

**Summary of Changes in the
BLM's Resource Management Planning Rule**

November 22, 2016

Existing Section	Proposed Section	Final Section	Summary of Proposed Rule	Summary of Final Rule
n/a	n/a	n/a	The BLM proposed style changes throughout this part, including replacing: “shall” to “will” unless otherwise noted; “Bureau of Land Management” with “BLM;” “Federal Land Policy and Management Act” with “FLPMA;” “plan” with “resource management plan;” and specifying that a resource management plan revision is the same as the preparation of a new resource management plan.	The final rule adopts most proposed style changes, but does not adopt the proposal to replace the word “shall.” The final rule uses the word “shall” instead of “will” throughout this part.
§ 1601.0-1	§ 1601.0-1	§ 1601.0-1	This section describes the purpose of these regulations. We proposed minor edits to this section, with no substantive changes from existing regulations.	The final rule adopts this proposed section and adds new language stating that a purpose of these regulations is to have a planning process that is “consistent with the principles of multiple use and sustained yield unless otherwise specified by law.”
§ 1601.0-2	§ 1601.0-2	§ 1601.0-2	This section describes the objective of resource management planning. We proposed removing language from this section that describes maximizing resource values and instead focusing this section on promoting the principles of multiple use and sustained yield. We also proposed adding language from FLPMA to this section which describes the manner in which the public lands are to be managed (43 U.S.C. 1701).	The final rule adopts this proposed section with revisions. The final rule replaces “promote the principles” with “manage public lands on the basis of” multiple use and sustained yield. The final rule replaces “ensure participation” with “provide for meaningful public involvement.” The final rule adds language regarding the Nation’s need for “renewable and non-renewable resources.”
§ 1601.0-3	§ 1601.0-3	§ 1601.0-3	This section describes the authorities for these regulations. There were no proposed changes to this section from existing regulations.	There are no changes to this section from existing regulations.
§ 1601.0-4	§ 1601.0-4	§ 1601.0-4	This section describes responsibilities for DOI and BLM officials during resource management planning.	The final rule adopts this proposed section with revisions.

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			<p>We proposed replacing references for Field Manager and State Director with the new terms “responsible official” and “deciding official,” respectively, in this section and throughout this part.</p> <p>In paragraph (a) of this section, we proposed providing for the BLM Director to determine the deciding official and the planning area for resource management plans and plan amendments that cross State boundaries.</p> <p>In paragraph (b) of this section, we proposed for the deciding official to determine the planning area for all other plan amendments.</p>	<p>Paragraph (a) of this section is revised to provide that when resource management plans and plan amendments do not cross state boundaries, the deciding official will generally be the BLM State Director and will determine the planning area. When resource management plans and plan amendments cross State boundaries, the BLM Director will determine the deciding official and the planning area.</p> <p>Paragraph (b) of this section is revised to establish a new responsibility for the deciding official to determine the responsible official.</p>
§ 1601.0-5	§ 1601.0-5	§ 1601.0-5	<p>This section includes definitions of terms used in these regulations.</p> <p>We proposed adding several new definitions, revising some existing definitions, and removing some existing definitions.</p>	<p>The final rule adopts this proposed section with revisions.</p> <p>The final rule is revised to replace “local government” with a definition for “State and local government;” remove the definition for “implementation strategies;” and add new definitions for “landscape,” “consistent with officially approved and adopted plans,” and “public involvement.”</p> <p>The final rule revises the definitions for “conformity or conformance,” “cooperating agency,” “plan amendment,” “plan components,” and “plan maintenance.”</p>
§ 1601.0-6	§ 1601.0-6	§ 1601.0-6	<p>This section describes the BLM’s policy for preparing an environmental impact statement when preparing a resource management plan.</p> <p>There were no proposed changes to this section</p>	<p>The final rule adopts this proposed section, but revises the first sentence to clarify that the BLM shall prepare an EIS when preparing a resource management plan.</p>

