-6), thus BLM must prepare an EIS for the development or revision of an RMP. Whenever possible, the draft RMP must be published in a single document with the EIS.

The BLM NEPA Handbook (H-1790-1) provides detailed guidance on how to prepare an EIS. An EIS developed to evaluate a proposed land use plan (or amendment) is subject to the same broad requirements as a project EIS. This section provides guidance on specific differences between a draft EIS for a project and a draft RMP/EIS for a land use planning effort. The BLM NEPA Handbook (H-1790-1) provides detailed guidance for meeting the page and time requirements of NEPA, as amended. All EISs for planning efforts must comply with these requirements.

An RMP amendment supported by an EIS follows the same procedures required for an RMP revision (43 CFR 1610.5-5(b)). While this chapter refers specifically to a draft RMP/EIS, the guidance is also applicable to a draft RMP amendment/EIS. The process for an RMP amendment supported by an EA differs from this process in some ways. Refer to section **14.3, *Planning Steps for RMP Amendments Supported by an EA*** for additional guidance. In this chapter, the most notable difference between a draft RMP/EIS and an RMP amendment supported by an EA is that you are not required to identify a preferred alternative or the environmentally preferable alternative in an EA.

8.1 Dear Reader Letter

In addition to the cover (40 CFR 1502.11), you may use a dear reader letter (signed by the state director) to inform the reader of details pertinent to their review of the draft RMP/EIS.

We recommend that the dear reader letter provides the following information:

- Identification of planning area and decision area;
- Location of the draft RMP/EIS and supporting information (online and locations with hard copies);
- Process to submit comments;
- Type of feedback and comments most helpful to the BLM;

- The length of the comment period;
- Privacy statement; and
- Information for any planned public meetings.

8.2 Summary

All EISs must contain a summary that identifies “any disputed issues raised by agencies and the public” and “any issues to be resolved” (40 CFR 1502.12). In the land use planning process these are framed in the purpose and need and as issues. The summary must also address the major conclusions of the analysis, key differences among alternatives, and identify the environmentally preferable alternative (40 CFR 1502.12). Since you must also identify a preferred alternative that best meets the director and state director guidance in the draft RMP/EIS (43 CFR 1610.4-7), we recommend that this preferred alternative also be identified in the summary.

We recommend that the summary include the following information:

- Identification of the planning area;
- Summary of the purpose and need for the RMP;
- Summary of public involvement to date;
- Explanation of how the alternatives present key differences in responding to the purpose and need;
- Major conclusions from the analysis of the issues regarding the difference between the alternatives;
- Identification of the environmentally preferrable alternative(s); and
- Identification of the preferred alternative.

The summary provides a high-level overview of the draft RMP/EIS for BLM leadership and the public. There is no need to repeat information from other sections of the draft RMP/EIS; rather make sure you summarize pertinent details and refer the reader to the relevant sections. The summary normally must not exceed 15 pages and should be written in plain language and use visual aids and charts, as relevant (40 CFR 1502.12).

8.3 Chapter 1 – Introduction

We recommend that chapter 1 of the draft RMP/EIS include identification of the planning and decision area, the purpose and need for the RMP, and identification of any known inconsistencies between the draft RMP/EIS and known officially approved or adopted other Federal, state, local, and Tribal resource related plans (43 CFR 1610.3-2). Chapter 1 would also be developed consistent with guidance in the BLM NEPA Handbook (H-1790-1). The analysis of the management situation will have already compiled information relevant to chapter 1 including the general location of the project, decisions to be made, and other general information about the planning effort that provide context. If the analysis of the management situation report is publicly available before the issuance of the draft, we recommend you incorporate that information by reference. Doing so assists with meeting page limits required under NEPA (42 U.S.C. 4336a(g)).

An RMP amendment supported by an EIS may be initiated in response to a specific project proposal. If permits are necessary to implement such a proposal, be sure to identify them in the draft RMP amendment/EIS (40 CFR 1502.24).

8.3.1 Planning Area and Decision Area

In the draft RMP/EIS, briefly explain the difference between a planning area and a decision area to the public and identify them on a map. We recognize that some BLM-administered parcels may be too small to display on a map in a printed document. Refer to section **5.3, *Identifying Planning and Decision Areas*** and the ***Glossary*** in this handbook for definitions of each. When revising an existing land use plan, be sure to identify if there are any changes to the planning area (i.e., compare the planning area of the current planning effort to the boundaries for the plan(s) you are revising). You may incorporate by reference from the analysis of the management situation report for a detailed description of the planning area.

If the RMP is part of a multi-jurisdictional plan, be sure to also identify:

- 1) Deciding officials for other agencies or governments;
- 2) Other authorities considered when preparing the document (such as the other agency or government’s authority for land use planning); and
- 3) Other plans being replaced by this planning effort (for example, State, local, or other Federal agency land use plans).

8.3.2 Purpose and Need

The state director develops a preliminary purpose and need statement for the RMP as part of their planning guidance (refer to section **5.4, *Purpose and Need for Land Use Planning***), it may be refined based on additional information collected during pre-planning and scoping. The draft RMP/EIS must include the purpose and need statement.

8.3.3 Consistency with Local Land Use Plans

The analysis of the management situation provides context for the planning effort by identifying 1) relevant laws affecting the planning area, 2) relationship to BLM regulations, policies, and plans, and 3) relationship to other Federal, state, and local government, and Tribal officially approved and adopted resource related plans. It is not necessary to repeat this information in detail again in chapter 1 of the draft RMP/EIS.

As previously discussed, the RMP must be “consistent with officially approved or adopted resource-related plans, and the policies and procedures contained therein, of other Federal agencies, Indian tribes, and state and local governments, so long as the guidance and resource management plans also are consistent with the purposes, policies, and programs of Federal laws and regulations applicable to public lands” (43 CFR 1610.3-2(a)). Thus, we recommend you address any inconsistencies in the draft RMP/EIS and explain why consistency cannot be achieved.

If there are no known inconsistencies with any known resource related plans, include such a statement in the draft RMP/EIS. Refer to section **2.2, *Coordination with Other Federal Agencies, Indian tribes, and State and Local Governments*** and section **11.3, *Governor’s***

Consistency Review for more information about consistency with known officially approved or adopted resource-related plans of other Federal, Tribal, state or local governments.

8.4 Chapter 2 – Alternatives

Chapter 2 of the draft RMP/EIS describes the alternatives you will analyze in detail, including the no action alternative (existing land use plan), and any alternatives considered but eliminated from further analysis. While the detailed issues analysis is found in chapter 4 of the draft RMP/EIS (or chapter 3 when the affected environment and environmental consequences are combined into one chapter), chapter 2 “should identify the reasonably foreseeable environmental effects of the proposed action and the alternatives in comparative form” in order to “sharply define the issues for the decision maker and the public and provide a clear basis for choice among options” (refer to BLM NEPA Handbook (H-1790-1), 40 CFR 1502.14). The BLM’s preferred alternative and the environmentally preferable alternative must also be identified as part of chapter 2 (40 CFR 1502.14(d); 40 CFR 1502.14(e)).

8.4.1 Alternatives

Preliminary alternatives are identified in the analysis of the management situation report, which we recommend you make available for public review with the release of the planning criteria for public comment (refer to section 7.1, **Public Review of Planning Criteria**). The BLM may revise the preliminary alternatives (and rationale for the alternatives) as planning proceeds if it determines that public suggestions or other new information make such changes necessary. You may provide a summary of the key features that are common to all alternatives and those that differ among the alternatives responsive to the purpose and need in chapter 2, and provide the detailed text of the objectives, and management direction developed for each alternative as an appendix.

You may provide the detailed description of the plan components in table format in the appendix to facilitate comparison of the alternatives. It may not be practical to describe some allocations, such as oil and gas lease stipulations (and associated exception, modification, and waiver criteria) in this format, so you may generally describe the allocations in the comparison table and then provide the full text in an appendix.

Refer to section 6.2.2, **Basis for Formulating Reasonable Alternatives** for more information on developing a reasonable range of alternatives.

We recommend that you avoid writing implementation decisions as part of the development or revision of an RMP. However, there may be reasons why including implementation decisions during a land use planning revision is necessary, such as to avoid segmentation of connected actions under NEPA. In these circumstances, make sure to clearly identify the implementation-level decisions in the draft RMP/EIS since in later stages of the planning process it will be important to clearly identify which proposed decisions are subject to BLM’s land use planning protest procedures (refer to section 11.2, **Land Use Plan Protest**) and which implementation decisions are subject to program-specific administrative remedies. We recommend that implementation decisions be referenced in the alternatives summary in chapter 2 and explained in detail in an appendix.

8.4.2 Comparison of the Effects of the Alternatives

Chapter 4 of the draft RMP/EIS provides detailed analysis of the issues. In chapter 2, you will review and summarize the determinations of the issues analysis to provide a concise comparison of the environmental impacts of choosing each alternative (40 CFR 1502.14). Focus the summary comparison of the effects on the substantive differences between the alternatives, including management trade-offs between how the alternatives respond to the purpose and need. The comparison of the effects may be accomplished via a discussion in the text or in a table.

8.4.3 Preferred Alternative

You must identify a preferred alternative in the draft RMP/EIS. While NEPA regulations require identification of the agency's "preferred alternative or alternatives, if one or more exists" (40 CFR 1502.14(d)) in a draft EIS, the BLM generally identifies a single preferred alternative (43 CFR 1610.4-7) in a draft RMP/EIS (refer to **Chapter 5, BLM or State Director Planning Guidance**). The identification of one or more preferred alternatives remains the exclusive responsibility of the BLM. We recommend you describe how the preferred alternative best meets the BLM Director or state director planning guidance in your draft RMP/EIS.

The BLM's land use planning regulations provide the BLM identify a preferred alternative that best meets the BLM Director or state director planning guidance (43 CFR 1610.4-7). When no BLM Director or state director guidance has been issued, identify the preferred alternative consistent with NEPA guidance as the alternative the BLM believes would reasonably accomplish the purpose and need for the proposed action while fulfilling its statutory mission and responsibilities, giving consideration to economic, environmental, technical and other factors (refer to BLM NEPA Handbook (H-1790-1)).

If a draft RMP/EIS is prepared jointly as part of a multi-jurisdictional plan, the lead agency is responsible for identifying the preferred alternative (refer to the BLM NEPA Handbook (H-1790-1) for more information about selecting a preferred alternative).

The identification of the preferred alternative does not constitute a commitment or decision in principle. Nor does it mean that the BLM will necessarily present the preferred alternative as the proposed RMP in the proposed RMP/final EIS. Instead, the BLM is simply identifying that the preferred alternative provides the most useful starting point from which the BLM could construct a proposed RMP based on the analysis in this draft RMP/EIS. We recommend that you identify the reasons why you have selected the preferred alternative in the context of the components of your purpose and need that the effects analysis demonstrates would be achieved. We also recommend you identify where the preferred alternative does not provide the desired response to the purpose and need and for which the BLM will specifically be looking to develop the proposed RMP to better address. By providing these discussions, you help the public understand where BLM may look to develop the proposed RMP. Refer to **Figure 8.1, Example of the preferred alternative's responses to the purpose and need** to identify how this discussion can be presented to help explain the context of what the preferred alternative best addresses and falls short of related to the purpose and need of the RMP effort.

Preferred Alternative

Consistent with the BLM planning regulations (43 CFR 1610.4-7) and as part of the BLM's commitment to an open and transparent planning process, the BLM is identifying Alternative B as its preferred alternative at the Draft RMP/EIS stage. In identifying the BLM preferred alternative, the BLM evaluated how well each of the alternatives in the Draft RMP/EIS would respond to the purpose and need for action and the guidance for the formulation of alternatives, as well as the effects of each of the alternatives relevant to the issues identified for detailed analysis. In this evaluation, the cooperating agencies provided feedback that the BLM considered in identifying the preferred alternative.

The identification of the preferred alternative does not constitute a commitment or decision. Nor does it mean that the BLM will necessarily present the same preferred alternative as the Proposed RMP in the Proposed RMP/Final EIS. Instead, the BLM is simply identifying that Alternative B provides the most useful starting point from which to construct a Proposed RMP based on the analysis in this Draft RMP/EIS.

The BLM has identified Alternative B as the preferred alternative because the effects analysis demonstrates that it would—

- Create a network of large blocks of northern spotted owl habitat across the landscape;
- Provide active management with designated northern spotted owl critical habitat consistent with the recovery plan for the northern spotted owl;
- Increase marbled murrelet habitat over time;
- Create habitat for species associated with complex early-successional habitat;
- Speed the redevelopment of structurally-complex forest conditions after regeneration harvest;
- Protect the river values associated with the six river segments that the BLM has identified as meeting the Wild and Scenic River suitability requirements;
- Provide more sustained-yield timber harvest than the current Allowable Sale Quantity declared in the 1995 RMPs; and
- Provide more payments to counties from timber harvest on BLM-administered land than the counties would receive at the current Allowable Sale Quantity declared in the 1995 RMPs.

However, Alternative B does not provide the best possible response to the purpose and need for action and the guidance for the formulation of alternatives. Recognizing this, the BLM will seek to develop a Proposed RMP that would also—

- Reduce the risk of adverse effects to listed fish and water quality;
- Increase protection of unique recreation settings and increase recreation use;
- Increase protection of identified lands with wilderness characteristics; and
- Minimize the spread of Sudden Oak Death.

In developing the Proposed RMP, the BLM may therefore make modifications to the design of Alternative B; make modifications to the design of a different alternative analyzed in the Draft RMP/EIS; or develop a new alternative from within the spectrum of alternatives considered in the Draft RMP/EIS. In developing the Proposed RMP, the BLM will also consider public comments on the Draft RMP/EIS and feedback from cooperating agencies.

Figure 8.1. Example of discussion of the preferred alternative's responses to the purpose and need.

8.4.4 Environmentally Preferable Alternative

You must present the environmentally preferable alternative or alternatives in your draft RMP/EIS (40 CFR 1502.14(f)). Refer to the BLM NEPA Handbook (H-1790-1) for guidance on identifying the environmentally preferable alternative(s) in your EIS. While the environmentally preferable alternative(s) does have to be an alternative that is analyzed in detail, the environmentally preferable alternative(s) does not need to be the BLM's preferred alternative (43 CFR 1610.4-7; refer to section **8.4.3, Preferred Alternative**).

8.4.5 Alternatives Considered but Not Analyzed in Detail

You must describe alternatives eliminated from detailed study and briefly discuss the reasons for their elimination (40 CFR 1502.14(a)). We recommend that you refer to the analysis of the management situation report and incorporate by reference the discussion for any alternatives that were eliminated earlier in the planning process.

8.5 Chapter 3 – Affected Environment

Information collected during the analysis of the management situation provides the foundation for the description of the affected environment. The analysis of the management situation report documents the affected environments for each issue, which may allow you to incorporate this information by reference into chapter 3 of the draft RMP/EIS. Chapter 3 is not an exhaustive discussion about all the resources or resource uses in your planning area; the description of the affected environment must contain only the information necessary to understand and inform the issue analysis (40 CFR 1502.15). Incorporate by reference information from the analysis of the management situation as much as possible. Also include any new information relevant to your issues that has become available since development of the analysis of the management situation.

For new issues identified through scoping or refined preliminary issues, determine whether the analysis of the management situation report provides the context sufficient to describe the affected environment relevant to the issue. In many cases, the information needed to describe your affected environment for new and refined issues will have already been presented in the analysis of the management situation report. A new issue may share the same pertinent existing resource conditions and trends as an issue that had been previously identified. Refined issues may only require a change to the methodology you will use to analyze the issue, and may not change the context of the existing resource conditions and trends relevant to that analysis. Incorporate by reference from the analysis of the management situation document any relevant resource conditions and trends into your discussion of the affected environment. Only present new information describing your affected environment when it has not been previously disclosed, and when it is necessary to inform your effects analysis.

8.6 Chapter 4 – Environmental Consequences

Chapter 4 of the draft RMP/EIS explains the environmental consequences of each alternative considered in detail, including the no action alternative. The issue analysis is guided by the planning criteria and must estimate and display the physical, biological, economic, and social effects of implementing each alternative considered in detail as it pertains to the relevant issues (43 CFR 1610.4-6). You may combine chapters 3 and 4, so that the affected environment and environmental consequences appear together. Doing this can help prevent restatement of details about the affected environment when discussing consequences as might otherwise occur if the chapters are separate.

8.6.1 Analytical Methods

The BLM must make the planning criteria available for public review and comment prior to publication of the draft RMP/EIS (43 CFR 1610.4-2(c)), which will have the effect of displaying the analytical methodologies for the preliminary issues identified. The BLM must identify methodologies used for analysis of the issues in the EIS (40 CFR 1506.6). You may incorporate

your analytical methodologies by reference into your draft RMP/EIS from your discussions in the planning criteria report.

The BLM may change the methodologies included in the planning criteria as planning proceeds if it determines that substantive comments from the public or other new information make such changes necessary (43 CFR 1610.4-2(d)). We recommend that you describe any substantive changes to the analytical methodology, including new analytical methods for refined preliminary issues or new issues identified in scoping, in your draft RMP/EIS (or as an appendix to the draft RMP/EIS (40 CFR 1506.6)).

The BLM NEPA Handbook (H-1790-1) recommends disclosing the analytical assumptions used in the effects analysis. Assume that the BLM would have the funding available to implement the RMP as described under each alternative and would take actions necessary to achieve the objectives of those alternatives. For lands other than BLM-administered lands within the analysis area, we recommend you assume that landowners would continue their current management strategies, unless the BLM has specific information to the contrary.

8.6.2 Effects Analysis

The primary purposes of the effects analysis for an RMP are to:

1. Disclose the potential effects of the management implications of the various plan components in the alternatives in order and allow for an informed choice among the alternatives; and
2. Facilitate future implementation decisions by providing an effects analysis that may allow for tiering to the analysis of issues and alternatives evaluated in detail at the planning level.

The focus of effects analysis for land use planning is on the likely effects of the different management strategies identified under the alternatives, if implemented, would affect resources and resource uses in the planning area. In this way, you provide meaningful disclosure of impacts anticipated from on-the-ground actions implementing the proposed plan decisions that can be compared across the range of alternatives. The state director can then consider the trade-offs at play under each alternative management strategy, the proposed decisions directly influencing those trade-offs, and the effects of those proposed decisions on resource management actions in the planning area.

Refer to the BLM NEPA Handbook (H-1790-1) for detailed guidance on how to conduct effects analysis.

It is possible that the analysis area for the draft RMP/EIS may overlap with other ongoing planning efforts. In this scenario, it may be more challenging to identify reasonably foreseeable actions for the purposes of cumulative effects analysis since the BLM would be considering multiple alternatives as part of that other planning effort. In these situations, we recommend that you use the preferred alternative in the other planning document to inform your assumptions about future actions and conditions. Refer to the BLM NEPA Handbook (H-1790-1) for guidance on how to address reasonably foreseeable actions that are still too uncertain to incorporate into the analysis (for example, other plans in early stages of development).

8.7 Chapter 5 – Consultation and Coordination

The purpose of chapter 5 is to briefly summarize the BLM’s efforts to engage the public and other government entities during development of the RMP; include detailed descriptions and documentation in the decision file rather than the draft RMP/EIS.