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			from existing regulations.	
§ 1601.0-7	§ 1601.0-7	§ 1601.0-7	<p>This section describes the scope of these regulations.</p> <p>There were no proposed changes to this section from existing regulations.</p>	There are no changes to this section from existing regulations.
§ 1601.0-8	§ 1601.0-8	§ 1601.0-8	<p>This section describes principles for resource management planning.</p> <p>We proposed replacing the existing requirement to consider “impacts on local economies” with a requirement to consider the impacts of resource management plans on resource, ecological, social, and economic conditions at appropriate scales.</p> <p>We proposed adding a new requirement to consider the impacts of resource management plans on adjacent or nearby Federal and non-Federal lands.</p>	The final rule adopts this proposed section, but replaces “appropriate scales” with “relevant scales.”
§ 1610.1	§ 1610.1	§ 1610.1	<p>This section describes the framework for resource management planning.</p> <p>We proposed to reorganize this section into multiple sections and to replace the word “guidance” with “framework” in the section heading.</p>	The final rule adopts this proposed section.
§ 1610.1	§ 1610.1-1	§ 1610.1-1	<p>This section describes guidance and general requirements for resource management planning.</p> <p>In paragraph (a)(1) of this section we proposed removing existing language limiting guidance to “National level policy,” adding policy developed at the deciding official level, and removing examples of policy.</p>	The final rule adopts this proposed section with minor revisions.

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			<p>We proposed removing existing § 1610.1(a)(3), which describes State Director guidance.</p> <p>We proposed removing existing § 1610.1(b), which provides for planning on a resource or field office area basis.</p> <p>In paragraph (b) of this section, we proposed revisions to the description of an interdisciplinary approach.</p> <p>In paragraph (c) of this section, we proposed adding a new requirement for the BLM to use high quality information during resource management planning.</p>	
n/a	§ 1610.1-2	§ 1610.1-2	<p>We proposed adding this new section which describes the components of a resource management plan.</p> <p>The plan components include: goals; objectives; designations; resource use determinations; monitoring and evaluation standards; and lands identified as available for disposal from BLM administration under section 203 of FLPMA.</p>	<p>The final rule adopts this proposed new section with revisions.</p> <p>Paragraph (a)(2) of this section is revised to clarify that objectives may apply to the entire planning area or a portion of the planning area, and to replace “to the extent practical” with “as appropriate.”</p> <p>New paragraph (a)(2)(iii) provides that, as appropriate, objectives should identify indicators for evaluating progress toward their achievement.</p> <p>Paragraph (b)(2) is revised to clarify that resource use determinations are subject to valid existing rights, and must be consistent with or support the management priorities identified through designations.</p> <p>Paragraph (b)(4) is revised to clarify that any lands</p>

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				<p>available for disposal could be identified as a plan component, not just those identified under section 203 of FLPMA.</p> <p>Paragraph (c) of this section is revised to include “minor changes in mapping” as an exception to requirements for an amendment, and to reference § 1610.6-5.</p>
n/a	§ 1610.1-3	n/a	We proposed adding this new section which describes “implementation strategies.”	<p>The final rule does not adopt this proposed section.</p> <p>The final rule also removes references to “implementation strategies” from other sections in this part.</p>
§§ 1610.2 and 1610.2(a) through (e))	§ 1610.2	§ 1610.2	<p>This section describes the requirements for public involvement during resource management planning.</p> <p>We proposed reorganizing this section into multiple sections and replacing the phrase “public participation” with “public involvement” in the section heading.</p> <p>In paragraph (a) of this section, we proposed removing references to “related guidance” and “early notice for planning activities.” Notice for planning activities would instead be addressed in § 1610.2-1(e).</p> <p>We proposed replacing existing § 1610.2(b) with proposed paragraph (c) of this section, and adding a requirement to post status of resource management plans under preparation to the BLM’s website.</p> <p>We proposed to move requirements from existing § 1610.2(c) to proposed § 1610.2-1(f).</p>	The final rule adopts this proposed section with minor revisions.

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			We proposed to move some requirements from existing §§ 1610.2(d) and 1610.2(e) to proposed § 1610.2 (b).	
§§ 1610.2(c) through (f)	§ 1610.2-1	§ 1610.2-1	<p>We proposed adding this new section which contains provisions from existing §§ 1610.2(c) through (f) and describes the requirements for public notice during resource management planning.</p> <p>Proposed paragraph (a) of this section contains provisions from existing § 1610.2(f). We proposed edits to this section for improved readability and proposed including new requirements to notify the public and provide opportunities for public involvement during the proposed new steps in the planning process, such as the planning assessment and review of preliminary alternatives.</p> <p>We proposed in paragraph (b) of this section adding new provisions for notification and public involvement during the steps in the planning process when the BLM prepares an EA-level amendment. These provisions include a new requirement for notification and public involvement during the identification of planning issues.</p> <p>We proposed in paragraph (c) of this section adding a new requirement that the BLM announce opportunities for public involvement by posting a notice on the BLM website and at all BLM offices within the planning area.</p> <p>We proposed in paragraph (d) of this section to replace the existing requirement for the BLM to</p>	<p>The final rule adopts this proposed section with revisions.</p> <p>Proposed paragraph (a)(2) is revised to include the review of the preliminary statement of purposed and need.</p> <p>Proposed paragraphs (a)(3) and (a)(4) are combined into final paragraph (a)(3).</p> <p>Paragraph (c) of this section is revised to add a new requirement that the responsible official identify additional forms of notification to reach local communities located within the planning area, as appropriate.</p> <p>Paragraph (f) of this section is revised to retain the existing requirement that the BLM publish a NOI when initiating the preparation of an EA-level amendment.</p> <p>The final rule does not adopt proposed paragraph (j) of this section, which referenced implementation strategies.</p>

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			<p>maintain a notification list of interested groups or individuals (see existing § 1610.2(d)) with a new requirement that BLM will notify individuals or groups that have requested notification of opportunities for public involvement.</p> <p>We proposed in paragraph (e) of this section to retain the requirement from existing § 1610.2(e) that the BLM shall notify the public at least 15 days before any public involvement activities where the public is invited to attend, such as a public meeting.</p> <p>We proposed in paragraph (f) of this section to retain requirements from existing § 1610.2(c) regarding notice when initiating preparation of a resource management plan. We proposed removing the requirement that BLM publish a NOI for an EA-level plan amendment.</p> <p>Proposed paragraph (g) of this section contains requirements from existing § 1610.2(f)(5) and provides that if the BLM intends to select an alternative that is substantially different than the proposed resource management plan, the BLM will notify the public and request written comments on the change.</p> <p>We proposed in paragraph (h) of this section to add a new requirement for the BLM to notify the public when a resource management plan or plan amendment has been approved.</p> <p>We proposed in paragraph (i) of this section to add a new requirement that the BLM notify the public any time changes are made to an approved</p>	

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			<p>resource management plan through plan maintenance and make those changes generally available to the public at least 30 days before the change is implemented.</p> <p>We proposed in paragraph (j) of this section to add a new requirement that the BLM notify the public any time a change is made to an implementation strategy and make those changes available to the public at least 30 days before their implementation.</p>	
§ 1610.2(e)	§ 1610.2-2	§ 1610.2-2	<p>We proposed adding this new section which contains provisions from existing § 1610.2(e) and describes the length of public comment periods.</p> <p>Proposed paragraph (a) of this section retains the existing requirement that any time the BLM requests written comments a minimum of 30 days will be provided for response.</p> <p>We proposed in paragraph (b) of this section to reduce the minimum public comment period for draft EIS-level plan amendments from 90 days to 45 days.</p> <p>We proposed in paragraph (c) of this section to reduce the minimum public comment period for draft resource management plans from 90 days to 60 days.</p>	<p>The final rule adopts this proposed section with revisions.</p> <p>Paragraph (b) of this section is revised to reduce the minimum public comment period for draft EIS-level plan amendments from 90 days to 60 days.</p> <p>Paragraph (c) of this section is revised to increase the minimum public comment period for draft resource management plans from 90 days to 100 days.</p> <p>The final rule adds a new paragraph (d) in this section, which requires that when a draft resource management plan or plan amendment involves possible designation of one or more potential ACECs, the BLM shall request written comments on the designations under consideration (see § 1610.8-2).</p>
§ 1610.2(g) through (i)	§ 1610.2-3	§ 1610.2-3	<p>We proposed adding this new section which contains provisions from existing §§ 1610.2(g) through (i) and describes requirements for the availability of resource management plans and supporting documents.</p> <p>We proposed in paragraph (a) of this section</p>	<p>The final rule adopts this proposed section with revisions.</p> <p>Paragraph (a) of this section is revised to require that the BLM make any scientific or technical reports that the responsible official uses in preparation of a resource management plan or plan</p>