We recommend that the draft RMP/EIS describe:

- Public involvement;
- Government-to-government consultation with tribes;
- Coordination with other government entities;
- Cooperating agency relationships; and
- Compliance with section 106 of the National Historic Preservation Act and section 7 of the Endangered Species Act.

You must include a list of individuals who prepared the draft RMP/EIS (40 CFR 1502.10(a)(7)). Identify the interdisciplinary team (list of preparers), including their names and qualifications (40 CFR 1502.10(a)(7) and 40 CFR 1502.18).

At a minimum, previous public involvement opportunities would include the public review of the planning criteria and scoping, and you may have also provided for public involvement prior to developing the planning criteria and analysis of the management situation. Briefly describe the BLM’s outreach strategy (for example, when and where public meetings were held and the level of participation). Also identify any specific outreach methods the BLM used to engage environmental justice communities (for example, you may have provided a translator at public meetings). You must also summarize information, including alternatives and analyses, submitted by commenters during the scoping process (40 CFR 1502.17(a)), which may be accomplished through incorporation by reference of the published scoping report (refer to section **7.3.1, *Scoping Report***).

Identify which Indian tribes the BLM has consulted with and briefly describe the consultation process to date (for example, meetings, letters, and review of documents).

Identify which government entities have contributed to the development of the draft RMP/EIS and be sure to note whether or not they are cooperating agencies. Summarize the interaction between the BLM and other government entities (for example, meetings, letters, and review of documents).

Identify the context for any required consultations under the National Historic Preservation Act or Endangered Species Act. If consultations are required, summarize the work the BLM has completed associated with these consultation processes to date. For the National Historic Preservation Act, identify any aspects of the RMP considered a Section 106 undertaking. For the Endangered Species Act, identify any species included in consultation, any applicable programmatic consultations or conservation agreements, and the status of any section 7(a)(1) conservation reviews.

8.8 Appendices

Appendices are for support of critical analyses in the draft RMP/EIS. An appendix is not a data bank or library for total reference support, but contains major substantiating data, essential relevant descriptions of environmental components, or other information necessary for complete use of the draft RMP/EIS for analytical or decision-making purposes. You may keep other supporting material in the decision file and make it available if requested, instead of including it as an appendix.

If you have not published a scoping report that includes scoping comments or summaries of scoping comments, you must include in the appendix to the draft RMP/EIS “all comments (or summaries thereof where the response has been exceptionally voluminous) received during the scoping process that identified information for the agency’s consideration” (40 CFR 1502.17(b), 40 CFR 1502.19(d)).

If you include more detailed descriptions of the alternatives as an appendix, explicitly reference those appendices as part of the description of the alternatives in chapter 2. For example, if you identify allocations for oil and gas leasing as part of the alternatives presented in chapter 2, you would also reference that the exception, modification, and waiver criteria for any applicable lease stipulations could be found in an appendix. Another example where it may be appropriate to include details of the alternatives in an appendix includes legal land or other types of descriptions for the specific tracts of land that have been identified through the planning process as meeting the disposal criteria for sale under section 203 of FLPMA, as well as the rationale, or a description of the specific section 203 disposal criteria, associated with each identified tract or group of tracts.

Other common types of appendices that may be included in the draft RMP/EIS include bibliographies, a glossary, and supplementary information to support the issues analysis. Examples of supplementary information include technical support documents such as those created for air quality or socioeconomics issues analysis. Only include supporting information as an appendix if it is critical to understanding the impacts related to issues presented in the draft RMP/EIS and has not been developed as a stand-alone report. You may provide stand-alone technical reports supporting the effort online, such as wild and scenic river eligibility and suitability reports, reasonable future development scenario reports, or recreation supply and demand reports. All other supporting information would be included in the decision file and made available to the public upon request.

Refer to section 3.4, *Management Direction* for discussion on whether to include best management practices as an appendix in the draft RMP/EIS.

8.9 Supplementing the Draft RMP/EIS

There are several situations in which the BLM must supplement a draft RMP/EIS (40 CFR 1502.9(d)(1)). Whether supplementation is necessary can often be a difficult determination; such a decision is made on a case-by-case basis, depending on the unique circumstances surrounding the planning effort. Refer to the BLM NEPA Handbook (H-1790-1) for guidance on determining whether a supplemental EIS is necessary.

Chapter 9 – Public Comment on the Draft RMP/EIS

General

9.1 Notice of Availability

9.2 Public Comment on a Supplemental Draft RMP/EIS

9.3 Agency Review of the Draft RMP/EIS

General

After preparing the draft RMP/EIS, the BLM must make it available for public review and comment. Refer to the BLM NEPA Handbook (H-1790-1) for guidance on the NEPA requirements related to the distribution of the draft RMP/EIS. When announcing the availability of your draft RMP/EIS for review, direct the public to submit their written comments through the BLM's official national NEPA register. After public comment, the BLM responds to substantive comments in writing. The BLM must also determine what changes need to be made to the draft RMP/EIS and whether a supplemental EIS is necessary prior to issuing the proposed RMP/final EIS.

An RMP amendment supported by an EIS follows the same procedures required for an RMP revision (43 CFR 1610.5-5(b)). While this chapter refers specifically to a draft RMP/EIS, the guidance is also applicable to a draft RMP amendment/EIS. The process for an RMP amendment supported by an EA differs from this process in some ways. Refer to section **14.3, *Planning Steps for RMP Amendments Supported by an EA*** for additional guidance. In this chapter, the most notable difference between a draft RMP/EIS and an RMP amendment supported by an EA is that you are not required to provide an opportunity for review and comment on the EA, though you must provide for some form of public involvement. If you choose to do so, the minimum required public comment period is 30 days and there is no requirement to file EAs with the Environmental Protection Agency to publish a notice in the *Federal Register*.

9.1 Notice of Availability of the Draft RMP/EIS

The Environmental Protection Agency has a unique role in the NEPA process. It serves as the official repository for all EISs prepared by Federal agencies and notifies and informs the public of the availability of the EIS.

The Environmental Protection Agency publishes a notice of availability (NOA) in the *Federal Register* that starts the 90-day public comment period for the draft RMP/EIS (43 CFR 1610.2(e)). The BLM is also required to provide public notice that includes additional detailed information not contained in the Environmental Protection Agency's notice about the draft RMP/EIS, comment period, contact information, and other supplemental information. The BLM must publish this additional public notice in the *Federal Register* for actions with effects of national concern (40 CFR 1501.9(c)(5)(ii)). Ideally, the BLM and Environmental Protection Agency notices are published on the same day; the BLM would not file an EIS with the Environmental Protection Agency until receiving formal approval from the BLM Director (through approval to publish the BLM's notice). Refer to the BLM NEPA Handbook (H-1790-1) for more information on filing an EIS with the Environmental Protection Agency.

Prior to the Environmental Protection Agency's publication of the NOA, the BLM must distribute the draft RMP/EIS to other Federal agencies, Indian tribes, state and local governments, and the public (40 CFR 1506.9(b)). Making the document available is generally accomplished by posting the draft RMP/EIS on the BLM's official national NEPA register and notifying interested parties, through the BLM's planning regulations have some additional requirements (discussed below). Refer to section **2.1.3, *Announcing Opportunities for Public Involvement*** for more information about distribution lists and other means of notifying the public of the opportunity to comment on the draft RMP/EIS.

The purpose of making the draft RMP/EIS available in advance of publishing the NOA is to ensure that all reviewers are able to take advantage of the full length of the comment period. The BLM will make copies available for public review at the state office, district office, and field office (43 CFR 1610.2(g)). The field manager may also make copies (printed hard copies or compact discs) available at other public locations, such as libraries or community centers. Upon request, the BLM must make single copies (hard copies or portable digital copies, depending on the circumstances) of the draft RMP/EIS available to the public during the review process (43 CFR 1610.2(g)).

Be aware that some programs have specific requirements for disclosure in a NOA for a draft RMP/EIS. For example, when a draft RMP/EIS involves possible designation of one or more potential areas of critical environmental concern, the BLM has specific requirements for information that must be presented in the NOA. Refer to BLM's Areas of Critical Environmental Concern Manual (1613) for details on the specific requirements.

Refer to section **2.1.4, *Timeframes for Public Comment and Protest Periods*** for more information on extending comment periods.

9.2 Public Comment on a Supplemental Draft RMP/EIS

The BLM planning regulations do not establish a particular requirement for comment on supplemental draft RMP/EISs, however a supplemental draft RMP/EIS must be prepared, published, and filed consistent with the requirements established for EISs in the Council on Environmental Quality's regulations (40 CFR 1502.9(d)(3)). Refer to the BLM NEPA Handbook (H-1790-1) for further guidance on providing for public comment on a supplemental draft RMP/EIS.

9.3 Agency Review of the Draft RMP/EIS

The BLM must obtain comments from any Federal agency with jurisdiction by law or special expertise related to any environmental impacts involved (40 CFR 1503.1(a)(1)). You will have invited these Federal agencies to participate as a cooperating agency in your planning effort (refer to section **2.3, *Cooperating Agency Involvement***). Refer to the BLM NEPA Handbook (H-1790-1) for further guidance on obtaining comments on your EIS, commenting on other Federal agencies' EISs, and Environmental Protection Agency review of draft EISs.

Chapter 10 – The Proposed RMP/Final EIS

General

- 10.1 Developing the Proposed RMP Alternative
- 10.2 The Proposed RMP/Final EIS Document
- 10.3 Full Text Final EIS vs Abbreviated Final EIS

General

Following public review of the draft RMP/EIS, the BLM prepares a proposed RMP/final EIS. The proposed RMP/final EIS presents the proposed RMP management and analysis, and is subject to a 30-day protest period and 60-day governor’s consistency review (refer to **Chapter 11, *Protest and Governor’s Consistency Review of the Proposed RMP***).

An RMP amendment supported by an EIS follows the same procedures required for an RMP revision (43 CFR 1610.5-5(b)). While this chapter refers specifically to a proposed RMP/final EIS, the guidance is also applicable to a proposed RMP amendment/final EIS. The process for an RMP amendment supported by an EA differs from this process in some ways. Refer to section **14.3, *Planning Steps for RMP Amendments Supported by an EA*** for additional guidance. In this chapter, the most notable difference between a proposed RMP/final EIS and a proposed RMP amendment supported by an EA is that you have different options for how to document responses to public comments (if you provided such an opportunity on the draft RMP amendment/EA). An RMP monitoring strategy is required for all RMP amendments.

10.1 Developing the Proposed RMP Alternative

The BLM must present and analyze a proposed RMP alternative in the proposed RMP/final EIS (43 CFR 1601.0-6; 43 CFR 1610.4-8). In developing the proposed RMP alternative, the BLM may:

- Identify one of the alternatives as analyzed in detail in the draft RMP/EIS as the proposed RMP alternative,
- Make modifications to the design of any alternative analyzed in detail in the draft RMP/EIS to identify as the proposed RMP alternative, or
- Develop a new alternative as the proposed RMP alternative from within the spectrum of the alternatives analyzed in detail in the draft RMP/EIS, including the no action alternative.

The content of the proposed RMP alternative is the discretion of the state director. Your proposed RMP alternative in the proposed RMP/final EIS can be different from the preferred alternative identified in your draft RMP/EIS.

10.2 The Proposed RMP/Final EIS Document

The BLM NEPA Handbook (H-1790-1) provides detailed guidance on how to prepare an EIS. An EIS developed to evaluate a proposed land use plan (or amendment) is subject to the same broad requirements as a project EIS. This section provides additional guidance on specific requirements for a proposed RMP/final EIS for a land use planning effort. The BLM NEPA Handbook (H-1790-1) provides guidance on the page and time requirements of NEPA, as amended. All EISs for RMPs must comply with these requirements.

The proposed RMP/final EIS contains the detailed analysis of your proposed RMP alternative. The proposed RMP/final EIS includes a description of the public comments received on the draft RMP/EIS (either verbatim or as summaries) and the BLM's response to those comments (40 CFR 1502.19(e), 40 CFR 1503.4(b)). It may include changes to correct errors identified through public or internal review of the draft RMP/EIS and may modify the alternatives or analysis in the draft RMP/EIS. You must also develop an RMP monitoring strategy for the proposed RMP alternative (43 CFR 1610.4-9). When developing the proposed RMP/final EIS the BLM must consider whether there are any substantial changes to the proposed action or significant new information or circumstances that would require a supplement to the draft RMP/EIS (40 CFR 1502.9(d)); refer to section **8.9, *Supplementing the Draft RMP/EIS***.

10.2.1 Dear Reader Letter

The purpose of the dear reader letter in the proposed RMP/final EIS is to inform the reader of the plan components subject to protest to the BLM Director. The dear reader letter is generally signed by the state director.

The dear reader letter provides the public with the following information:

- Identification of planning area and decision area;
- General description of how the proposed RMP/final EIS differs from the draft RMP/EIS;
- The major components of the proposed RMP;
- Protest procedures for land use plan decisions; and
- Explanation that administrative remedies would be available in the future for implementation decisions.

You may attach a copy of the protest regulations (43 CFR 1610.5-2) to the dear reader letter.

Be sure to identify any implementation decisions so it is clear which elements are subject to protest (43 CFR 1610.5-2). Developing implementation decisions as part of the land use planning process and analyzing them concurrently does not change their administrative remedies or the timing of those remedies.

10.2.2 Affected Environment and Environmental Consequences

You must include the analysis of your proposed RMP alternative in the proposed RMP/final EIS (43 CFR 1601.0-6; 43 CFR 1610.4-8). Where there are changes to the analysis of any alternatives analyzed in the draft RMP/EIS, we recommend you include the changed analysis in the proposed RMP/final EIS. You may incorporate by reference affected environment discussions from the draft RMP/EIS or the analysis of the management situation report. You may incorporate by reference any unchanged analysis of the alternatives analyzed in the draft RMP/EIS from that document. In determining when incorporation by reference may be appropriate, or when it may be appropriate to restate information already presented in the draft RMP/EIS, consider the ease of readability for the reader. Organize your proposed RMP/final EIS document in a way that is consistent with the draft RMP/EIS document or otherwise easy for readers to follow. For example, if you presented the analysis of your issues in the draft RMP/EIS alphabetically, do the same for the proposed RMP/final EIS. Or, if you chose to split the presentation of your affected environment and environmental effects into chapters 3 and 4 in

the draft RMP/EIS, do not combine the discussion into one chapter for the proposed RMP/final EIS.

10.2.3 RMP Monitoring Strategy

The BLM must develop a strategy for RMP monitoring with the proposed RMP, as appropriate, that establishes the intervals and standards for monitoring the plan (43 CFR 1601.0-5(n)). You must also establish RMP evaluation intervals in the proposed RMP (43 CFR 1610.4-9). We recommend you evaluate your RMP at a minimum of every five years. Refer to **Chapter 4, RMP Evaluations** for information on RMP evaluations, including how RMP monitoring informs evaluations.

A RMP monitoring strategy is an implementation monitoring plan designed to collect a portion of the data and information necessary for the BLM to be able to conduct RMP evaluations. RMP monitoring provides information about whether the BLM is implementing the RMP as written to inform an RMP evaluation. Keeping this purpose in mind will help you tailor the scope of monitoring questions and program reporting items and eliminate redundancies with other monitoring efforts, such as effectiveness monitoring. It will also reduce excessive or irrelevant monitoring that could be costly or unnecessarily complex, and not provide you with the information you need to do an RMP evaluation. You do not need to develop an RMP monitoring strategy for all alternatives in your proposed RMP/final EIS; you only need to develop an RMP monitoring strategy for your proposed RMP alternative (43 CFR 1610.4-9).

Implementation monitoring provides information to determine if the BLM is following the management approach provided by the RMP's plan components. This is different from effectiveness monitoring, which evaluates the effectiveness of the RMP decisions to help us determine if the actions taken to implement the RMP through projects are effective in achieving the stated desired results for the project or resource. The BLM monitors effectiveness of projects through project-specific or program-specific effectiveness monitoring requirements. The BLM evaluates effectiveness of the RMP's plan components on achieving the objectives through RMP evaluations by evaluating data from implementation and effectiveness monitoring together. We recommend that you explain the relationship of implementation and effectiveness monitoring, and the relationship of those to future RMP evaluations in the introduction to your RMP monitoring plan.

This section provides guidance for developing your monitoring strategy for your proposed RMP. While RMP monitoring strategies are required (43 CFR 1601.0-5(n)), neither the monitoring strategies nor the monitoring questions are RMP decisions. Refer to section **13.2, Monitoring** for information about documenting RMP monitoring results or updating monitoring questions over time.

We recommend you coordinate with your state office program leads in the development of RMP monitoring strategies that cross BLM-administrative boundaries to help facilitate coordination. You may also find it helpful to coordinate with the National Operations Center Division of Resource Services to understand what effectiveness monitoring datasets are available to help the RMP monitoring strategy consider statewide trends.

10.2.3.1 Identifying Which Management Direction to Monitor

Your RMP monitoring strategy will include monitoring questions and program reporting items.

We recommend you identify monitoring questions for management direction that provide the context to tie your monitoring questions back to the aspects of the objective that are measurable or quantifiable or have a standard or threshold of acceptability, when possible. Additionally, to promote efficient data collection, identify management direction where a single monitoring question would tie to more than one objective. It is not necessary to create a monitoring question for each management direction in your RMP. Instead, identify monitoring questions that provide for the full spectrum of sampling necessary to inform you of the BLM's implementation as needed to inform your RMP evaluation.

We also recommend you identify monitoring questions that will allow you, as a part of the RMP evaluation, to examine if implementation is contributing to trends associated with significant adverse impacts identified for resources in your effects analysis. For example, if you identified significant adverse impacts to environmental justice populations from the implementation of specific plan components in your RMP, we recommend you identify a monitoring question tracking the implementation of the plan components to facilitate evaluation of trends to determine if actual impacts are likely to exceed what you predicted in the effects analysis in the proposed RMP/final EIS.

Implementation of the RMP's management direction would also be monitored by program reporting items to help assess the level of management activity and examine if the BLM is implementing actions consistent with the analytical assumptions in the proposed RMP/final EIS. As with monitoring questions, it will not be necessary to create a program reporting item for each management direction.

Figure 10.1 provides examples of both monitoring questions and program reporting items that are quantifiable to assist in understanding trends during an RMP evaluation.

Example monitoring questions include -
<p>Cultural Resources Monitoring Question: <i>Were previously unknown sites discovered within project areas after the commencement of ground-disturbing activities? If yes, how many?</i></p> <p>Monitoring Requirement: <i>Evaluate at least 20 percent of management activities per field office that involve ground disturbance that have been completed within the past year.</i></p> <p>Monitoring Interval: <i>Annual.</i></p> <p>Livestock Grazing Monitoring Question: <i>For streams with Endangered Species Act-listed or anadromous fish species, have livestock been restricted from riparian areas during spawning, incubation, and for 30 days following the emergence of juveniles from spawning beds?</i></p> <p>Monitoring Requirement: <i>Evaluate 20 percent of streams with Endangered Species Act-listed or anadromous fish species within active livestock grazing allotments.</i></p> <p>Monitoring Interval: <i>Annual; change interval to once every 3 years if 3 consecutive years of monitoring show 100 percent compliance.</i></p>
Example program reporting items include -
<p>Fire and Fuels Program Reporting Item: <i>Report the number of acres of fuels treatments by treatment type and by land use allocation (i.e., under burning, broadcast burning, hand pile and burn, landing pile and burn, machine pile and burn, slash and scatter, and mastication). Reporting would be annual.</i></p> <p>Rare Plants Program Reporting Item: <i>Report the acres of activities designed to maintain or restore natural plant communities on BLM-administered lands. Reporting would be annual.</i></p> <p>Recreation Program Reporting Item: <i>Report the number of service-oriented and outreach programs, including interpretation and education provided to visitors. Reporting would be annual.</i></p>

Figure 10.1. Example monitoring questions and program reporting items for RMP monitoring strategies.