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			<p>retaining the existing requirement that the BLM make copies of an approved resource management plan or plan amendment reasonably available for public review, adding new requirements that the BLM also make copies of the draft and proposed resource management plan reasonably available for public review, and requiring at a minimum that these documents must be made available electronically and at all BLM offices within the planning area.</p> <p>We proposed removing the existing requirement to make supporting documents available.</p> <p>We proposed in paragraph (b) of this section clarifying language from existing § 1610.2(g) regarding making printed copies of a resource management available to the public.</p> <p>We proposed to remove existing § 1610.2(j) and (k) regarding public involvement requirements when resource management plans involve areas of potential mining for coal.</p>	<p>amendment reasonably available to the public, to the extent practical and consistent with Federal law.</p>
§ 1610.3	§ 1610.3	§ 1610.3	<p>This section describes the requirements for coordination with other Federal agencies, State and local governments, and Indian tribes, and consistency with officially approved and adopted plans.</p> <p>We proposed reorganizing this section into multiple sections and removing the words “federally recognized” before Indian tribes throughout this section for consistent use in terminology.</p>	<p>The final rule adopts this proposed section, but revises the heading of this section to include “consultation with Indian tribes.”</p>

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n/a	n/a	§ 1610.3-1	n/a	The final rule is revised to add a new § 1610.3-1 which provides that the BLM will initiate consultation with Indian tribes on a government-to-government basis during the preparation and amendment of resource management plans.
§§ 1610.3-1(a) through (d)	§ 1610.3-1	§ 1610.3-2	<p>This section describes the objectives and requirements for coordination with other Federal agencies, State and local governments, and Indian tribes, as well as requirements for cooperating agencies.</p> <p>We proposed adding the introductory text “[o]bjectives of coordination” to paragraph (a) of this section.</p> <p>We proposed adding language to paragraph (a) of this section stating that coordination is accomplished to the extent consistent with Federal laws and regulations applicable to public lands, and the purposes, policies and programs implementing such laws and regulations.</p> <p>We proposed adding the introductory text “[c]ooperating agencies” to paragraph (b) of this section, which contains the provisions from existing § 1610.3-1(b). We proposed to revise paragraph (b) of section for consistency with the DOI NEPA regulations (43 CFR 46.225).</p> <p>We proposed in paragraph (b)(1) of this section to require a memorandum of understanding be used for non-Federal agency cooperators.</p> <p>We proposed in paragraph (b)(2) of this section to identify the steps in the planning process when a responsible official will collaborate with</p>	<p>The final rule adopts this proposed section with revisions.</p> <p>This section is redesignated as § 1610.3-2.</p> <p>Paragraph (a) of this section does not adopt the proposed language that coordination is accomplished to the extent consistent with “the purposes, policies, and programs implementing... laws and regulations.”</p> <p>Paragraphs (a)(1) and (a)(2) of this section are revised to include an additional objective of coordination for the BLM to keep apprised of and consider the “policies and management programs” of other Federal agencies, State and local governments, and Indian tribes.</p> <p>The final rule adds a new paragraph (b)(1) requiring that if the responsible official denies a request to participate as a cooperating agency or determines it is inappropriate to extend an invitation to an eligible governmental entity, he or she shall inform the deciding official, and the deciding official will determine if the denial is appropriate and state the reasons for denials in the EIS.</p> <p>The final rule redesignates proposed paragraph (b)(1) of this section as final paragraph (b)(2).</p>

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			<p>cooperating agencies “as feasible and appropriate given their interests, scope of expertise, and the constraints of their resources.” These provisions would replace references to collaboration with cooperating agencies throughout existing § 1610.4.</p> <p>We proposed adding the introductory text “[c]oordination requirements” to paragraph (c) of this section, which revises the provisions from existing §§ 1610.3-1(c), (e) and (f).</p> <p>We proposed removing existing § 1610.3-1(d) regarding guidance.</p> <p>We proposed moving the second sentence of existing § 1610.3-1(f) to proposed § 1610.3-2(a)(3).</p>	<p>The final rule redesignates proposed paragraph (b)(2) of this section as final paragraph (b)(3). This paragraph is revised to identify the steps in the planning process when a responsible official will collaborate with cooperating agencies “to the fullest extent possible... concerning those issues relating to their jurisdiction and special expertise.”</p> <p>Final paragraph (b)(vi) of this section is revised to remove references to “implementation strategies,” which were not adopted in the final rule.</p> <p>Proposed paragraph (c)(3) is divided into final paragraphs (c)(3) and (c)(4).</p>
§ 1610.3-2	§ 1610.3-2	§ 1610.3-3	<p>This section describes the requirements for consistency with the officially approved and adopted plans of other Federal agencies, State and local governments, and Indian tribes.</p> <p>We proposed to revise paragraph (a) of this section to remove references to “guidance,” to add the language “to the maximum extent practical,” and to remove examples.</p> <p>We proposed to remove existing § 1610.3-2(b).</p> <p>We proposed in paragraph (a)(1) of this section to replace the word “practicable” with “practical” and to add that the BLM will give consideration to plans that are germane in the development of resource management plans.</p> <p>Paragraph (a)(3) of this section contains the</p>	<p>The final rule adopts this proposed section with revisions.</p> <p>This section is redesignated as § 1610.3-3.</p> <p>In paragraph (a) of this section we do not adopt the proposed language “[to the extent] practical and.”</p> <p>Paragraphs (a)(1) and (a)(2) of this section are revised to include “other Federal agencies.”</p> <p>Paragraph (a)(3) is revised to specify that if specific inconsistencies are identified between the “draft” resource management plan and the plans of other governmental entities then the “proposed” resource management plan shall show how those inconsistencies were addressed.</p> <p>Paragraph (b)(4)(ii) is revised to require that the</p>

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			<p>requirements of existing § 1610.3-1(f).</p> <p>Paragraph (a)(4) contains the requirements of existing § 1610.3-2(d).</p> <p>We proposed adding the introductory text “[g]overnors consistency review” to paragraph (b) of this section, which revises and reorganizes the provisions from existing §§ 1610.3-2(e).</p> <p>We proposed in paragraph (b)(1)(ii) to clarify that the Governor may choose to waive or reduce the length of this review period.</p> <p>We proposed in paragraph (b)(4)(ii) to replace existing language for the BLM Director to accept the Governors recommendations if the BLM Director determines that they provide for a reasonable balance between the national interest and the State's interest with new language stating that the BLM Director will consider the Governor(s)’ comments in rendering a final decision.</p> <p>We proposed in paragraph (b)(4)(iii) to provide the BLM Director discretion to notify the public of his or her decision by means other than the <u>Federal Register</u>.</p>	<p>BLM Director shall consider the Governor’s appeal and the consistency requirements of this section when rendering a final decision.</p>
§§ 1610.4-2(a)(2), 1610.4-3, and 1610.4-4	§ 1610.4	§ 1610.4	<p>We proposed adding this new section which contains some existing provisions and some new provisions and describes a “planning assessment.”</p> <p>We proposed in paragraph (a) of this section that the planning assessment would include inventory and information gathering and opportunities for public involvement.</p>	<p>The final rule adopts this proposed section with revisions.</p> <p>The final rule adds a new paragraph (a) to this section which describes requirements for determination of a preliminary planning area, and requires that the BLM make the preliminary planning area available for public review prior to</p>

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			<p>We proposed in paragraph (b) of this section that the planning assessment would include an evaluation of information quality.</p> <p>We proposed in paragraph (c) of this section that the responsible official would use the high quality information to assess resource, environmental, ecological, social, and economic conditions. Paragraph (c) also identifies several factors to consider and document during the assessment.</p> <p>We proposed in paragraph (d) of this section that the planning assessment would be summarized in a report made available for public review and non-sensitive geospatial information would be made available to the public.</p> <p>We proposed in paragraph (e) of this section that the planning assessment requirements could be waived for some EIS-level amendments.</p>	<p>publishing an NOI.</p> <p>Proposed paragraph (a) of this section is redesignated as final paragraph (b), and all subsequent paragraphs are correspondingly redesignated.</p> <p>Final paragraph (b)(1) is revised to include a requirement that to the extent consistent with law, and as appropriate, inventory data and information shall be gathered or assembled in coordination with the land use planning and management programs of other Federal agencies, State and local governments, and Indian tribes.</p> <p>Final paragraph (b)(2) is revised to include States and tribes, as well as laws and regulations. The final sentence is revised to include “tribal or local” resource plans.</p> <p>Final paragraph (d)(1) is revised to identify resource “use” and management.</p> <p>Final paragraph (d)(2) is revised to identify “existing resource management” (<u>i.e.</u> the existing land use plan) and to include “any known valid existing rights.”</p> <p>Final paragraph (d)(4) is revised to remove the word “thresholds.”</p> <p>Final paragraph (d)(5)(v) is revised to identify “wild and scenic study rivers” and include areas of significant “scientific” or scenic value.</p> <p>The final rule adds a new paragraph (d)(5)(ix) to</p>