10.2.3.2 Identifying Monitoring Intervals and Standards

The RMP must establish intervals to collect data related to resource conditions commensurate with the sensitivity of the resource, including observable rates of change (43 CFR 1610.4-9). Whenever possible, we recommend using standardized monitoring procedures, including core indicators and methods, as described by BLM technical references or other publications to allow for data compilation and comparisons across various geographic or temporal scopes. All geospatial data must be collected consistent with national data standards to allow for national synthesis of information across all BLM-administered lands.

We recommend that you develop RMP monitoring strategies that establish monitoring intervals and standards using, when appropriate:

- An appropriate method for sampling design and site selection;
- National monitoring indicators (for example, distribution of nonnative or invasive plant species, bank stability and cover, or soil characterization); and
- Geospatial data standard requirements for collecting, storing, and displaying spatially explicit data.

Consider how to make your RMP monitoring strategy flexible and responsive to new information or methods. For example, instead of identifying the specific version of a data standard that may have existed at the time your RMP was approved, identify that your monitoring will use the most current BLM-established data standards at the time of monitoring. You may also include a statement in your RMP monitoring strategy that allows for changes to the plan in the future. Example language is: “*The BLM will evaluate the monitoring questions at each monitoring interval to ascertain if the questions, reporting, methods, sample size, or intervals need to be changed. The BLM will make such changes to the RMP monitoring strategy through plan maintenance.*”

10.2.3.3 *Organization of the RMP Monitoring Strategy*

We encourage you to structure your RMP monitoring strategy so that the relationship between management direction, monitoring questions, and associated program reporting items are clear.

To make the best use of limited monitoring budgets and resources, we encourage you to strategically consider the design of your RMP monitoring strategy and seek ways to promote efficient data collection. For example, you may have more than one objective that can be evaluated based on data collected to answer a single monitoring question.

10.2.5 Responding to Comments

You must evaluate comments on the draft RMP/EIS (43 CFR 1610.4-8), and must consider all timely and substantive comments during the draft RMP/EIS review (40 CFR 1503.4). Refer to the BLM NEPA Handbook (H-1790-1) for guidance on comment response requirements and identification of substantive and non-substantive comments.

While the BLM is not obligated to respond to non-substantive comments, you may choose to do so to improve the understanding of proposed plan components or issue analysis evaluated in your EIS. In this situation, we recommend that you specify in the comment response that the comments are non-substantive, but that the BLM elected to respond to help clarify the document.

It is not uncommon for the BLM to receive large numbers of comments on a draft RMP/EIS and responding to comments can be a tremendous workload. It is critical that you have an organized system for receiving and cataloging comments before the start of the comment period.

All comments (including form letters and non-substantive comments) must be included in the decision file.

All substantive and timely comments on a draft RMP/EIS (or summaries thereof where the response has been exceptionally voluminous) must be appended to the final EIS or otherwise published (40 CFR 1503.4(b)). BLM responses to substantive comments must be included in the final EIS (40 CFR 1503.4(a)). We recommend summarizing similar comments and providing a single response. You also need to make sure that you can track how each individual comment was addressed or if they were considered, so be sure that you can identify which comments were used to create a summary comment. Though comments outside of a formal comment period do not require a response, we recommend you document in the decision file how you addressed any such comments. This is particularly important for untimely comments transmitted from agencies

with jurisdiction by law or special expertise. It is important that you retain and track all comments for the purpose of determining standing during the protest process.

When you receive comments from other Federal agencies, and particularly if the other agency is an “expert” agency on a particular subject (such as the Fish and Wildlife Service on threatened and endangered species), it is important that you document each and every thing that the BLM did to address the other agency’s comments. If the BLM did not make changes in response to the other agency’s comment, it is important to explain why in the response.

Organizations often ask members to submit comments by signing their names to a form letter. Form letters are identical or nearly identical to each other. Be sure to read all form letters to determine if the author has included any substantive original content in the form letter. If there is no substantive original content, we recommend that you treat all form letter submissions as a single comment for purposes of analysis and response.

We recommend that you add commenters to your mailing list so that you can inform them of the availability of the proposed RMP/final EIS and the BLM’s response to their comments. For some planning efforts, you may receive numerous comments through form letters. We recommend that you attempt to identify which groups are responsible for the form letters and make sure that the RMP mailing list includes that group. You are not required to individually notify everyone who has submitted a form letter unless they have specifically requested to be added to the mailing list (refer to section **2.1.3.1, *RMP Mailing List***). Additionally, you must notify all parties who provided substantive comments on the draft RMP/EIS of the availability of the proposed RMP/final EIS.

10.3 Full Text Final EIS vs Abbreviated Final EIS

The BLM NEPA Handbook (H-1790-1) provides guidance on preparing either a full text final EIS or an abbreviated final EIS. In addition to the items required by NEPA regulations (40 CFR 1503.4(c)), be sure that you also include an RMP monitoring strategy as required by BLM’s land use planning regulations (43 CFR 1610.4-9). Refer to section **10.2.3, *RMP Monitoring Strategy*** for guidance on preparation of an RMP monitoring strategy in your proposed RMP/final EIS.

Chapter 11 – Protest and Governor’s Consistency Review of the Proposed RMP

General

- 11.1 Providing Notice of the Proposed RMP
- 11.2 Land Use Plan Protest
- 11.3 Governor’s Consistency Review
- 11.4 Notice of Significant Change

General

Publication of the proposed RMP (including proposed RMP amendments) initiates the final opportunities for administrative review prior to the BLM adopting an approved RMP.

Except for the notification procedures described below in section **11.1, *Providing Notice of the Proposed RMP***, the protest and governor’s consistency review processes are the same for all planning efforts. While this chapter refers specifically to an RMP, the guidance is also applicable to an RMP amendment, regardless of whether it was supported by an EIS or EA. Refer to section **14.3, *Planning Steps for RMP Amendments Supported by an EA*** for additional details.

11.1 Providing Notice of the Proposed RMP

The BLM must file a proposed RMP/final EIS, including an RMP amendment supported by an EIS, with the Environmental Protection Agency, which will then publish a notice of availability (NOA) in the *Federal Register*. The publication of this NOA is similar to the NOA described for the draft RMP/EIS in section **9.1, *Notice of Availability of the Draft RMP/EIS***, including that:

- The BLM is only required to publish its own notice in the *Federal Register* for actions with effects of national concern (40 CFR 1501.9(c)(5)(ii));
- Publication of the Environmental Protection Agency’s NOA in the *Federal Register* “starts the clock” (this time for the 30-day protest period);
- The BLM does not file a proposed RMP/final EIS with the Environmental Protection Agency until the internal agency surnaming process for the BLM’s notice, if any, has been completed;
- The proposed RMP/final EIS must be available to the public when the Environmental Protection Agency’s notice is published; and
- Copies of the proposed RMP/final EIS must be available electronically, and available for review either electronically or hard copy at the BLM office where the plan was prepared.

The BLM must notify the public about the protest filing procedures for the proposed RMP, including notification that the public may submit a protest on the proposed RMP electronically using the BLM’s official national NEPA register or provide a hard copy at the listed address.

The BLM does not have to file proposed RMP amendments supported by an EA with the Environmental Protection Agency. For a proposed RMP amendment/EA, we recommend using multiple methods to notify the public (such as publishing notices in local newspapers) that the 30-day protest period has started.

When land use plan and implementation decisions are made at the same time (such as in a project-level amendment), the BLM must distinguish between land use plan decisions and implementation decisions in the proposed RMP. Proposed land use plan decisions are protestable to the BLM Director while implementation decisions are not. After issuance of the decision, an implementation decision is generally appealable to the Interior Board of Land Appeals, depending on the particular action. The BLM must also clearly describe for the public the administrative remedies for each type of decision. We recommend that you include the above information, including clearly distinguishing the plan decisions from implementation decisions, in the dear reader letter for the proposed RMP.

11.2 Land Use Plan Protest

Any member of the public who participated in the planning process and has an interest which is or may be adversely affected by approval of the proposed RMP may protest its approval to the BLM Director (43 CFR 1610.5-2(a)).

The purpose of a protest is to identify and remedy inconsistency with Federal law, regulations, or BLM policy. A protest may raise only those issues submitted for the record during the planning process (43 CFR 1610.5-2(a)).

Implementation-level decisions are not subject to protest under the BLM's planning regulations, even when implementation-level decisions and land use planning decisions are made in an RMP amendment that was initiated by a project. We recommend you include the specific administrative remedies available for each type of decision (i.e., planning or implementation-level). This helps the public be aware of the remedy specific to their concern(s) and reduces the potential for protests to be filed on decisions subject to other administrative remedies.

Most implementation-level decisions are subject to appeals to the Office of Hearings and Appeals' Interior Board of Land Appeals pursuant to 43 CFR, Part 4 Subpart E at the time the BLM issues a decision. Additionally, certain implementation-level decisions include an opportunity for administrative protest prior to approval and the appeal opportunity to the Interior Board of Land Appeals. Refer to program-specific guidance on appeal and administrative protest procedures.

11.2.1 Director's Protest Process

All protests must be in writing (43 CFR 1610.5-2(a)(1)) and filed with the BLM Director, either as a hard copy to the delivery address specified or electronically via the BLM's official national NEPA register. The BLM reviews the protests and determines whether the proposed decision is consistent with federal laws, regulations, and BLM policy, and if the BLM considered relevant information in reaching the proposed decision.

The BLM must render a written decision on all protests that sets forth the reasons for the decision, and provides the protesting party with the written decision. The BLM must withhold approval on any portion of an RMP or RMP amendment that is under protest until final action has been completed on such protest (43 CFR 1610.5-1(b)). In most situations, this means that the BLM would resolve all protests prior to issuing the decision. However, if there are valid protest issues that require a substantial amount of time to resolve, the state office and BLM

Headquarters would coordinate on a path forward. For example, the BLM may decide to select the no action alternative for the part of the plan still under review, approving the RMP, and then amending the RMP later once the remaining issues have been resolved.

The BLM’s protest decision is the final decision of the Department of the Interior (43 CFR 1610.5-2(b)), which means that there is no opportunity to appeal the protest decision or appeal the final land use planning decisions to the Interior Board of Land Appeals. Any further challenge to the BLM’s protest and planning decisions would be brought in federal court after the decision is signed.

The BLM Director has delegated the authority to render decisions on protests to proposed plans and amendments to the Assistant Director, Resources and Planning (MS-1203). Acting in support, the BLM Headquarters Division of Decision Support, Planning, and NEPA is responsible for the oversight and operational responsibilities for intake, review, resolution, and responding to land use planning protests once a protest is filed and makes recommendations to the Assistant Director for final resolution.

11.2.2 Initial Evaluation of Protests

The BLM Headquarters Division of Decision Support, Planning, and NEPA receives all protests on behalf of the BLM Director. This Division tracks all incoming protests, creates and maintains official contemporaneous decision files for all submitted protests, confirms that each protest is filed by the deadline (43 CFR 1610.5-2(a)(1)), examines each protest to ensure content requirements are complete in accordance with 43 CFR 1610.5-2(a)(2), and organizes a protest team for protest resolution and coordination with the appropriate state, district, or field office.

First, the protest team determines which of the protests received are “valid,” meaning they meet all of the requirements outlined in 43 CFR 1610.5-2(a). The protest team confirms that each protest postmarked within 30 days of the Environmental Protection Agency’s NOA (or other BLM notice, if protesting a proposed RMP amendment/EA):

- Has “standing,” meaning that there is evidence that the protesting party participated in the planning process for the proposed RMP that is being protested. Evidence must be found in BLM records contained in the contemporaneous decision file record or must be provided by the protesting party at the time the protest is filed (43 CFR 1610.5-2(a));
- Includes only issues raised previously (by anyone) in the planning process (43 CFR 1610.5-2(a));
- Identifies and concisely explains why the decision is believed to be wrong; and
- Includes copies of all documents addressing the issue that was submitted during the planning process by the protesting party or an indication of the date the issue was discussed for the record (43 CFR 1610.5-2(a)(2)(iv)).

In determining whether a party has standing to protest, the BLM reviews the contemporaneous decision file or evidence submitted by the protesting party to determine whether the protesting party participated in the planning process in any of the following ways:

- Sending written comments;
- Making oral comments (at a hearing or a meeting in the office or field);
- Attending a public meeting; and/or

- Calling the BLM field office.

Participation may take place at any time in the planning process, including in pre-NOI early engagement. Individual members of an organization do not obtain standing solely because their organization has participated in the planning process. To file a protest as an individual, the individual must meet the requirements for standing by participating in the planning process. Conversely, an organization does not obtain standing solely because one of its members has standing. An officer or official representative of the organization must have participated in the planning process on behalf of the organization for the organization to have standing. The BLM may choose to address comments raised in a protest letter even if the party does not have standing.

11.2.3 Analysis of Valid Protests

The BLM protest resolution team reviews each valid protest letter to identify valid protest issues and comments. Valid protest issues are limited to allegations that a proposed RMP's planning (not implementation) decision would violate a Federal law, regulation, or BLM policy.

The BLM will dismiss protest letters that contain only comments—not valid protest issues—and will send a response letter to the protesting party notifying them of the dismissal. Comments are: concerns that have not been raised by anyone previously in the planning process; concerns that are not germane to the planning process; or statements that merely reflect disagreement, express opinions, or make demands or allegations without the support of a concise statement explaining why the proposed planning decision is in error. Comments will not result in any changes to the proposed RMP, nor will the protest team analyze them further as part of the protest resolution process.

After the analysis of valid protest issues, the BLM may remand a protest issue to the state director for resolution if:

- Substantial aspects of the proposed RMP are based upon invalid or incomplete information; or
- The proposed RMP does not comply with Federal laws, regulations, or policy.

Protest issues that are remanded will be returned, in whole or in part, to the state director for resolution which includes clarification, further planning or consideration, or change, in whole or in part, of the proposed planning decision.

The protest team prepares a detailed analysis of the valid protest issues raised by the protesting parties and compiles them into a BLM Director's protest resolution report which is publicly posted. The report includes a list of the protesting parties with valid protest issues, and the BLM's summary of and response to each valid protest issue. The protest team must make the final report available to the public on the BLM Director's protest resolution reports website before the BLM approves an RMP.

While protest resolution is a BLM Headquarters responsibility, the protest team will consult with the state, district, or field office associated with the planning effort for additional evaluation of each protest, as needed.

11.2.4 Coordination with Forest Service for the Adoption of BLM’s Protest Process

The Forest Service may request to adopt another agency’s administrative review process for planning (36 CFR 219.59(a)). The Forest Service has used this authority for joint planning efforts with the BLM to adopt the BLM’s land use planning protest procedures. Only the BLM’s Assistant Director, Resources and Planning, acting on behalf of the BLM Director, has the authority to allow the Forest Service to adopt the BLM’s protest procedures. We recommend that the Forest Service contact the BLM Headquarters Division of Decision Support, Planning, and NEPA, to request such approval – agreements cannot be made at the field office, district office, or state office level. The Forest Service regulations require the NOI published for any planning effort where this adoption has been approved to disclose that this agreement has been made and the BLM’s protest procedures will be followed. It is important that coordination occurs early in the process to determine if this authority is requested and approved. To document any such agreement, BLM Headquarters, generally the BLM Assistant Director, Resources and Planning, must enter into a memorandum of understanding with the Forest Service.

11.3 Governor’s Consistency Review

RMPs must be consistent with officially approved or adopted resource-related plans of other Federal agencies, Indian tribes, and state and local governments to the extent the BLM finds those plans are also consistent with the purposes of FLPMA and other Federal laws and regulations applicable to public lands (43 CFR 1610.3-2(a)). In the absence of officially approved or adopted resource-related *plans* of other Federal agencies, Indian tribes, and state and local governments, guidance and resource management plans must, to the maximum extent practical, be consistent with officially approved and adopted resource related *policies and programs* of other Federal agencies, Indian tribes, and state and local governments (43 CFR 1610.3-2(b); italics added for clarity).

Prior to the approval of an RMP, the state director must submit the proposed RMP to the governor of the state(s) involved and must identify any relevant known inconsistencies with the officially approved and adopted plans of state and local governments (43 CFR 1610.3-2(e)). We recommend that you work with the governor’s office to determine the best way to coordinate this review; they may, for example, have their own system for routing and handling the document.

The governor’s consistency review can occur simultaneously with the protest process and we recommend you coordinate these reviews for efficiency. You may be able to save time in your schedule by submitting the proposed RMP to the governor’s office to begin the consistency review as soon as an administrative final copy is available. Providing an advance copy allows you to start the clock on the 60-day consistency review in advance of the 30-day protest period. We recommend that you coordinate with the governor’s office on this strategy early in the planning process to facilitate the consistency review period.

The governor has 60 days from transmittal of the proposed RMP to submit, in writing to the BLM state director, any inconsistencies with State or local plans, policies or programs and to provide recommendations to resolve those inconsistencies. If the governor does not respond within the 60-day period, the RMP is presumed to be consistent with state or local plans (43 CFR 1610.3-2(e)). Once the BLM has a response from the governor, the review periods ends. For

this reason, it is worthwhile to engage early and often with the state government. You may be able to negotiate an earlier response to the governor’s consistency review.

If the governor’s written response recommends changes in the proposed RMP that the BLM is inclined to accept, the BLM must notify the public and allow an opportunity to provide written comments on the governor’s recommendations when those proposed changes were not raised during the public involvement process (43 CFR 1610.3-2(e)). A 30-day public comment opportunity on the governor’s recommended changes must be provided (43 CFR 1610.3-2(e), 43 CFR 1610.2(e)). The feedback may help the BLM determine whether to accept the recommendations and may coincide with the comment period for the notice of significant change when the BLM accepts any such changes (refer to section **11.4, *Notice of Significant Change*** below). If the governor recommends changes that were raised during the public involvement process, such as the incorporation of a decision from an alternative analyzed in detail but that is not included in the proposed RMP, a 30-day public comment opportunity is not required.

The state director must notify the governor if they do not accept the governor’s recommendations (43 CFR 1610.3-2(e)). The governor may submit a written appeal to the BLM Director within 30 days of receiving the state director’s notification that their recommendations were not accepted. If a governor appeals the state director’s decision, the BLM Director must consider the governor’s appeal and accept the recommendations if they provide for a reasonable balance between the national interest and the state’s interest. The BLM Director must notify the governor in writing and publish in the *Federal Register* their determination and reasons to accept or reject the governor’s recommendations (43 CFR 1610.3-2(e)).

The governor may waive the entire consistency review or the opportunity to appeal a state director’s consistency response if they are satisfied with the proposed RMP or the state director’s response. In these circumstances, we recommend you secure the governor’s decision to waive the consistency review in writing for the decision file. This should be done within the 60-day consistency review or 30-day consistency review appeal periods, prior to issuing the planning decision. Early and frequent coordination with the state government may also eliminate the need for an appeal period.

11.4 Notice of Significant Change

Protest resolution or the governor’s consistency review may result in the need to make a significant change to the proposed RMP after its publication.⁵ Before issuing a ROD, the BLM must provide public notice and a 30-day comment period on any significant changes made to the proposed plan (43 CFR 1610.5-1(b), 43 CFR 1610.2(f)(5), 43 CFR 1610.2(e)).

When a significant change resulting from protest resolution or the governor’s consistency review to the proposed RMP is made, the BLM must evaluate whether a supplement to the EIS is necessary. Generally, if you make a significant change to the proposed RMP resulting from public protest or the governor’s consistency review you would also need to prepare a

⁵ A ‘significant’ change as discussed in the planning regulations at 43 CFR 1610.2(f)(5) and 43 CFR 1610.5-1(b) is not the same as ‘significant’ as used to describe effects in the Council on Environmental Quality’s NEPA regulations. A ‘significant’ change for planning purposes is synonymous with a ‘substantial’ change warranting supplementation of an EIS under 40 CFR 1502.9(d) (refer to BLM [NEPA Handbook](#) (H-1790-1)).

supplemental EIS. Refer to the BLM NEPA Handbook (H-1790-1) for instructions on determining if supplementation is necessary and how to prepare and circulate a supplemental EIS.

Chapter 12 – The Record of Decision and the Approved RMP

General

- 12.1 The Record of Decision
- 12.2 Approved RMP
- 12.3 Issuing the ROD
- 12.4 Required Congressional Notification

General

The RMP is officially approved when the state director signs a record of decision (ROD) adopting the RMP.⁶ The state director must not issue the ROD any earlier than 30 days after the Environmental Protection Agency publishes a NOA of the proposed RMP/final EIS in the *Federal Register* (43 CFR 1610.5-1(b)). We recommend publishing the ROD, which provides the rationale for the decision, in the same document with the approved RMP (43 CFR 1610.5-1).

Before a ROD can be signed, the BLM must:

- Resolve all protests (43 CFR 1610.5-1(b))⁷;
- Complete the governor’s consistency review process (43 CFR 1610.3-2(e));
- Provide notice and a 30-day opportunity for public comment on any significant changes to the proposed RMP as a result of a protest or governor’s consistency review (43 CFR 1610.2(e); 43 CFR 1610.2(f)(5); 43 CFR 1610.3-2(e); 43 CFR 1610.5-1(b));
- Comply with consultation requirements under the Endangered Species Act for any listed species that may be affected by the RMP (16 U.S.C. § 1531 et seq.);
- Comply with consultation requirements under the National Historic Preservation Act; and
- Conduct consultation with tribes on the RMP.

The approved RMP is typically the proposed RMP as modified in response to protests, the governor’s consistency reviews, and other final internal review processes. We recommend you prepare a stand-alone approved RMP with all decisions rather than referring to the proposed RMP/final EIS because this approach helps internal agency staff and partners understand the approved plan and improves your long-term ability to implement the plan. It also helps clarify the different roles served by an RMP and the supporting NEPA analysis in the EIS.

Similar to a new or revised RMP, an RMP amendment is officially approved when the state director signs a ROD (for RMP amendments supported by an EIS) or decision record (for RMP amendments supported by an EA) (43 CFR 1610.5-5 (a) and (b)). While this chapter refers specifically to a ROD for an RMP, the guidance is also applicable to a RMP amendment, regardless of whether it was supported by an EIS or EA, except that EAs are not required to identify the environmentally preferred alternative. Refer to section **14.4, *Issuing a Decision to Approve an RMP Amendment*** for additional details on decisions to amend an RMP.

⁶ Certain Department officials other than BLM state directors, including the BLM Director, have authority to make planning decisions with a multi-state or national scope.

⁷ The state director shall approve the RMP pending final action on any protest that may be filed. However, the state director may elect to approve portions of the RMP that did not receive any protest and withhold any portion of an RMP or amendment being protested until final action has been completed on such protests (43 CFR 1610.5-1(b)).

12.1 The Record of Decision

The ROD provides the rationale for the decision to approve the RMP. The ROD must state what the decision is, identify the alternatives considered in reaching the decision, and identify the environmentally preferable alternative (40 CFR 1505.2). The following structure may be helpful in ensuring your ROD contains all the information required by regulations concisely and does not simply repeat the proposed RMP/final EIS. Refer to the BLM [NEPA Handbook](#) (H-1790-1) as well for recommended information to include in your ROD.

12.1.1 Introductory Material

Introductory material may be provided on a cover sheet or at the top of the first page. This includes the document title, identification of the lead office and any other field offices included in the planning area, and a list of cooperating agencies.

12.1.2 Decision

You must include a concise description of the approved decision (40 CFR 1505.2(a)), which for land use planning is the selection the management alternative as the approved RMP (refer to section 12.1.3.1, *Changes from the Proposed RMP*).

An example of decision language for an RMP is: *“The decision is hereby made to approve the attached plan as the resource management plan (Plan) for [insert title]. This Approved Plan was prepared under the regulations implementing the Federal Land Policy and Management Act of 1976 (43 CFR 1600). An environmental impact statement was prepared for this Approved Plan in compliance with the National Environmental Policy Act of 1969. The Approved Plan is the Proposed RMP alternative as set forth in the [insert title] Proposed Resource Management Plan and Final Environmental Impact Statement published [insert date]. Specific management decisions for public lands under the jurisdiction of the [insert field office(s)] include: [insert].”*

12.1.3 Alternatives

The ROD must identify all alternatives that were analyzed in detail. The ROD must also identify the environmentally preferable alternative or alternatives (40 CFR 1505.2(b)), which does not have to be the same alternative(s) identified as the environmentally preferable alternative(s) in the draft or final EIS. Refer to the BLM [NEPA Handbook](#) (H-1790-1) for guidance on identifying the environmentally preferable alternative(s) in your ROD. While the environmentally preferable alternative(s) does have to be an alternative that was analyzed in detail, the BLM is not required to select the environmentally preferable alternative(s) as the approved RMP.

12.1.3.1 *Changes from the Proposed RMP*

In preparing the approved RMP, it may be necessary to include minor modifications and clarifications to improve understanding and implementation of the RMP. You may need to modify the proposed RMP in order to resolve protests or to address inconsistencies identified by the governor. Describe the changes if the approved RMP differs in any way from the proposed RMP/final EIS.

The BLM must provide public notice and a 30-day comment period on any significant change made to the proposed RMP prior to approving the RMP (43 CFR 1610.2(e) and (f)(5); refer to

section **11.4, *Notice of Significant Change***). Include in your decision file all written comments and document how the BLM considered these comments. You may choose to summarize or respond to those comments in the ROD.

12.1.3.2 Documenting Implementation-Level Decisions for Projects with RMP Amendments

When implementation-level decisions and land use planning decisions are made at the same time for projects with RMP amendments, you must specifically identify those implementation-level decisions and the appropriate program-specific administrative remedies in the ROD. You may alternatively choose to prepare a separate ROD for implementation-level decisions. If you choose to prepare separate RODs, we recommend issuing the RODs for the approved RMP amendment and implementation-level decisions at the same time. If you choose to issue them at different times, be aware that you may only sign the ROD for the implementation-level decisions prior to the ROD for the approved RMP amendment if those implementation-level decisions are also in conformance with the current RMP.

The Council on Environmental Quality NEPA regulations require that a ROD state whether all practicable mitigation measures have been adopted, and if not, why not (40 CFR 1505.2(c)). Because RMP decisions do not authorize the implementation of actions on the ground, RMPs do not contain any mitigation measures warranting discussion in the ROD. Refer to the BLM [NEPA Handbook](#) (H-1790-1) for guidance on what to include in your ROD if you are doing a project driven RMP amendment and you have mitigation measures associated with the project implementation decisions.

12.1.4 Rationale for the Decision and Management

Provide the rationale for the decision. Your discussion of your approved RMP must include environmental, economic, and technical considerations and agency statutory missions which were balanced in making the decision and state how those considerations entered into the decision (40 CFR 1505.2(b)). Because you will have described the relevant essential considerations of national policy and technical considerations in forming your purpose and need, we recommend you discuss the reasons for making the decision and how it meets your purpose and need.

Some programs also require you to include specific information in the ROD when making certain decisions. For example, the BLM must provide a justification and rationale in the ROD for a decision to designate or not designate area(s) of critical environmental concern (43 CFR 1610.7-2 (j)(2)). Refer to program-specific guidance for additional required information in your decision.

12.1.5 Application of the Plan to Existing Projects

After a plan is approved, and if otherwise authorized by law, regulation, contract, permit, cooperative agreement of occupancy and use, the BLM must take appropriate measures, subject to valid existing rights, to make operations and activities under existing permits, contracts, cooperative agreements, or other instruments for occupancy and use, conform to the approved RMP within a reasonable period of time (43 CFR 1610.5-3(b)). Refer to **Chapter 13, *After the Decision*** for more information regarding plan conformance.

Revision of an RMP necessarily involves a transition from the application of the old RMP to the application of the new RMP. The pre-planning and analysis of BLM future projects sometimes requires several years of monitoring or field inventory investment before the BLM can begin to design a project, initiate the NEPA process, and reach a decision. We recommend the ROD identify an appropriate timeframe allowing for a transition from the old RMP to the new RMP and include a discussion of how the NEPA analysis has accounted for the continuation of transitional projects in the effects analysis. We recommend you identify the minimum timeframe necessary to avoid disruption of the management of the BLM-administered lands and that allows the BLM to rely on work already begun on the planning and analysis of projects. We recommend that you clarify any differences between actions for which the BLM has already signed a decision, but for which the action is not yet completed, and actions for which the BLM has not yet signed a decision, but for which the preparation or the NEPA process has begun.

We recommend the ROD addresses the application of the approved RMP to:

- Projects that may need to be modified to conform to the RMP prior to approving renewals or extensions of existing authorizations (such as renewals of right-of-way grants, review and processing of grazing permits, and extension requests for expiring applications for permit to drill);
- Projects for which project-specific decisions have been signed prior to the effective date of the ROD but which have not yet been implemented; and
- Projects for which project-specific decisions have not yet been signed, but for which the BLM has reached any of the following milestones in the NEPA process prior to the effective date of the ROD:
 - Public notification that the BLM will be preparing a NEPA document;
 - Initiation of external scoping;
 - Completion of a determination of NEPA adequacy worksheet; or
 - Completion of documentation of a categorical exclusion.

Any list of transition projects that are not complete but may proceed when the planning decision is approved will be small. Note that you will need to account for the continuation of these projects in the NEPA analysis for your RMP. Consult with the Division of Decision Support, Planning, and NEPA early in your planning process when you are considering identifying a transition period in your ROD.

12.1.5.1 Valid Existing Rights

Other Federal, state, or local government agencies, tribes, private individuals, or companies may hold valid existing rights within the decision area. Valid existing rights may pertain to mining claims, mineral or energy leases, timber sale contracts, leases, easements, permits, rights-of-way, and water rights.

The decisions in the approved RMP do not alter or extinguish valid existing rights on BLM-administered lands. Authorization for implementing an action that would affect these valid existing rights may be subject to approval by the holders of valid existing rights and the BLM may have varying amounts of discretion depending on the authorization. While the BLM may have authority to implement conditions for approval of actions implemented consistent with the approved RMP, any conditions would have to be consistent with the valid existing rights already

granted or otherwise obtained. If authorizations come up for review and can be modified by the BLM, the BLM will bring these authorizations into conformance with the approved RMP.

12.1.6 Public Involvement

Summarize public involvement for the key steps of the planning process, beginning with early public engagement before developing the planning criteria and concluding with protest of the proposed RMP. Briefly describe the main protest issues and whether they were denied or granted; also reference where the public can find the BLM’s protest responses.

12.1.7 Signatures of Field Managers and State Directors

If the field manager or district manager recommends approval of the RMP to the state director, whose decision it is to adopt the approved RMP, be sure that the signature page includes the name, date, and title of both the field manager (or district manager) that recommends approval and the state director that approves the planning decision.

Example of recommending language for the field manager or district manager: *“Having considered a full range of alternatives, associated impacts, and public and agency input, I recommend the adoption and implementation of the Approved RMP for the [insert name] Planning Area.”*

Example of approval language for the state director: *“In consideration of the foregoing, I adopt the Approved RMP for the [insert name] Planning Area.”*

12.1.7.1 Signatures for Project Decisions

Field managers typically have delegated authority to approve project actions. For project driven RMP amendments where the planning and project decisions are combined in a single ROD, we recommend your ROD contain separate signature lines that clearly identify the manager that will be authorizing the project decision (typically the field manager) and the manager that will be authorizing the planning decision (typically the state director). If you have included implementation-level decisions in your ROD, we recommend you clearly identify whether the state director or the field manager is signing to authorize those actions.

12.2 Approved RMP

The approved RMP and associated appendixes provide the detailed documentation of the decision approved in the ROD.

12.2.1 Planning and Decision Area

Provide a brief description and map of both the planning and decision areas. Where BLM-administered parcels may be too small to display on a map in a printed document, you may utilize online geospatial technology to provide more detailed maps of the planning and decision areas, including which decisions apply where.

12.2.2 Plan Components

We recommend the approved RMP display the plan components in a similar manner as the proposed RMP/final EIS. However, look for opportunities to simplify implementation by removing segments of labels that no longer apply, such as those that may have helped earlier in

the planning process to distinguish between management alternatives. We recommend that you make any remaining labels sequential in the approved RMP.

Be sure to explain how plan components relate to BLM-administered lands and resources, including those that may apply to surface or mineral estate managed by the BLM. Because of the nature of designations, all designations would be spatially static with defined boundaries that can be mapped. Allocations, objectives, and management direction may not always be spatially static. Clearly identify allocations, objectives, and management direction that are spatially static, mapped, and not subject to change based on field survey, from those that are spatially dynamic, and apply to on-the-ground features or conditions and for which the map in the approved RMP provides a visual representation.

For example, management objectives and management direction associated with the protection of streams may only apply within a certain distance of streams on-the-ground. Any stream locations would be updated after field surveys identify specific streams and the path of their channels, and the applicable management objectives and management direction would apply to the distances specified in the RMP from located streams, which may not match the visual representation on the maps in the approved RMP.

We recommend the approved RMP describe how these updates would occur, when plan maintenance may be appropriate, and when changes must be made through an RMP amendment or revision.

We recommend you use maps to depict the spatial extent of objectives, designations, allocations, and management direction, as appropriate.

12.2.3 Plan Maintenance, Monitoring, and Evaluation

Identify in your approved RMP any specific standards, measures, or RMP-specific guidance for plan maintenance, monitoring, and evaluation. Refer to **Chapter 13, *After the Decision*** for guidance on plan maintenance and monitoring, and **Chapter 4, *RMP Evaluations*** for guidance on conducting evaluations of your approved RMP.

You will have developed the monitoring strategy for the proposed RMP and included that in your proposed RMP/final EIS. Include the monitoring strategy for the approved RMP in your approved RMP. Discuss how the RMP will be maintained, monitored, and evaluated throughout the implementation of the plan. Summarize the intervals and standards for monitoring and evaluation of the RMP (43 CFR 1610.4-9). If the monitoring strategy is lengthy, include it as an appendix to the approved RMP. If you have developed interim decision points for adaptive management, make sure to discuss those as well in the context of RMP monitoring and evaluation (refer to **Appendix A, *Adaptive Management*** for information on monitoring needed in making adaptive management decisions).

12.2.4 Appendices

Only include appendices in the approved RMP that contain or are related to the plan components or are required by policy to be included as appendices to an RMP. Do not include any appendices that contain supplemental information or analysis that was used to support the issues

analysis in the EIS (such as a technical support document developed for air quality analysis). You also do not need to include appendices that simply repeat established BLM policy.

Examples of information that may be in appendices and is necessary to include in the approved RMP, if applicable, include:

- List of acronyms;
- Glossary which defines technical terms in plain language;
- RMP monitoring strategy;
- Oil and gas lease stipulations (with associated exception, modification, and waiver criteria); and
- Legal land or other type of descriptions for BLM-administered lands that have been identified as meeting the criteria to be available for disposal under section 203 of FLPMA, and a description of how each tract meets one or more of the section 203 disposal criteria.

You may include maps either with the main text of the approved RMP or as an appendix.

12.3 Issuing the ROD

The BLM must make the ROD/approved RMP available for public review, including in hard copy at relevant BLM offices and upon request, and online on the BLM's official national NEPA register (43 CFR 1610.2(g)). You must provide public notification of the availability of the ROD, and that notification must include publication of a notice in the *Federal Register* for actions with effects of national concern (40 CFR 1501.9(c)(5)(ii)). You must make the ROD publicly available in a timely manner (40 CFR 1505.2). You may use additional means to notify the public that are appropriate for your planning area and interested local communities or groups, such as news releases or notices to your RMP's external mailing list.

Unlike the NOAs for the draft RMP/EIS and the proposed RMP/final EIS, the Environmental Protection Agency does not file a NOA for a ROD/approved RMP in the *Federal Register*.

Project decisions and other implementation-level decisions may be subject to specific notification requirements associated with initiation of protest or appeal periods. Consult program-specific guidance for any additional requirements for the issuance of a ROD for a project decision or implementation-level decision.

12.4 Required Congressional Notification

The FLPMA requires that any BLM management decision or action pursuant to a management decision which totally eliminates one or more of the principal or major uses for two or more years with respect to a tract of 100,000 acres or more, must be reported by the Secretary to Congress (FLPMA 202(e)(2), 43 CFR 1610.6). The BLM provides this notification when such a closure is included in the approved RMP/RMP amendment for 100,000 *contiguous* acres or more. Principal or major uses is limited to domestic livestock grazing, fish and wildlife development and utilization, mineral exploration and production, rights-of-way, outdoor recreation, and timber production (FLPMA, Section 103(1)). The report does not have to be submitted prior to approval of an RMP which, if implemented, would result in such an

elimination. However, the report must be submitted as the first action step in implementing that portion of the RMP (43 CFR 1610.6).

Congress may also specify additional notification requirements of other types of closures on public land. For example, the 2019 Dingell Act requires the Secretary of the Interior provide an annual reporting of all public lands temporarily or permanently closed to recreational shooting, hunting, or fishing except when the closure is less than 14 days and covered by a special use permit. Coordinate with your state office land use planning staff and program leads to obtain the latest guidance if any of the alternatives include closures on public land.

Chapter 13 – After the Decision

General

13.1 Implementation

13.2 Monitoring

General

Plan implementation comprises three main elements: implementation through project-level work, monitoring the plan, and evaluating the plan. Plan implementation involves reviewing individual projects for conformance with the approved RMP (as modified by any subsequent plan amendments) and keeping the decisions in the plan current through plan maintenance.