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				<p>this section which identifies “areas with known mineral potential.”</p> <p>The final rule adds a new paragraph (d)(5)(x) to this section which identifies “areas with known potential for producing forest products, including timber.”</p> <p>Final paragraph (d)(7) is revised to clarify that this provision applies to uses that people obtain from the planning area.</p> <p>Final paragraph (e) of this section clarifies that the responsible official must make the planning assessment report available to the public before the NOI is published.</p> <p>Final paragraph (f) is revised to state that the responsible official may waive the requirements of this section for “project-specific or other minor amendments.”</p>
§ 1610.4	§ 1610.5	§ 1610.5	<p>This section describes the procedures for preparing a resource management plan and EIS-level amendments.</p> <p>We proposed replacing the phrase “resource management planning process” with “preparation of a resource management plan” in the section heading.</p> <p>We proposed new language in this section explaining that the requirements of this section apply when the BLM prepares a resource management plan, or an EIS-level amendment.</p>	The final rule adopts this proposed section, with minor revisions.

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§ 1610.4-1	§ 1610.5-1	§ 1610.5-1	<p>This section describes the step for identifying planning issues, which is generally integrated with the NEPA scoping process.</p> <p>We proposed replacing “issues” with “planning issues” in the section heading.</p> <p>We proposed adding a new paragraph (a) to this section, which requires the BLM to prepare a preliminary statement of purpose and need and to make this statement available for public review.</p> <p>We proposed edits in paragraph (b) of this section to clarify existing text and ensure consistency with other changes.</p>	<p>The final rule adopts this proposed section with revisions.</p> <p>Paragraph (b) of this section is revised to specify that the concerns, needs, opportunities, conflicts, or constraints identified during this step include those respecting officially approved and adopted plans of other Federal agencies, State and local governments, and Indian tribes.</p>
§§ 1610.4-5, 1610.4-2(a)(1), 1610.4-2(c), and 1610.4-2(d)	§ 1610.5-2	§ 1610.5-2	<p>This section describes the step for developing resource management alternatives.</p> <p>We proposed reorganizing these sections into multiple sections and revising the section heading to read “[f]ormulation of resource management alternatives.” We proposed revisions throughout this section to clarify and expand existing text, and ensure consistency with other changes.</p> <p>We proposed adding the phrase “[a]lternatives development” as introductory text to paragraph (a) of this section.</p> <p>We proposed in paragraph (a)(1) of this section to specify that the alternatives must be informed by Director and deciding official guidance, the planning assessment, and the planning issues.</p> <p>We proposed adding a new paragraph (b) to this section which incorporates some provisions from</p>	<p>The final rule adopts this proposed section with revisions.</p> <p>Paragraph (a)(1) of this section is revised to include the statement of purpose and need as an item that informs the development of alternatives.</p> <p>Paragraph (c) of this section is revised to state that for draft EIS-level plan amendments the BLM will make the preliminary alternatives and preliminary rationale for alternative available for public review “as appropriate.”</p> <p>Paragraph (d) of this section is revised to require that a description of changes made to the preliminary alternatives and rationale for alternatives be included in the draft resource management plan.</p>

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			<p>existing § 1610.4-2 and requires that the BLM describe the rationale for the differences between alternatives.</p> <p>We proposed adding a new paragraph (c) to this section which requires the BLM to make the preliminary resource management alternatives and the preliminary rationale for these alternatives available for public review.</p> <p>We proposed adding new paragraph (d) which provides that the BLM may make changes to these documents as planning proceeds.</p>	
§§ 1610.4-6 and 1610.4-2(a)(2), 1610.4-2(c), and 1610.4-2(d)	§ 1610.5-3	§ 1610.5-3	<p>This section describes the step for conducting the effects analysis.</p> <p>We proposed reorganizing this section into multiple sections.</p> <p>We proposed adding a new paragraph (a) to this section and including introductory text identifying these provisions as the “basis for analysis.” This new section requires that the responsible official identify the procedures, assumptions, and indicators that will be used to estimate the environmental, ecological, social, and economic effects of the alternatives considered in detail, and that this information is made available for public review.</p> <p>We proposed adding introductory text to paragraph (b) of this section to identify it as provisions related to the “effects analysis” and making minor edits.</p>	<p>The final rule adopts this proposed section with revisions.</p> <p>Paragraph (a)(1) of this section is revised to include a new requirement that the BLM make the basis for analysis available for public review for draft EIS-level plan amendments “as appropriate.”</p> <p>Paragraph (a)(2) of this section is revised to include a new requirement that a description of changes made to the basis for analysis shall be made available to the public in the draft resource management plan.</p>