Monitoring provides information to determine whether the BLM is implementing the plan consistent with decisions and direction (implementation monitoring), and whether the implementation of the RMP is achieving the desired objectives (effectiveness monitoring). The approved RMP must contain the intervals and standards for monitoring and evaluating the plan (43 CFR 1610.4-9). The BLM must monitor and evaluate the RMP to determine whether:

- The RMP objectives are being met; and
- There is relevant new information or other sufficient cause to warrant consideration of amendment or revision to the RMP (43 CFR 1610.4-9).

13.1 Implementation

When an RMP is approved, all of the RMP components are effective immediately. The approved RMP provides the management framework for subsequent BLM implementation actions or activities, identifying which actions are allowable, restricted, or precluded on BLM-administered land within the decision area.

13.1.1 Plan Conformance

The BLM designs RMPs to “guide and control future management actions and the development of subsequent, more detailed and limited scope plans for resources and uses,” (43 CFR 1601-2). As such, plan implementation requires the BLM to review individual project proposals for conformance with the approved RMP. Conformance means that a resource management action shall be specifically provided for in the plan, or if not specifically mentioned, shall be clearly consistent with the terms, conditions, and decisions of the approved RMP or amendment (43 CFR 1601.0-5(b)).

All BLM resource management authorizations and actions and subsequent more detailed or specific planning must conform to the approved RMP (43 CFR 1610.5-3(a)). A proposal for an action that has been clearly identified and provided for in the RMP would be considered to be in conformance with the plan. We recommend you use geospatial data created during the land use planning process to assist in identifying what management direction may apply to the project area to help you determine if the proposed project is in conformance with your RMP.

Key considerations in making and documenting conformance determinations include the following (**Figure 13.1, Screening process for determining RMP conformance**):

- Does the RMP specifically allow, conditionally allow, or specifically preclude the action?

- If the RMP does not specifically mention the action, is the action consistent with the RMP’s decisions including objectives, management direction, and land use allocations?
- Would the RMP require a new decision, including changes to existing decisions, to accommodate the action?

If the RMP is silent about an activity, review the plan components including the objectives. In this evaluation, there are four possible conclusions:

- The activity contributes to meeting plan objectives and is consistent with the other plan components, and therefore is considered to be in conformance;
- The proposal is not in conformance, but can be modified to be in conformance;
- The proposal is not in conformance, but initiation of an amendment of the plan is warranted to consider allowing the activity; or
- The proposal is not in conformance and does not warrant further consideration through a plan amendment.

If a proposal is not in conformance with the RMP’s plan components, the BLM can:

- Deny the proposal without further review (the decision to deny is subject to appeal to the Interior Board of Land Appeals);
- Modify the proposal or condition the authorization to conform to the plan; or
- Prepare an amendment if the proposal warrants further consideration (the analysis required for the proposal and the amendment may occur simultaneously (43 CFR 1610.5-5)).

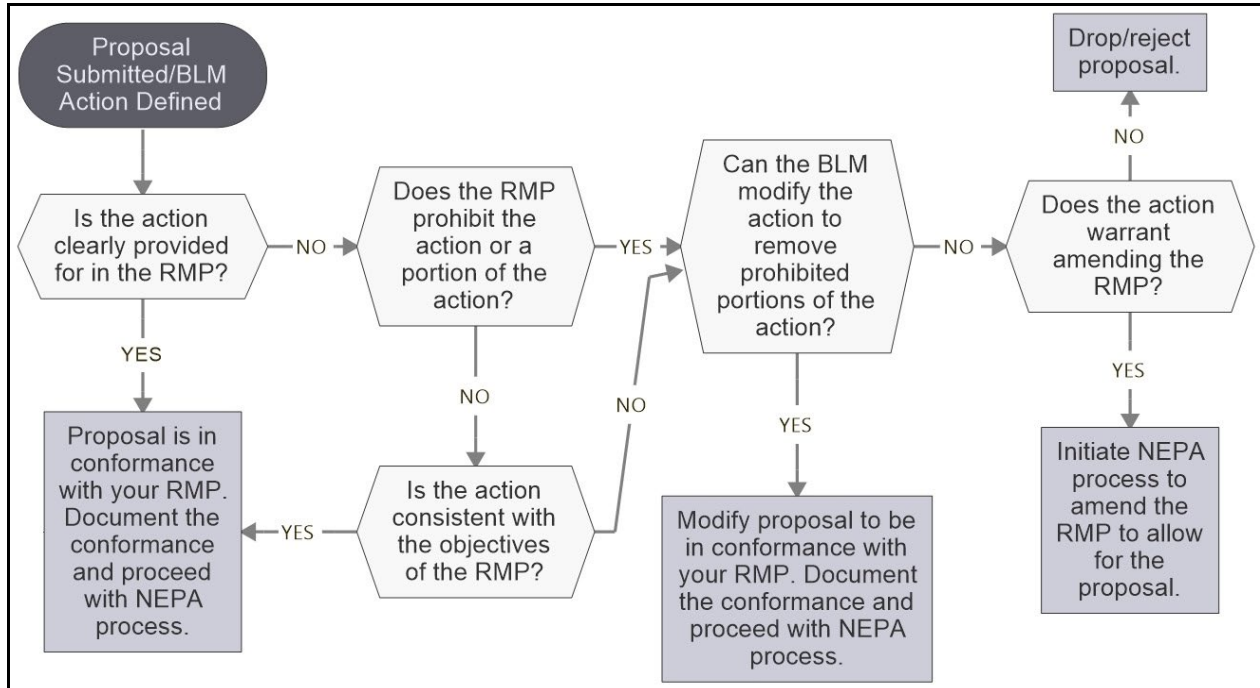


Figure 13.1. Screening process for determining RMP conformance.

13.1.1.1 Non-Conforming External Proposals

For externally generated project proposals, working with the applicant before submission of an application may result in submission of a project proposal that is in conformance with the RMP. However, the BLM may also determine to initiate a planning process to amend a plan at the same time the BLM initiates the NEPA process to review a project proposal. A concurrent project review and land use planning process could result in an amendment to the RMP and an approved project that conforms to the amended RMP.

Initiating a planning effort, including the initiation of an RMP amendment to allow for the implementation of a project proposal not in conformance with the current RMP, is at the discretion of the state director. If after review of the project proposal, the field manager recommends not to pursue or continue a planning effort, we recommend the field manager provide documentation of this to the state director. The state director may elect not to continue or pursue a plan amendment. If the BLM will not be continuing the decision-making process on the proposal, you may, as a courtesy, notify the public in the same manner that you used to initiate the planning process.

13.1.1.2 Bringing Ongoing Management into Conformance with a Revised RMP

For actions for which the BLM has already signed a decision, but for which the action is a permitted, ongoing action, the BLM would need to take appropriate measures, subject to valid existing rights, to make operations and activities under existing permits conform to the new approved RMP within a reasonable period. At a minimum, we recommend you consider measures that would make existing operations and activities conform to the RMP prior to approving renewals or extensions of existing authorizations such as renewals of right-of-way grants, review and processing of grazing permits, and extension requests for expiring applications for permit to drill. Any person adversely affected by a specific action being proposed to implement some portion of an RMP may appeal such action pursuant to 43 CFR 4.410 at the time the action is proposed for implementation.

13.1.2 Plan Maintenance

The BLM must maintain RMPs and supporting components as necessary to reflect minor changes in data (43 CFR 1610.5-4). Maintenance is limited to minor changes and cannot change decisions made in the RMP through plan components but can clarify an approved planning decision if the original wording is not clearly understood. Maintenance cannot change where or how the BLM would apply approved RMP decisions or change the terms of RMP decisions. “Such maintenance is limited to further refining or documenting a previously approved decision incorporated in the plan. Maintenance shall not result in expansion in the scope of resource uses or restrictions, or change the terms, conditions, and decisions of the approved plan,” (43 CFR 1610.5-4). For example, since the exception, modification, and waiver criteria for oil and gas lease stipulations are part of the allocations made in the RMP, these criteria cannot be changed through plan maintenance, and can only be changed through a land use plan revision or amendment. Because plan maintenance cannot change any RMP decisions and can only correct errors or data, plan maintenance is not subject to analysis under NEPA and does not require formal public involvement or interagency coordination (43 CFR 1610.5-4).

Examples of maintenance actions include:

- Correcting minor data, typographical, mapping, geospatial data, or tabular data errors in the planning records after an RMP or amendment has been completed.
- Revising RMP monitoring strategy questions based on new science, information, or other identified changes to better collect information necessary to RMP evaluation.
- Refining and updating geospatial data and maps depicting planning area boundaries based on a new cadastral survey.

If your ROD/approved RMP has clearly identified dynamic plan components that apply to on-the-ground features or criteria (refer to section **3.5, *Describing Where Plan Components Apply***) and for which the map in the ROD/approved RMP only provides visual representation (refer to section **13.2.1, *Planning and Decision Area***), you may not need to complete plan maintenance to update geospatial information that changes the visual representations based on field surveys after each finding. For example, if your ROD/approved RMP established a management area within a certain distance of a stream, you would not need to complete plan maintenance every time you do field surveys and get accurate mappings of stream locations and channel routes. We recommend that you update geospatial data used for management and analysis in real-time, but you may wait to document the plan maintenance of these updates on a periodic basis.

Because plan maintenance is “limited to further refining or documenting a previously approved decision incorporated in the plan” (43 CFR 1610.5-4), you must not use plan maintenance in a manner that introduces new decisions, changes decisions, or changes the scope of the application of decisions. For example, it would be inappropriate to use plan maintenance to clarify management direction because a previously unforeseen and, therefore, unconsidered issue arises. If your RMP identifies management direction to apply land use planning decisions on acquired lands but makes no decisions for discovered lands, it would be inappropriate to use plan maintenance to edit management direction about the disposition of acquired lands to assert those decisions also apply to discovered lands when discovered lands were never originally considered in the decision.

It is also inappropriate to use plan maintenance to update mapping of decisions when doing so would expand the scope of resource uses or restrictions (43 CFR 1610.5-4) that was not originally anticipated and analyzed during development of the RMP. For example, if your RMP establishes management direction for a species within a specific (and static) geographic habitat boundary, it is inappropriate to use plan maintenance to ‘update’ the mapping of the habitat boundaries during implementation when doing so is more than a correction or minor refinement. Since specific resource and resource use decisions (such as surface disturbance restrictions or use exclusions) are tied to the identified habitat area boundaries, the updating and remapping of the habitat boundaries would result in changes to the application of all corresponding planning decisions on all correlated acres of public land. In contrast, your RMP may have anticipated (and the associated EIS may have analyzed) habitat conditions likely to change over time and may allow for the application of management to these newly identified areas by using dynamic criteria-based descriptions. For example, the EIS supporting the RMP may have disclosed that the BLM anticipated the exact location of raptor nests within a forest stand to change over time and provided for the application of lease stipulations (such as no surface occupancy or timing limitations) surrounding known active nests to be applied based on the latest survey data. Refer

to section **3.5, *Describing Where Plan Components Apply*** for additional information on static versus dynamic (or criteria-based) decisions.

The BLM has the discretion to conduct plan maintenance and may consider budget, workload, and other priorities. For example, minor changes, such as fixing a typo, may be updated on an ongoing basis. For minor changes to data made through plan maintenance (such as corrections to geospatial data), we recommend establishing regular intervals for updating data that make sense based on the rate at which changes to the information are collected. Regardless of intervals, we recommend all plan maintenance be completed prior to or in the early stages of evaluating plans (refer to **Chapter 4, *RMP Evaluations***).

The BLM must document the maintenance completed for RMPs (43 CFR 1610.5-4). Clearly document the change being made, reasons for the change, rationale for why the change meets the criteria for maintenance, and appropriate manager approval of the change. In circumstances where the maintenance crosses BLM field office or district office boundaries, the appropriate manager to approve the change would be the manager with jurisdiction over the entire area, generally the state director. Where the decision is exclusive to a single field office, the state director may identify that the field manager has the authority to approve the plan maintenance (43 CFR 1610.1(b)). You may make the documentation of the plan maintenance publicly available on the BLM's official national NEPA register so that the public is aware.

During the implementation of your RMP, questions may arise about the meaning of particular plan components or their applicability to particular projects or actions. We recommend you establish a coordinated process for providing and documenting consistent interpretation and clarification of these components to support effective communication across BLM boundaries, tracking of issues, and the development of comprehensive responses. Such interpretation and clarification would not itself constitute plan maintenance.

13.1.3 Implementation During a Plan Revision or Amendment

An RMP revision or amendment is not effective until it is approved. Throughout the planning process, management decisions in the existing RMP remain in effect and do not change. For example, if the existing land use plan allocates lands open for a particular use, they remain open for that use until changed through a completed amendment or revision process.

During the preparation or amendment of an RMP, the BLM may review all proposed implementation actions through the decision-making process and associated NEPA process to determine whether approval of a proposed action would harm resource values and limit the management choices in the planning process. Even though the current land use plan may allow an action, the BLM field manager has the discretion to defer or modify proposed implementation-level actions and require appropriate conditions of approval, stipulations, relocations, or redesigns to reduce the effect of the action on the values being considered through the planning process. The modification to the action is subject to valid existing rights and program-specific regulations. The BLM may in some instances temporarily defer an action in an area where a different allocation is being considered in the preferred alternative of a draft RMP or in the proposed RMP (or amendment). The discretion to review proposed implementation actions and make decisions to modify or defer an action is specific to individual projects or

activities. These decisions would be specific to individual projects or activities and would not lead to an area-wide moratorium on certain activities during the planning process.

13.1.4 Relationship of RMP to Activity Plans

Activity plans are program or resource specific plans that identify specific management for a distinct geographical area. Activity plans can provide a strategic approach specific to the area that addresses potentially complex implementation needs to manage in conformance with the approved RMP for that area. Examples of activity plans include allotment management plans, recreation area management plans, wild and scenic river management plans, area of critical environmental concern management plans, monument management plans, or herd area management plans. Consult program-specific guidance to identify programs that may recommend the development of an activity plan and any program-specific requirements for activity plan documentation and analysis.

When the BLM prepares activity plans for a program or specific resource, we recommend that you develop activity plans programmatically using the NEPA process to streamline subsequent project implementation and management (refer to BLM NEPA Handbook (H-1790-1)). Any activity plans developed must be in conformance with the approved RMP (43 CFR 1610.5-3(a)). We recommend you tier to the EIS for your approved RMP. Refer to BLM NEPA Handbook (H-1790-1) for detailed instructions and examples of tiering.

13.2 Monitoring

As you implement your RMP, you will also monitor the implementation. The monitoring strategy you developed for the RMP will outline the monitoring questions, procedures, and intervals for tracking how the plan is being implemented (refer to section **10.2.3, RMP Monitoring Strategy**). As part of implementing your RMP, you will also conduct effectiveness monitoring that informs you on the outcomes achieved by what is implemented. Monitoring is also required by some programs, such as the BLM's Assessment, Inventory, and Monitoring program, that provide information related to the conditions and the trends of BLM management on public lands. The BLM uses the information from the RMP's implementation monitoring, project monitoring, and program monitoring during an RMP evaluation to understand how we are implementing our RMP, the effectiveness of BLM's actions in achieving desired outcomes, trends on the landscape, and whether trends are from BLM management or other sources (refer to **Chapter 4, RMP Evaluations**).

The BLM's monitoring data represents a significant investment for data collection, maintenance, and storage. It is critical that data is regularly collected, documented, maintained, and stored in a manner that is easily accessible and in accordance with established standards and processes where applicable.

The BLM assesses the monitoring questions at each monitoring interval to ascertain if the questions, reporting, methods, sample size, or intervals need to be changed. As the monitoring questions are not RMP decisions, you can keep the RMP monitoring strategy current using plan maintenance and we recommend you do so.

13.2.1 Monitoring Documentation

Documenting the data from plan monitoring serves a critical role in being able to identify trends and, ultimately, the effectiveness of the BLM's implementation of an RMP consistent with the identified measurable objectives when BLM conducts a RMP evaluation. You may document the results of plan monitoring in any manner that facilitates scheduled RMP evaluations or that allows you to more easily identify when an unscheduled RMP evaluation may be necessary. Examples of ways the BLM may document the results of plan monitoring include spreadsheets, databases, or a report. Document any monitoring data consistent with BLM-established data standards under the current direction available at that time. We recommend that you use a single format for all documentation of monitoring results to ensure the full scope of the monitoring across all programs and resources are captured in one location. Doing so helps you identify potential trends developing across multi-resource functions and ensures that the data and information is consistently prepared and available to facilitate RMP evaluations.

We recommend that you document the results of plan monitoring annually. The annual documentation of this monitoring information will help you when it comes time to evaluate the RMP by providing a single location capturing the comprehensive monitoring results. Also, annual monitoring reports can help you identify trends which may reveal a need to evaluate the plan sooner than the interval established in the approved RMP.

There is no requirement to share the results of plan monitoring publicly. However, the BLM may choose to make the documentation of monitoring results available to external groups including cooperators, partners, other governments, or the public. Sharing the documentation of monitoring results improves transparency and may help foster relationships with external groups. The BLM's plan monitoring results may also be helpful in identifying collaborative projects with other landowners or partner groups. Monitoring results may also provide factual evidence to support project-level NEPA analysis assumptions or conclusions. We recommend that you present the monitoring results in a summary report or other consistent format that is easy to review when you choose to share the results publicly and provide the report on the BLM's official national NEPA register.

Program staff at the local BLM unit, whether a field office or district office, are responsible for conducting monitoring at the established intervals in the RMP.

Chapter 14 – Amending the RMP

General

14.1 Determining the Scope of an Amendment

14.2 Planning Steps for RMP Amendments Supported by an EIS

14.3 Planning Steps for RMP Amendments Supported by an EA

14.4 Issuing Decisions to Approve an RMP Amendment

General

The decision of whether to initiate an RMP amendment is the discretion of the state director. The BLM considers a plan amendment when there is “a need to modify management or accommodate a project that may result in a change in the scope of resource uses or a change in the terms, conditions, and decisions of the approved plan” (43 CFR 1610.5-5). The BLM regulations do not further clarify the meaning of ‘terms,’ ‘conditions,’ or ‘decisions’ of the approved plan. Guidance provided in this handbook clarifies that the terms, conditions, and decisions of a plan are the goals, objectives, designations, allocations, and management direction (collectively, plan components) described in this handbook (refer to **Chapter 3, *Land Use Plan Components***).

An RMP revision must be used to change a plan if new information or changed circumstances affect the entire plan or major portions of the plan (43 CFR 1610.5-6). In contrast, the BLM prepares an amendment when the scope of the proposed changes to plan components is less than the entire plan or major portions of the plan. An amendment may be appropriate when the changes are limited by topic (such as proposing to change limited management direction identified in an RMP for a single resource program whether in a focused geographic area or across a large geographic area) or to change a large suite of plan components for a discrete area (such as a change to most or all planning decisions within a newly designated national monument to support a monument management plan). Use plan maintenance to keep the RMP current by correcting typographical or geospatial data and mapping errors and to reflect minor changes in mapping and geospatial data (43 CFR 1610.5-4). Refer to section **1.4.1, *Determining Whether a Plan Revision or Amendment is Appropriate*** for further guidance in determining which you may need. Refer to section **13.1.2, *Plan Maintenance*** for further guidance.

The RMP evaluation process identifies whether a plan amendment may be needed to consider:

- Consistency with current laws, regulations, or policies (for example, if there are new or revised policies);
- Monitoring and evaluation findings which indicate that implementing a plan’s decisions is not achieving the desired resource conditions;
- New science, data, or information that indicates a need to change previous decisions; or
- A change in circumstances which results in a determination that the current plan does not provide adequate management direction.

Regardless of the RMP evaluation’s findings, the decision to initiate the process to amend a plan is at the discretion of the state director (refer to **Chapter 4, *RMP Evaluations***). A state director also retains discretion as to whether to initiate a plan amendment in response to a proposed action that would not be in conformance with the RMP.

Plan amendments are most often initiated to:

- Consider a proposal or action that does not conform to the RMP;
- Implement new or revised policy, such as an approved conservation agreement between the BLM and the U.S. Fish and Wildlife Service;
- Respond to new, intensified, or changed uses on public land; or
- Consider new information from resource assessments, monitoring, or scientific studies; or respond to court orders for a specific location or specific program.

Plans needing amendment may be grouped geographically or by the type of decision in the same amendment process – that is, the BLM can amend the same or related plan components in more than one land use plan through a combined analysis and decision-making process. The BLM may also amend the plan components under BLM’s management for plans adopted from another agency (refer to section **2.5.3, *Cooperation to Identify Situations Where Action Can be Taken Based on Another Agency’s Plan or a Land Use Analysis*** for guidance on adopting another agency’s plan).

The BLM must prepare an EA or an EIS for a plan amendment (43 CFR 1610.5-5). If the BLM is considering the amendment in response to a specific proposal, it would be appropriate to conduct the effects analysis required for the project proposal and the proposed amendment simultaneously to address closely related actions in the same NEPA document (refer to BLM NEPA Handbook (H-1790-1)). If the BLM amends several RMPs simultaneously, a single EIS or EA may be prepared to address all amendments.

14.1 Determining the Scope of an Amendment

An amendment modifies the existing approved RMP by either adding, modifying, or deleting specific plan components in the approved RMP. In determining the scope of an amendment, identify the specific decisions in the approved RMP you are proposing to change.

Since amendments are more focused or narrower in scope than revisions, it is important to communicate to the public what is, and what is not, going to be considered in the amendment. Your purpose and need statement determines the scope of an amendment, including the range of alternatives (refer to BLM NEPA Handbook (H-1790-1)).

Tailor the purpose and need for the amendment to the scope of the appropriate change identified through the RMP evaluation, project review, or from a specific project proposal. In determining the scope of the amendment, make sure that you consider “ripple effects” and be mindful of the potential need to change multiple plan components to avoid creating internal conflicts in management direction in the RMP once it is amended.

Refer to section **5.4.3, *RMP Amendment Purpose and Need*** for more information on developing a preliminary purpose and need statement for an RMP amendment. Since the purpose and need statement is critical to defining the scope of an amendment, we recommend that you solicit review of the statement from your state office land use planning staff prior to initiating scoping for an amendment.

Some of the BLM’s program-specific guidance in various handbooks or manuals may provide direction on an appropriate “default” range of alternatives for specific resources. While you may consider this information in developing your alternatives, alternatives considered in detail in an amendment need to respond to the purpose and need statement for the particular planning effort. We recommend that the state director neither limit the alternatives by not considering multiple ways to address the purpose and need nor broaden the alternatives unnecessarily by considering alternatives that do not address the purpose and need identified.

14.1.1 Using Tiering to Narrow the Scope of Analysis for a Plan Amendment

Tiering is a NEPA tool that can be used to allow “subsequent tiered environmental analysis to avoid duplication and focus on issues, effects, or alternatives not fully addressed in a programmatic environmental document, environmental impact statement, or environmental assessment prepared at an earlier phase or stage” (40 CFR 1501.11(b)). Consider whether the amendment’s associated NEPA analysis (either EA or EIS) can tier to the RMP’s EIS. In a tiered document, you would not need to reexamine alternatives analyzed in a broader document.

Tiering the analysis for an RMP amendment to the analysis in the approved RMP’s proposed RMP/final EIS is especially appropriate for situations in which you need to modify some of the plan components but you want to keep the amendment focused on specific issues. For example, the approved RMP may have a planning designation such as a special recreation management area or a wild horse herd management area. The results of monitoring data and changes in circumstances (such as increased recreation use or drought) may prompt a need to reconsider the allocations within these BLM administrative designations. By tiering the amendment’s NEPA analysis to the approved RMP’s final EIS, you could focus the alternatives for the amendment only on the management of the administrative designation (that is, the allocations within the designation) and not have to include alternatives that consider whether the BLM retains the designation itself. Refer to BLM NEPA Handbook (H-1790-1) for detailed information on how to tier NEPA documents.

14.1.2 Focusing a Plan Amendment’s Analysis

For plan amendments, the BLM must analyze issues for those resources or resource uses for which the amendment is evaluating a change from the approved RMP’s plan components. Plan amendments are narrow in scope and may not change the management decisions for all the resources and resource uses within the planning area. For an RMP amendment, you identify issues relevant to the scope of the amendment and proposed changes to the current plan components. Like the issues analyzed under NEPA for your approved RMP, the issues analyzed regarding your RMP amendment must be focused within each resource or program on only those details that are needed to understand how the alternatives respond to the purpose and need or analyze for significant effects. We recommend the issues in the EIS or EA analyzing your proposed RMP amendment mirror those from the approved RMP’s proposed RMP/final EIS to allow for clarity and context in comparing the proposed amendment to the approved RMP decisions wherever possible.

14.1.3 Amendments to Consider Approval of Non-Conforming Project Proposals

An RMP amendment initiated to consider the approval of a project proposal that was not in conformance with the approved RMP would follow the same processes as other RMP

amendments supported by either an EIS or EA, depending on the significance of impacts. Refer to section **13.1.1.1, *Non-Conforming External Proposals*** for discussion on whether to initiate a plan amendment to consider a non-conforming project proposal.

Additional considerations for project-driven amendments include:

- Present context of the applicant’s purpose and need appropriately. Refer to the BLM NEPA Handbook (H-1790-1) for guidance on developing a purpose and need appropriate for externally generated project actions.
- Identify the purpose and need for the implementation decisions and the purpose and need for the RMP amendment. Refer to section **5.4.3, *RMP Amendment Purpose and Need***.
- Identify which aspects of the proposed action are implementation decisions and which aspects are land use plan decisions, since they are subject to different administrative remedies.
- Analyze the issues relevant for both the proposed implementation decisions and the proposed planning decisions. Refer to section **8.6.2, *Issue Analysis***.
- Identify any required Federal permits, licenses, or other authorizations that must be obtained for the proposed project (40 CFR 1502.24) or any required state or local permits.

14.2 Planning Steps for RMP Amendments Supported by an EIS

An RMP amendment supported by an EIS follows the same procedures required for an RMP revision but consideration is limited to that portion of the RMP being considered for amendment (43 CFR 1610.5-5(b)). For example, you must develop a monitoring strategy with the proposed RMP amendment/final EIS (43 CFR 1601.0-5(n)(8)), but the content of any new or revised monitoring questions and program reporting items identified would be limited to the decisions being considered in the proposed RMP amendment. Refer to **Figure 1.3, *Planning steps for new plans, revisions, and amendments supported by an EIS*** in section **1.4.2, *The Basic Planning Process for Developing or Revising an RMP*** for an overview of the process for an RMP amendment supported by an EIS and **Chapter 5, *BLM or State Director Planning Guidance***, through **Chapter 12, *The Record of Decision and the Approved RMP*** for the guidance of the specific steps for the planning process.

You must prepare an analysis of the management situation when conducting an RMP amendment supported by an EIS (43 CFR 1610.5-5(b)). For these planning efforts, you have the option to prepare new documentation of the planning area profile or to rely on some of the existing discussions in the analysis of the management situation prepared for the approved RMP if it is still current. For example, if the information in the planning area profile in the approved RMP is out-of-date, does not provide the proper context for the new planning effort, or if the new amendment is in response to an application for a type of land use not considered in the approved RMP, you will need to prepare a new planning area profile for those sections with new information. The original planning area profile can be incorporated by reference for sections where information has not changed. Refer to section **6.3.6, *Planning Area Profile*** for guidance on documenting a planning area profile for your analysis of the management situation. However, it would not be appropriate to rely on the approved RMP’s analysis of the management situation for all parts of the analysis of the management situation. You will need to provide the new

information for the RMP amendment's purpose and need and preliminary range of alternatives for the plan amendment.

As when developing a new RMP or an RMP revision, we recommend you document the analysis of the management situation in a report combined with the planning criteria report and provide it for review with the planning criteria during public scoping. The new analysis of the management situation report needs to be tailored to both the geographic area affected by the amendment and the scope of the amendment defined by the purpose and need.

When determining whether to prepare a new planning area profile for your RMP amendment, we recommend that you consider whether the information prepared for the analysis of the management situation for the approved RMP is still relevant and appropriate such that it could be incorporated by reference. We recommend that you clearly identify whether you will need to prepare a new planning area profile early in the process.

14.3 Planning Steps for RMP Amendments Supported by an EA

The BLM may prepare an environmental assessment (EA) and finding of no significant impact (FONSI) for an RMP amendment that would not have significant effects (refer to BLM [NEPA Handbook](#) (H-1790-1)). Even for RMP amendments supported by an EA, the BLM must provide for public involvement (43 CFR 1610.2); interagency coordination; Tribal, cultural, and biological consultation, as appropriate; consistency review (43 CFR 1610.3); and protest (43 CFR 1610.6-2) (43 CFR 1610.5-5). The field manager has the discretion to include optional public involvement planning steps (**Table 14.1, Summary of planning steps for RMP amendments supported by an EA** and **Figure 14.1, Planning steps for RMP amendments supported by an EA**). We recommend that you clearly communicate with the public and other Federal agencies, Indian tribes, and state and local governments about what, if any, optional planning steps or public involvement are to be included in as part of the planning process for a particular RMP amendment supported by an EA.

As with planning processes supported by an EIS, during an RMP amendment process supported by an EA, the BLM will still make land use planning decisions of objectives and management direction, and possibly also address allocations and designations. The purpose of the process for making planning decisions does not change under an RMP amendment supported by an EA. Similarly, the planning process supported by an EA would also develop a monitoring strategy with the proposed RMP amendment (43 CFR 1601.0-5(n)), and, as with RMP amendments supported by EISs, the content of any new or revised monitoring questions and program reporting items identified would be limited to the decisions being considered in the proposed RMP amendment.

The BLM [NEPA Handbook](#) (H-1790-1) provides detailed guidance on how to prepare an EA, including supplementation of an EA if necessary. An EA developed to evaluate a proposed land use plan amendment is subject to the same broad requirements as a project EA. This section provides guidance on specific differences between an EA for a project and an EA for a land use plan amendment. The BLM [NEPA Handbook](#) (H-1790-1) provides detailed guidance for meeting the page and time requirements of NEPA, as amended. All EAs for BLM RMP amendments must comply with these requirements.

Table 14.1. Summary of planning steps for RMP amendments supported by an EA. Grey highlighted rows identify optional steps in the planning process for RMP amendments supported by an EA.

Step in the Planning Process	Summary of Process for RMP Amendments Supported by an EA
Invitations to Cooperating Agencies	<p>You are not required to invite cooperating agencies to participate in the planning process for an RMP amendment supported by an EA (43 CFR 1610.3-1(b)). However, the field manager has the discretion to invite cooperating agencies. In determining whether to invite cooperating agencies, we recommend the field manager consider how the agencies may contribute to the planning effort by:</p> <ul style="list-style-type: none"> • Identifying issues to be addressed; • Arranging for the collection and/or assembly of necessary resource, environmental, social, economic, and institutional data; • Analyzing data; • Developing alternatives; • Evaluating alternatives and estimating the effects of implementing each alternative; and • Carrying out any other task necessary for the development of the environmental analysis and documentation (43 CFR 46.230). <p>Refer to section 2.3, Cooperating Agency Involvement for further guidance.</p>
Analysis of the Management Situation	<p>An analysis of the management situation is not required for an RMP amendment supported by an EA. However, you may document an analysis of the management situation tailored to the scope of the purpose and need and issues of the amendment. Refer to section 6.2, Analysis of the Management Situation for further guidance.</p>
Planning Criteria and Public Scoping	<p>The BLM must publish an NOI in the <i>Federal Register</i> to initiate a plan amendment and provide a 30-day scoping period which invites the public to help identify issues (43 CFR 1610.2(c), 43 CFR 1610.2(f)(1)). Refer to Chapter 8, Notice of Intent and Scoping for further guidance.</p> <p>We recommend that you combine review of the planning criteria (43 CFR 1610.2(f)(2)) with scoping. If you choose not to combine the review of the planning criteria with the 30-day scoping period, you must provide a separate 30-day comment period on the planning criteria prior to being approved by the field manager for use for the planning effort (43 CFR 1610.4-2(c)). In other words, you must release the planning criteria to the public for a 30-day comment period before releasing the RMP amendment/EA. You may do so before or after the NOI if you do not issue it concurrently. Publication of a <i>Federal Register</i> notice is not required to notify the public of the availability of the planning criteria for comment if it is not combined with scoping. Refer to Chapter 7, Planning Criteria and Analysis of the Management Situation for further guidance.</p>
Selection of a Preferred Alternative	<p>The selection of a preferred alternative is not required for RMP amendments supported by an EA. However, the field manager has the discretion to identify a preferred alternative for RMP amendments supported by an EA. In determining whether to identify a preferred alternative, we recommend the field manager consider whether the identification of a preferred alternative would improve public understanding when there are several alternatives or when the preferred alternative is not the same as the BLM's proposed action or the non-Federal entity's proposal. Refer to section 9.4.3, Preferred Alternative for further guidance.</p>
Public Review and Comment on a Draft RMP Amendment	<p>There is no regulatory requirement to provide an opportunity for public comment on RMP amendments supported by an EA; the field manager has the discretion to publish a draft RMP and solicit public comment on an RMP amendment supported by an EA. There may be situations where there is no public interest in a minor plan amendment and a formal public comment period would not be necessary. In determining whether to provide a public review for comment on your RMP amendment, we recommend the field manager consider the following:</p> <ul style="list-style-type: none"> • The level of public interest in the proposed amendment; • The scope and complexity of the proposed amendment; and • The extent that the amendment will modify the existing RMP or affect subsequent activity plans.

Step in the Planning Process	Summary of Process for RMP Amendments Supported by an EA
	<p>If the field manager decides to provide a public review and comment period, the BLM must offer a minimum 30-day comment period (43 CFR 1610.2(e)). You may provide notification of this public review and comment period through the BLM's official national NEPA register, mailing lists, press releases, or other appropriate means for the community of interest. An Environmental Protection Agency notice in the <i>Federal Register</i> is not required.</p> <p>The BLM NEPA Handbook (H-1790-1) provides direction for responding to substantive public comments.</p> <p>Refer to Chapter 9, <i>The Draft RMP/EIS</i> for guidance on content of the draft RMP amendment.</p>
Public Protest of the Proposed RMP Amendment	<p>The BLM must provide the proposed RMP amendment/EA for public protest and resolve protests prior to signing a decision (43 CFR 1610.5-1(b)). Since there are no requirements for a <i>Federal Register</i> notice for publication of a proposed RMP amendment/EA, the BLM's notice of the anticipated effective date of the plan amendment initiates the public protest period for your plan amendment (43 CFR 1610.5-2(a)(1)). In other words, you must release the proposed RMP amendment to the public and provide a general statement that identifies the effective date. For example, the effective date may simply be identified as "the effective date will be the day the decision is signed after issues raised through public protest and the Governor's consistency review are resolved." We recommend you provide this notice in the dear reader letter accompanying the EA and proposed RMP amendment. Also clearly identify the dates for your protest period, including the date that the protest period will end.</p> <p>In some circumstances, the BLM must circulate an unsigned FONSI for public review (refer to BLM NEPA Handbook (H-1790-1)). We recommend you circulate the unsigned FONSI with the proposed RMP amendment/EA during the protest period. If you choose to prepare a draft RMP amendment/EA for public review, you may circulate an unsigned FONSI with draft RMP amendment/EA instead.</p> <p>Provide notice of the availability of the proposed RMP amendment for public protest through the BLM's official national NEPA register. You may also provide notice through other appropriate means for the community of interest such as mailing lists or press releases. Protests must be filed within 30 days of the date of the BLM's notification of the effective date of the plan amendment (43 CFR 1610.5-2(a)(1)). Refer to Chapter 11, <i>Protest and Governor's Consistency Review of the Proposed RMP</i> for further guidance.</p> <p>Refer to Chapter 10, <i>The Proposed RMP/Final EIS</i> for guidance on required content of the proposed RMP amendment, including the monitoring strategy (refer to section 10.2.3, <i>RMP Monitoring Strategy</i>).</p>
Governor's Consistency Review	<p>The state director must submit the proposed amendment to the governor and identify any known inconsistencies with state or local plans, policies, or programs. The governor has 60-days to respond (43 CFR 1610.3-2(e)). We recommend that you initiate your governor's consistency review on RMP amendments supported by an EA at the same time as your protest period for your proposed RMP amendment, EA, and unsigned FONSI. Refer to section 11.3, <i>Governor's Consistency Review</i> for further guidance.</p>
Comment on Significant Changes Resulting from Protest	<p>If, after publication of the proposed RMP amendment, the BLM intends to select an alternative that is encompassed by the range of alternatives in the EA, but is substantially different from the proposed RMP amendment, the BLM must notify the public and provide opportunity for comment on any significant change made to the proposed RMP amendment as a result of action on a protest (43 CFR 1610.2(f)(5)). Refer to section 11.4, <i>Notice of Significant Change</i> for further guidance.</p>
FONSI	<p>To sign a decision record, you must be able to prepare a FONSI for all RMP amendments supported by an EA (40 CFR 1508.1(q)). Refer to the BLM NEPA Handbook (H-1790-1) for information on requirements, including required public reviews, of FONSI.</p>

Step in the Planning Process	Summary of Process for RMP Amendments Supported by an EA
	<p>After making any changes to the FONSI based on public protest and the governor’s consistency review, the state director would sign the FONSI, if appropriate. If you cannot reach a finding that your RMP amendment would have no significant impacts, you must prepare an EIS to complete the amendment. Post all signed FONSI on the BLM’s official national NEPA register. While the signed FONSI cannot be combined as part of the decision record, you may publish it separately or attach it to the decision record.</p>
Decision Record and Approved RMP Amendment	<p>Post all planning decisions and associated documents on the BLM’s official national NEPA register. Posting of the decision record and approved RMP amendment constitutes the BLM’s requirement to notify the public of the RMP amendment’s approval. You may also provide notification through mailing lists, press releases, or other appropriate means for the community of interest.</p> <p>Refer to Chapter 12, Record of Decision and the Approved RMP for guidance on required content of the approved RMP amendment.</p>

Table 14.2. Required public involvement in preparation of an RMP amendment supported by an EA.

Public Involvement Step	Timeframe (calendar days)	Notification	General Purpose
Scoping and Comments on Planning Criteria	30 days	NOI (Newspaper publication is also required (43 CFR 1610.2(c)) ¹)	Solicit feedback on potential issues and methodologies for analyzing those issues in the planning criteria, including any significant changes to such criteria.
Protest of proposed RMP amendment/EA	30 days	Provide notice of the availability of the documents for public protest through the BLM’s official national NEPA register. You may also provide notice through other appropriate means for the community of interest such as mailing lists or press releases. Protests must be filed within 30 days of the date of the BLM’s notification of the effective date of the plan amendment (43 CFR 1610.5-2(a)(1)).	Determine whether the planning process followed established procedures, considered relevant information in reaching proposed planning decisions, and whether the proposed plan amendment decisions are consistent with BLM policy, regulation, and statute. Remedy inconsistencies in the RMP amendment with Federal laws, regulations, or BLM policy.
When the Governor recommends changes to a proposed RMP amendment which were not raised during the public involvement process and the BLM is inclined to accept the new recommendation and/or there is significant change to a proposed RMP	30 days	A 30-day public comment opportunity on the governor’s recommended changes must be provided (43 CFR 1610.3-2(e)) if those recommended changes were not raised during the public involvement process. In addition, before issuing a Decision Record, the BLM	Identify and remedy any inconsistencies in the changes to the RMP with Federal laws, regulations, or BLM policy.

Public Involvement Step	Timeframe (calendar days)	Notification	General Purpose
amendment/EA after its publication		must provide public notice and a 30-day comment period on any significant changes (if applicable) made to the proposed plan (43 CFR 1610.5-1(b), 43 CFR 1610.2(f)(5), 43 CFR 1610.2(e)). Refer to Chapter 12.4 for additional information.	

¹ Refer to section 7.2, **Scoping Notices** for additional information on newspaper publication of the NOI.

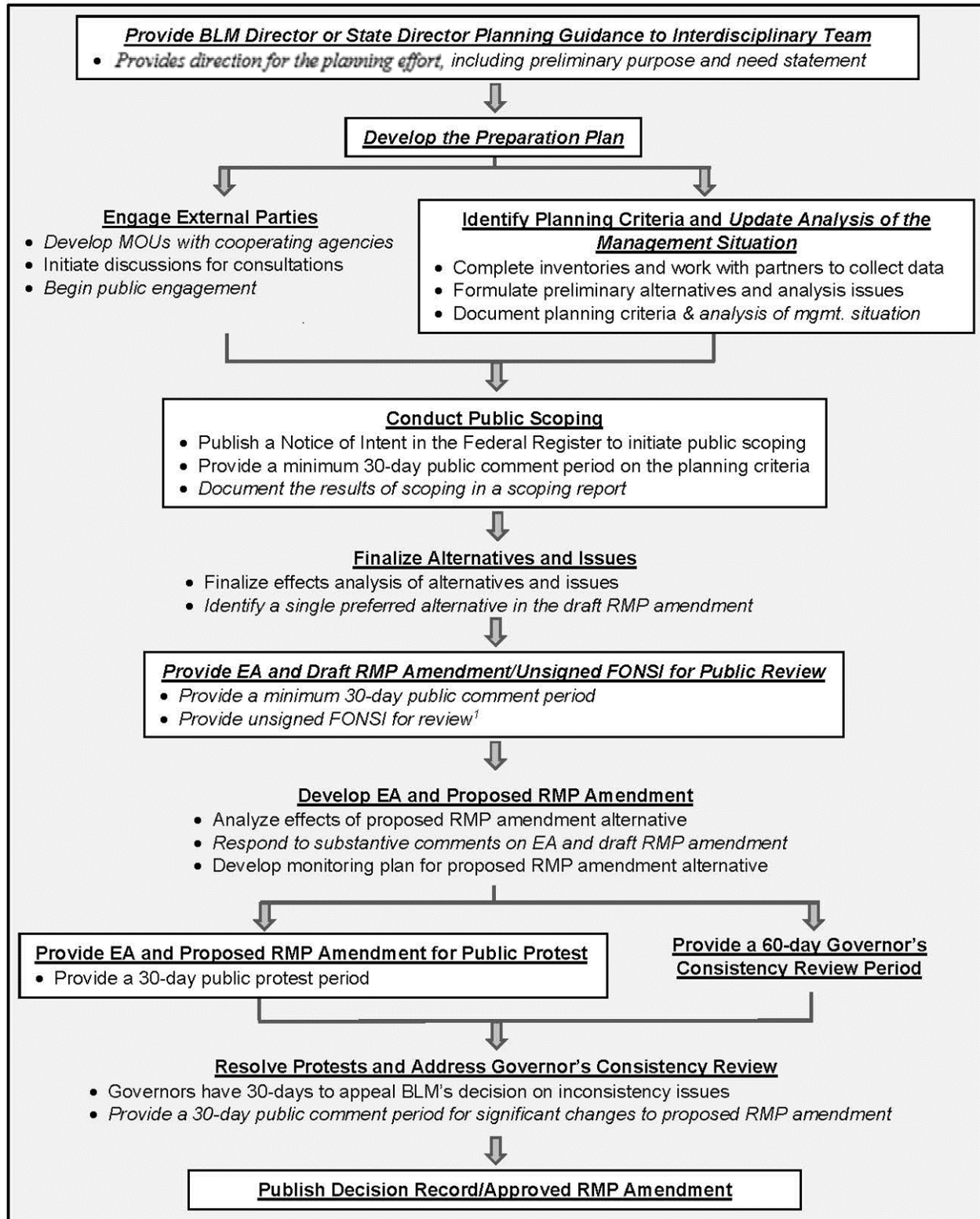


Figure 14.1. Planning steps for RMP amendments supported by an EA. Boxes around steps indicate planning documents to prepare as part of the step. Steps in italics may be required in some cases.

¹ 30-day public review of unsigned FONSI is required in some circumstances. You may provide this review concurrent with the protest period. Refer to BLM [NEPA Handbook](#) (H-1790-1).

14.4 Issuing a Decision to Approve an RMP Amendment

Regardless of whether the amendment is evaluated by an EIS or an EA, follow the guidance for RMPs in **Chapter 12, *The Record of Decision and the Approved RMP*** regarding the process steps that must be completed prior to issuing a decision. As with the development or revision of an RMP, the RMP amendment is officially approved when the state director signs a ROD (for RMP amendments supported by an EIS) or decision record (for RMP amendments supported by an EA) (43 CFR 1610.5-5 (a) and (b)).

Since the amendment is modifying the approved RMP, it is important that you clearly identify exactly how the decision(s) in the RMP will change. We recommend that you explicitly identify the new decision(s) by highlighting in some way the new language, modified language (what text in the RMP is being changed) and replaced language (what text in the RMP is being deleted).

Be clear as to whether the changes apply to all resources and uses in the approved RMP or only to specific resources or uses (for example an amendment may only change management related to oil and gas development or only apply to habitat for a listed species).

We recommend you also clearly identify any implementation decisions that may be associated with the decision to approve the amendment (for example, approval of a non-conforming project proposal that was the reason for amending the approved RMP). Explain that when project level NEPA is combined with an RMP amendment, only the proposed plan amendment is subject to protest; the implementation decision supported by the project level NEPA is generally subject to appeal or may be subject to protest before appeal, depending on the specific decision or authorization.

If an RMP amendment resulted in relatively minor changes to the approved RMP (for example, the changing of a land tenure class to disposal to allow for the sale of a single parcel to a private landowner to resolve an unintentional trespass), you can include the approved RMP amendment as a section within the decision document. However, if the amendment resulted in more complicated changes to the RMP (for example, a combination of additions, modifications, and removal of multiple plan components), we recommend that you develop a stand-alone approved RMP amendment. In this situation, the decision document, which provides the rationale for the decision, would be attached to the approved RMP amendment.

Glossary

activity plan – a program or area specific detailed implementation-level plan that usually describes multiple projects and the specific management direction that will be applied to meet specific land use plan objectives. Examples of activity plans include habitat management plans, recreation area management plans, wild and scenic river management plans, monument management plans, area of critical environmental concern management plans, herd management plans, and allotment management plans.

adaptive management – a system of management practices based on clearly identified outcomes and monitoring to determine whether management actions are meeting desired outcomes; and, if not, facilitating management changes that will best ensure that outcomes are met or re-evaluated (43 CFR 46.30).

analysis area – includes all lands, regardless of jurisdiction, for which the BLM synthesizes, analyzes, and interprets data and information that relates to planning for BLM-administered lands.

allocation for allowable resource use – the identification in an RMP of the activities and foreseeable development that are allowed, restricted, or excluded for all or part of the planning area based on desired future conditions.

affected environment – the existing conditions and reasonably foreseeable trends and planned actions of issue-related elements of the human environment being analyzed. The description of the affected environment provides the basis for succinctly identifying and interpreting potential impacts.

alternatives – other options to the proposed action by which the BLM can meet its purpose and need. The BLM is directed by NEPA to “study, develop, and describe appropriate alternatives to recommend courses of action in any proposal which involves unresolved conflicts concerning alternative uses of available resources...” (NEPA Section 102(2)(H)).

amendment – the process for considering or making changes in the terms, conditions, or decisions of approved RMPs. Amendments usually only involve one or two plan decisions, or involve only a portion of the planning area.

area of critical environmental concern – an area within the public lands where special management attention is required to protect and prevent irreparable damage to important historic, cultural, or scenic values, fish and wildlife resources, or other natural systems or processes, or to protect life and safety from natural hazards (43 CFR 1601.0-5(a)). The BLM designates areas of critical environmental concern as part of the planning process.

best management practices – a suite of techniques that may guide, or be applied to, actions to aid in achieving the proposed action. Lists of common best management practices are often developed in conjunction with RMPs, but they are not considered plan decisions and they may be updated or modified without a plan amendment or plan maintenance.

collaboration – a cooperative process in which affected parties, often with diverse interests, work together to seek solutions with broad support for managing public lands and associated uses.

conformance – a resource management action is specifically provided for in an RMP or, if not specifically mentioned, shall be clearly consistent with the terms, conditions, and decisions of the approved plan (43 CFR 1601.0-5(b)). The BLM evaluates whether implementation actions conform to approved RMPs.

consistency – means that the proposed RMP does not conflict with officially approved and adopted resource-related plans, programs, and policies of Indian tribes, other federal agencies, and state and local governments, to the extent practical, while maintaining consistency with federal law, regulation, and policy (43 CFR 1601.0-5(c); 43 CFR 1610.3-2(b)-(c)).

cooperating agency – any Federal, State, Tribal, or local agency that has jurisdiction by law or special expertise with respect to any environmental impact involved in proposal that has been designated by the lead agency (40 CFR 1508.1(g); 43 CFR 1601.0-5(d)). Cooperating agencies must enter into a written agreement with the BLM establishing cooperating agency status in the planning and NEPA processes, and participate in the various steps of the BLM’s planning process as feasible given the constraints of their resources and expertise (43 CFR 1601.0-5(e)).

cumulative effect – effects on the environment that result from the incremental effects of the action when added to the effects of other past, present, and reasonably foreseeable actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative effects can result from actions with individually minor but collectively significant effects taking place over a period of time (40 CFR 1508.1(i)(3)).

decision area – decision area includes only those BLM-administered lands within a planning area for which the BLM has authority to make land use management decisions. The BLM has jurisdiction over all BLM-administered lands (surface and subsurface) and over the subsurface minerals in areas of split estate (areas where the BLM administers Federal subsurface minerals, but the surface is owned by someone other than the BLM).

decision file – the contemporaneous record of BLM’s decision-making process that compiles the official records available to the decisionmaker in the process of reaching a decision. Also known as project file or case file. In response to administrative appeal or litigation, the decision file will be the source of the administrative record.

decisionmaker – the BLM official who has been delegated authority to approve an action and is responsible for issuing a decision to implement a proposed action. For the approval of RMPs, this is the state director (43 CFR 1610.5-1; 43 CFR 1610.5-5 (a) and (b)). Synonyms include authorized official, authorized officer, deciding official, responsible official, and responsible manager.

decision record (DR) – the BLM document associated with an action analyzed in an EA that describes the action to be taken when the analysis supports a finding of no significant impact.

designations – geographic areas of public land where management is directed toward one or more priority resource values or uses (43 CFR 1601.0-5(n)(1)). Designations include both administrative (identified in BLM or Department of the Interior program-specific policies or regulations, are established through the BLM’s land use planning process to achieve RMP objectives) and designations that can only be established by the President, Congress, or the Secretary of the Interior pursuant to specific legal authority.

desired outcomes – a type of plan component expressed as an objective.

direct effect – effects which are caused by the action and occur at the same time and place (40 CFR 1508.1(i)(1)).

environmental assessment – means a concise public document, for which a Federal agency is responsible, for an action that is not likely to have a significant effect or for which the significance of the effects is unknown, that is used to support an agency’s determination of whether to prepare an environmental impact statement or a finding of no significant impact (40 CFR 1508.1(j)).

environmental impact statement – means a detailed written statement as required by section 102(2)(C) of NEPA (40 CFR 1508.1(l)).

externally generated proposal – a proposal that has been developed by an individual or group external to the BLM.

Federal Register – the official daily publication for rules, proposed rules, and notices of Federal agencies and organizations, as well as executive orders and other presidential documents. The *Federal Register* is published by the Office of the *Federal Register*, National Archives Records Administration.

goal – a broad, generally qualitative statement of desired outcomes to achieve in all action alternatives to address the problems or opportunities identified. Under NEPA, the problems and opportunities and the outcomes to achieve are what must be described in your purpose and need and by writing a purpose and need specific to your planning effort, you have also described your goals.

high-quality information – includes reliable data and resources, models, and Indigenous Knowledge (40 CFR 1506.6(b)).

implementation action – an action that implements land use plan decisions.

implementation decisions – decisions that authorize on the ground action to implement the RMP. These decisions are generally appealable to the Interior Board of Land Appeals under 43 CFR Part 4.

incorporation by reference – citation and summarization in a NEPA document of material from another reasonably available document that covers similar actions, issues, effects, or resources (40 CFR 1501.12).

indirect effect – effects that are caused by the action and are later in time or farther removed in distance, but are still reasonably foreseeable (40 CFR 1508.1 (i)(2)).

issue – a point or matter of discussion, debate, or dispute about the potential environmental effects of an action.

jurisdiction by law – another governmental entity (Federal, State, Tribal, or local agency) has authority to approve, veto, or finance all or part of a proposal (40 CFR 1508.1(t)).

land use plan – a set of decisions that establish management direction for land within an administrative area, as prescribed under the planning provisions of FLPMA of 1976, as amended (P.L. 94-579, 90 Stat. 2743); a document containing an assimilation of planning decisions developed through the planning process outlined in 43 CFR Part 1600, regardless of the scale at which the decisions were developed. The term includes both resource management plans and management framework plans.

land use planning – a process that guides BLM resource management decisions in a manner that allows the BLM to respond to issues and to consider trade-offs among environmental, social, and economic values.

landscape – an area of land with interacting elements, ecosystems, or human systems that are relevant in an analysis or management context.

local government – any political subdivision of the State and any general purpose unit of local government with resource planning, resource management, zoning, or land use regulation authority (43 CFR 1601.0-5(h)).

management area – a tool available for describing portions of your planning area where multiple resources are desired to be managed for a comprehensive objective or suite of objectives; it is not a plan component.

management direction – parameters in an RMP that direct the BLM to implement actions to achieve the objectives set for resources and resource uses on BLM-administered lands.

management framework plan – the name of BLM land use plans prior to the establishment of the planning regulations (43 CFR 1600) in 1983; precursor to resource management plans. Refer to also “land use plan.”

may – as used in this handbook, you are free to decide whether to follow the guidance described.

multi-jurisdictional planning – collaborative planning in which the purpose is to address issues that cross jurisdictional boundaries for an area in which there is a mix of land ownerships, such as a single national monument where the BLM and another Federal agency are both charged with the management.

multiple use – management of the public lands and their various resource values so that they are utilized in the combination that will best meet the present and future needs of the American people; making the most judicious use of the lands for some or all of these resources or related services over areas large enough to provide sufficient latitude for periodic adjustments in use to conform to changing needs and conditions; the use of some lands for less than all of the resources; a combination of balanced and diverse resource uses that takes into account the long term needs of future generations for renewable and non-renewable resources, including, but not limited to, recreation, range, timber, minerals, watershed, wildlife and fish, and natural scenic, scientific, cultural and historical values; and harmonious and coordinated management of the various resources without permanent impairment of the productivity of the lands and the quality of the environment with consideration being given to the relative values of the resources and not necessarily to the combination of uses that will give the greatest economic return or the greatest unit output (FLPMA Section 103(c); 43 CFR 1601.0-5(i)).

must – as used in this handbook, you are required to follow the guidance described.

notice of availability (NOA) – the *Federal Register* notice that an EIS (draft or final) or record of decision is available. Publication of an NOA for filing of an EIS by the Environmental Protection Agency formally begins the public comment period (draft; 43 CFR 1610.2(e)) or public protest period (final; 43 CFR 1610.5-2(a)(1)). The BLM would also publish NOAs in the *Federal Register* for actions with effects of national concern (40 CFR 1501.9(c)(5)(ii)).

notice of intent (NOI) – the *Federal Register* notice that announces that a planning effort supported by an EIS, or RMP amendment supported by an EA, will be prepared. Publication of this notice formally starts the scoping process (43 CFR 1610.2(c), 40 CFR 1508.1(aa)).

objective – a concise statement of desired resource conditions and uses within the planning area, or a portion of the planning area. Objectives are most helpful when they can be quantified and measured and, where possible, have established timeframes for achievement.

plan components – the goals, objectives, designations, allocations, and management direction that define the management approach in an RMP. Plan components described in this handbook are the terms, conditions, and decisions of an RMP (43 CFR 1610.5-5).

plan maintenance – the process of maintaining an RMP to further refine, document, or clarify a previously approved planning decision or to reflect minor changes in data, consistent with 43 CFR 1610.5-4. Plan maintenance does not expand the scope of resource uses or restrictions or change the terms, conditions, and planning decisions of the approved RMP.

plan monitoring – the process of tracking the implementation of planning decisions and collecting and assessing data/information necessary to use in RMP evaluations for understanding the effectiveness of planning decisions.

planning area – the geographic area within which the BLM will make decisions during the planning process. A planning area boundary includes all lands regardless of jurisdiction; however, the BLM does not make decisions for non-BLM-administered lands in the planning area (refer to decision area).

planning criteria – guide development, revision, or amendment of the RMP to ensure it is tailored to the issues previously identified and that the BLM avoids unnecessary data collection and analysis (43 CFR 1610.4-2(a)). Planning criteria provide the framework for the estimation of effects (43 CFR 1610.4-6).

planning decisions – decisions regarding the management approach for BLM-administered lands that are reached using the planning process in 43 CFR 1600. Proposed planning decisions are protestable to the BLM Director and are not appealable to the Interior Board of Land Appeals.

planning guidance – written communication or instruction that identifies national level policy, analysis requirements, and guidance for appropriate governmental coordination to help the field manager and interdisciplinary team know how to prepare a specific RMP (43 CFR 1601.0-5(g)). Synonyms include BLM Director guidance and state director guidance.

preferred alternative – the alternative the BLM has identified best meets the BLM Director or state director planning guidance when such guidance is provided (43 CFR 1610.4-7). When no guidance is provided, the preferred alternative is the alternative the BLM believes would reasonably accomplish the purpose and need for the proposed action while fulfilling its statutory mission and responsibilities, giving consideration to economic, environmental, technical and other factors.

proposed action – a proposal for the BLM to authorize, recommend, or implement an action to address a clear purpose and need. A proposed action may originate internally or externally.

protest – an opportunity for a qualified party to seek an administrative review of a proposed planning decision in accordance with planning regulations at 43 CFR 1610.5-2. A protest may be filed with the Director of the BLM for review of a proposed RMP or RMP amendment.

public involvement – the process by which the BLM provides opportunities for meaningful participation in the land use planning process.

recommend – as used in this handbook, unless you have a good rationale for not doing so, you must follow the guidance described.

record of decision (ROD) – the decision document associated with an action analyzed in an EIS (40 CFR 1505.2).

resource – a broad term covering a variety of public land resources, including but not limited to environmental, social, economic, scenic, recreational, cultural, and historic.

resource advisory council – a council established by the Secretary of the Interior to provide advice or recommendations to BLM management. In some states, provincial advisory councils are functional equivalents of resource advisory councils.

resource management plan (RMP) – refer to “land use plan.”

resource use – development, extraction, or utilization of a resource, such as livestock grazing, mineral production, or timber production.

revision – the process of completely rewriting an RMP due to changes in the planning area affecting major portions of the existing RMP or the entire RMP.

RMP evaluation – the process of reviewing the RMP and the periodic plan monitoring to determine whether the planning decisions are still appropriate to the planning area and whether the plan is being implemented as intended.

scope – consists of the range and breadth of actions, alternatives, and effects to be considered in an environmental impact statement or environmental assessment (40 CFR 1508.1(kk)).

scoping (internal and external) – the process by which the BLM solicits internal and external input on the issues and effects that will be addressed, as well as the degree to which those issues and effects will be analyzed in the NEPA document. Scoping is one form of public involvement in the NEPA process. Scoping occurs early in the NEPA process and generally extends through the development of alternatives (the public comment periods for EIS review are not scoping). Internal scoping is simply the use of BLM staff to decide what needs to be analyzed in a NEPA document. External scoping, also known as formal scoping, involves notification and opportunities for feedback from other agencies, organizations, and the public.

significance – refer to “significant impact or effect.”

significant impact or effect – means adverse effects that an agency has identified as significant based on the criteria in 40 CFR 1501.3(d).

special expertise – another governmental (Federal, State, Tribal, or local) agency who has statutory responsibility, agency mission, or related program experience relevant to all or part of a proposal (40 CFR 1508.1(nn)).

sustained yield – the achievement and maintenance in perpetuity of a high-level annual or regular periodic output of the various renewable resources of the public lands consistent with multiple use (FLPMA Section 103(h)).

tiering – the process by which an environmental document may rely on an existing and broader or more general environmental document, allowing the tiered NEPA document to narrow the

range of alternatives and concentrate solely on the issues not already addressed (40 CFR 1508.1(oo)).

Tribe (or Indian Tribe) – means a Tribal Nation that is defined as an American Indian or Alaska Native Tribe, band, nation, pueblo, village, or community that the Secretary of the Interior acknowledges as a Federally recognized Tribe pursuant to the Federally Recognized Indian Tribe List Act of 1994, 25 U.S.C. 5130, and 512 DM 4.

we – as used in this handbook, refers to the BLM as a whole.

you – as used in this handbook, refers to BLM staff and contractors involved in or responsible for the land use planning process.

Acronyms

BLM – Bureau of Land Management
CFR – code of federal regulations
EA – environmental assessment
EIS – environmental impact statement
FLPMA – Federal Land Policy and Management Act
FONSI – finding of no significant impact
NEPA – National Environmental Policy Act
NOA – notice of availability
NOI – notice of intent
RMP – resource management plan
ROD – record of decision

Appendix A – Adaptive Management

General

A.1 Different Systems of Resource Management Practices

A.2 Adaptive Management

General

The Department of the Interior’s *Adaptive Management Technical Guide* has developed the following operational definition (which was adopted from the National Research Council and included in the Departmental Manual on Adaptive Management 522 DM 1):

“Adaptive management [is a decision process that] promotes flexible decision making that can be adjusted in the face of uncertainties as outcomes from management actions and other events become better understood. Careful monitoring of these outcomes both advances scientific understanding and helps adjust policies or operations as part of an iterative learning process. Adaptive management also recognizes the importance of natural variability in contributing to ecological resilience and productivity. It is not a ‘trial and error’ process, but rather emphasizes learning while doing. Adaptive management does not represent an end in itself, but rather a means to more effective decisions and enhanced benefits. Its true measure is in how well it helps meet environmental, social, and economic goals, increases scientific knowledge, and reduces tensions among stakeholders.”

The Department’s NEPA regulations define adaptive management as “a system of management practices based on clearly identified outcomes and monitoring to determine whether management actions are meeting desired outcomes; and, if not, facilitating management changes that will best ensure that outcomes are met or re-evaluated. Adaptive management recognizes that knowledge about natural resource systems is sometimes uncertain” (43 CFR 46.30).

There are often differing ideas about exactly how those “systems of management practices” must be structured to be considered adaptive management. For some people, an adaptive management approach would simply involve modifying current management practices if monitoring reveals that desired resource conditions are not being achieved. This type of uninformed “trial and error” approach is not adaptive management. An adaptive management approach involves predictions about possible outcomes, and pre-determining responses based on monitoring regarding what outcomes occur. An adaptive management approach can be characterized as “predict-mitigate-implement-monitor-adapt” (CEQ, *Modernizing NEPA Implementation: The NEPA Task Force Report to the Council on Environmental Quality*, September 2003).

Adaptive management is a management approach you may develop at the land use plan level. As described in this appendix, developing adaptive management at the land use planning level, with appropriate analytic support, allows you to adapt planning decisions without having to make these pre-identified and analyzed changes through an RMP amendment. Developing adaptive management for project-level actions allows you to adapt to allow for adjustments in future management practices in response to more specific resource information. Refer to the BLM [NEPA Handbook](#) (H-1790-1) for further guidance on designing and applying adaptive management.

A.1 Different Systems of Resource Management Practices

There are several different approaches to managing natural resources which can be distinguished by their relative emphasis on measurable objectives, monitoring, learning, and the degree to which resource relationships are understood. **Figure B.1, *Spectrum of resource management systems, showing appropriateness in different situations*** illustrates how traditional resource management, resource status management, and adaptive management compare to each other along a spectrum of uncertainty about resource relationships and a focus on learning. An RMP may employ all three of these approaches for various topics.

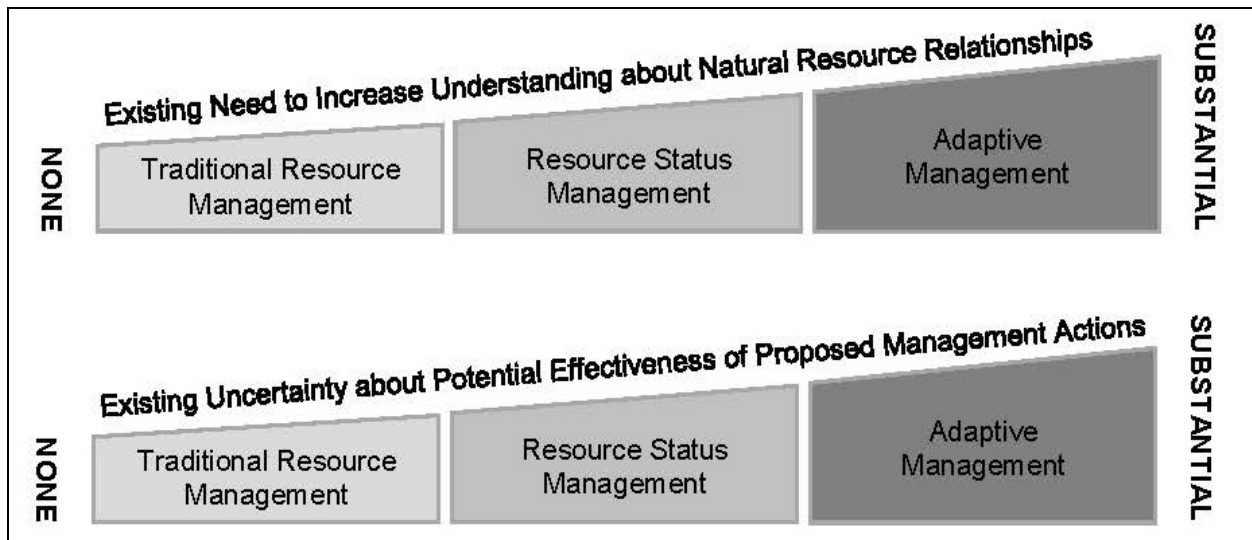


Figure B.1. Spectrum of resource management systems, showing appropriateness in different situations.

In *traditional resource management*, resource relationships are well understood. Management is based on prior experience and professional judgment and monitoring focuses on whether plan components are implemented as outlined in the RMP (implementation monitoring).

In *resource status management*, monitoring data is collected to identify resource status or condition in relation to specific, measurable objectives (effectiveness monitoring). Resource status management acknowledges that there may be specific aspects of resource relationships that are not well understood, or that conditions might change and render management ineffective. However, the focus is on monitoring and assessing resource status rather than understanding ecological processes.

In *adaptive management*, uncertainty about ecosystem processes and the effectiveness of various management actions to achieve resource objectives is clearly acknowledged. While adaptive management includes both implementation and effectiveness monitoring, it also includes monitoring of other system attributes needed to improve our understanding of ecosystem processes (validation monitoring). Use adaptive management where resource relationships are not well understood and there are multiple, competing hypotheses about how different management direction will affect resources or ecosystems.

The Departmental Manual on Adaptive Management (522 DM 1) provides guidance that an adaptive management approach should be used when “action is warranted despite uncertainty.” Such uncertainty could be “due to environmental variability, including changes in climate, or other factors, such as habitat fragmentation, changing biological diversity, or the consequences of invasive species.”

Our approach to adaptive management in the land use planning process is to acknowledge that the level of uncertainty in natural resource systems varies and our limited monitoring resources must be used strategically. For most RMPs, the various plan components in an RMP would reflect both traditional resource management and resource status management. All RMPs must identify plan components which include not only specific plan components intervals and standards for monitoring and evaluating the RMP. If an RMP evaluation reveals that management direction in the RMP is not effective in achieving objectives, then the BLM could modify one or more plan components through an amendment.

In contrast, adaptive management would focus on high priority management issues where there is a high level of uncertainty and a need to learn about resource relationships to develop and refine effective management practices. Adaptive management allows the BLM to specifically and transparently acknowledge the potential need to modify allocations and management direction in an RMP if evaluation of monitoring data reveals that current management direction is ineffective in meeting objectives. The key difference is that with adaptive management, the proposed modification to the allocations and management direction would have already been specifically identified in the RMP and analyzed in the associated NEPA document to understand their environmental consequences, which allows for modification of allocations and management direction without the need to prepare an RMP amendment.

While adaptive management may help managers improve resilience of our public lands, due to finite resources, Bureaus and Offices should prioritize when to use adaptive management to ensure that the greatest benefit is achieved (Departmental Manual on Adaptive Management, 522 DM 1).

A.2 Adaptive Management

Using adaptive management to modify allocations and management direction is appropriate when:

- There is agreement on a specific, measurable objective;
- There is a high level of uncertainty about how effective allocations and management direction will be in achieving objectives;
- Design and selection of allocations and management direction is confounded by a lack of understanding of resource relationships or ecosystem process;
- Resource relationships can be represented as models; and
- The public and cooperating agencies can be actively engaged throughout the process.

The Department of the Interior’s Adaptive Management Technical Guide stresses that objectives must be specific, measurable, achievable, results-oriented, and time-fixed.

Models identify the linkages between key resource attributes (such habitat characteristics) which are the focus of management and the targets of monitoring to the ecosystem processes which are thought to be directly influenced by management (such as reproduction and mortality).

A.2.1 Adaptive Management in an RMP

While adaptive management may not be included as a part of every RMP, there are situations where there may be a high level of uncertainty about allocations and management direction and a genuine need to increase our understanding about resource relationships to develop and refine our management strategies.

Including adaptive management in the RMP can:

- Facilitate tiering since the effects of potential changes to the RMP due to adaptive management would be described in the RMP's final EIS and therefore any subsequent plan amendment could be evaluated as an EA rather than an EIS;
- Ensure that the monitoring strategy is developed in a way to help inform future decisions regarding modifications to allocations or management direction;
- Increase public trust in the BLM's planning process by being transparent as to where there is uncertainty and a possibility that allocations or management direction may need to change in the future;
- Encourage careful consideration of how future modification of allocations or management direction may be constrained by leasing or other authorizations approved during initial plan implementation; and
- Provide public feedback to help inform the BLM's decisions.

Key distinctions in establishing adaptive management elements in an RMP include:

- Evaluation standards must be identified so that there are clear decision points (e.g., thresholds or triggers) based on monitoring data and the status of resource conditions in relation to the objectives and predicted possible outcomes.
- The adaptive management approach outlined in the RMP (and analyzed in the supporting NEPA document) identifies how allocations and management direction would be modified at specific decision points (to minimize the need to prepare a plan amendment).
- Public and cooperating agency involvement in adaptive management extends beyond the identification of objectives and alternatives and invites them to commit resources for monitoring and assessment. The public and cooperating agencies would also participate in determining if decisions need to be modified based on monitoring data. (In comparison, in resource status management, it is likely that the BLM would use an internal process to review and assess monitoring data).
- RMP evaluations are used not only to evaluate progress in meeting objectives based on resource status but also to 1) increase understanding of resource dynamics by comparing predictions against survey data and 2) enhance and develop models of resource dynamics.

We recommend that you follow the Department of the Interior's Adaptive Management Technical Guide when initiating an adaptive management approach as part of an RMP. The stakeholder involvement described in the Adaptive Management Technical Guide would complement, rather than replace, the public involvement required by the BLM's land use planning regulations.

We recommend that you make the adaptive management process (including predicted possible outcomes, identified monitoring, evaluation, and decision points) available for public review as part of the preliminary alternatives in the planning criteria. We recommend the adaptive management elements be included as an appendix to the draft RMP/EIS and referenced under the appropriate plan components (i.e., the relevant objective and the allocations or management direction designed to help achieve that objective) in the alternatives described in chapter 2 of the draft RMP/EIS.

A.2.2 Identifying When a Plan Amendment is Necessary for RMP Modifications

A change in the scope of resource uses or a change in the terms, conditions and decisions of an approved plan must be made through a plan amendment or revision (43 CFR 1610.5-2). Because plan components are a term, condition or decision in the approved plan, changes must be made through a planning process. In incorporating adaptive management in an RMP, you will need to be very clear as to what modifications are included as part of the RMP's plan components and what modifications would require a plan amendment.

For example, suppose there were a special status wildlife species that was sensitive to activity associated with oil and gas development but there was uncertainty as to whether it was critical to avoid activity year-round or only during the breeding season. The RMP would describe the desired outcome as a specific, measurable objective (for this example, a target of 90 percent of suitable habitat remains occupied). Because you have data that shows that the animals are avoiding otherwise suitable habitat due to development activity, you could include a timing limitation stipulation (allocation) that prohibits activity during specified timeframes. The adaptive management element in the RMP would specify that a timing limitation would restrict development activities during the spring breeding season so long as the monitoring revealed the objective was being met, and if it is not met, specify a monitoring threshold or trigger that would change the allocation in a pre-defined manner. For example, if after implementation of the spring timing limitation, monitoring indicated that less than 80 percent of suitable habitat was occupied, then the timing limitation could be expanded to include not only the spring breeding season but also a winter period (due to concerns about energy expenditures caused by avoiding development). The key is that the RMP identifies monitoring thresholds (related to the objective) that trigger specific and pre-defined changes in management. A plan amendment would not be required since these specific and pre-defined changes in management are already built into (and analyzed as part of) the RMP's plan component (in this case the timing limitation stipulation (allocation)).

If after implementation of the expanded timing limitation, monitoring indicated that less than 70 percent of suitable habitat was occupied, then the RMP may specify that the BLM would evaluate further changes in management through an amendment process. In this example, it may mean that a timing limitation is ineffective, and the BLM needs to consider other allocations and changes in management, and that these are evaluated in the supporting NEPA analysis at the outset.

Do not assume an adaptive management strategy can only apply more restrictive management if a monitoring trigger is met. If appropriate, your RMP could also provide for removing restrictions if monitoring indicated you were not only meeting but exceeding the objective (for

example, range expansion or re-occupation of historic habitat). Again, the key is that the RMP identifies (and the RMP EIS analyzes) both the monitoring threshold and the pre-defined change in management.

While these scenarios are not specific to land use planning, the appendix of the Department of the Interior's Adaptive Management Technical Guide provides an overview of examples where adaptive management has been used in natural resource management.

A.2.3 NEPA Analysis of an Adaptive Management Approach

The Department's NEPA regulations (43 CFR 46.145) require integrating adaptive management and NEPA compliance, and the Office of Environmental Policy and Compliance provides guidance on complying with NEPA when evaluating an adaptive management approach through Environmental Statement Memorandum 13-11. The RMP/EIS must disclose not only the effects of the proposed allocations and management direction but also the anticipated effect of any adjustments that may be made to them.

Specifically, an RMP that incorporates an adaptive management approach must describe, and the supporting EIS must analyze:

- The proposed adaptive management approach;
- Identification of uncertainties to be addressed through management and monitoring;
- One or more specific questions that can be answered in the course of managing and identifying monitoring protocols for those questions;
- How the adaptive management approach is reflected in the alternatives being considered;
- The environmental effects of the proposed adaptive management approach and each of the alternatives;
- The monitoring protocol (including a reasonable mechanism to assure that monitoring will occur);
- The desired outcome (specific, measurable objectives);
- The performance measures that will determine whether the desired outcome is being achieved or whether a mid-course corrective action is needed;
- The factors for determining whether additional decision-making with NEPA review will be needed in the future;
- The decision points requiring adaptive management or remedial action and the specific management options that may be used;
- Clear timeframes for long-term objectives and short-term evaluations;
- A description of the adaptive management oversight team composition and process, with provisions for conflict resolution; and
- Provisions for data management, documentation, and reporting.

Refer to the BLM NEPA Handbook (H-1790-1) for more information on NEPA analysis of adaptive management elements of a proposed action.

A.2.4 Constraints for Adaptive Management

Refer to the Department of the Interior's Adaptive Management Technical Guide for additional guidance on regulatory constraints that may be applicable when engaging in adaptive

management. For example, constraints to stakeholder involvement (Federal Advisory Councils Act), funding authorities (Antideficiency Act), data quality (Information Quality Act), and public access to information (Freedom of Information Act).

Make sure that you involve the U.S. Fish and Wildlife Service or National Marine Fisheries Service early in the process if you are considering incorporating adaptive management in a proposed action that may affect listed species or critical habitat.