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§ 1610.4-7	§ 1610.5-4	§ 1610.5-4	<p>This section describes the step for preparing the draft resource management plan and selecting preferred alternatives.</p> <p>We proposed reorganizing this section into multiple sections and revising the heading to read “[p]reparation of the draft resource management plan and selection of preferred alternatives.”</p> <p>We proposed in paragraph (a) of this section to add a requirement for the BLM to prepare a draft resource management plan. We also proposed to replace the requirement to identify a single preferred alternative that best meets Director and State Director guidance with a requirement to identify one or more preferred alternatives and explain the rationale for the preference.</p>	<p>The final rule adopts this proposed section with revisions.</p> <p>Paragraph (a) of this section is divided into subparagraphs.</p> <p>Paragraph (a)(1) of this section adds a new requirement that the draft resource management plan and draft EIS describe any changes made to the preliminary alternatives and the preliminary procedures, assumptions, and indicators.</p> <p>Paragraph (a)(3) of this section is revised to provide the BLM discretion to select a single preferred alternative, multiple preferred alternatives, or no preferred alternative. A rationale must be provided for any of these selections.</p> <p>Paragraph (c) of this section is revised to add a new requirement that the BLM provide a copy of the draft resource management plan and draft EIS to officials of other Federal agencies, State and local governments, and Indian tribes “that have requested to be notified of opportunities for public involvement” in addition to the requirement to provide a copy to those officials that the deciding official has reason to believe would be interested.</p>
§ 1610.4-8	§ 1610.5-5	§ 1610.5-5	<p>This section describes the step for the preparation and selection of the proposed resource management plan.</p> <p>We proposed reorganizing this section into multiple sections and revising the section heading to read “[s]election of the proposed resource management plan and preparation of</p>	<p>The final rule adopts this proposed section with revisions.</p> <p>The heading is revised to read “[s]election of the proposed resource management plan.”</p> <p>The final rule does not adopt proposed paragraph (b) of this section and redesignates proposed</p>

Existing Section	Proposed Section	Final Section	Summary of Proposed Rule	Summary of Final Rule
			<p>implementation strategies.”</p> <p>We proposed in paragraph (a) of this section to clarify that the responsible official will “prepare” the proposed resource management plan, rather than “select” it. We also proposed to remove references to internal review procedures from this section.</p> <p>We proposed a new requirement in paragraph (b) of this section that the responsible official prepare implementation strategies for the proposed resource management plan, as appropriate.</p>	<p>paragraph (c) of this section as final paragraph (b).</p>
§ 1610.5	§ 1610.6	§ 1610.6	<p>This section describes the approval, implementation, and modification of a resource management plan.</p> <p>We proposed revising the section heading to include “implementation.”</p>	<p>The final rule adopts this proposed section.</p>
§ 1610.5-1	§ 1610.6-1	§ 1610.6-1	<p>This section describes the approval and implementation of a resource management plan.</p> <p>We proposed revising the section heading to include “implementation” and remove “administration review.</p> <p>We proposed removing the provisions in existing paragraph (a) of this section which describe internal review procedures.</p> <p>We proposed in paragraph (b) of this section to clarify and revise the existing requirement to provide for public notice and comment on any significant change made to a resource management plan following the protest step.</p>	<p>The final rule adopts this proposed section with revisions.</p> <p>Paragraph (b) of this section is revised to replace the phrase “encompassed by the range of alternatives” with “within the spectrum of alternatives.”</p>

Existing Section	Proposed Section	Final Section	Summary of Proposed Rule	Summary of Final Rule
§ 1610.5-2	§ 1610.6-2	§ 1610.6-2	<p>This section describes the protest procedures.</p> <p>We proposed reorganizing this section into multiple sections, making clarifying edits, as well as edits for consistency with other sections.</p> <p>We proposed a new requirement in paragraph (a)(1) of this section providing that a protest may be filed electronically, and that the responsible official will specify filing procedures for each resource management plan.</p> <p>We proposed a new provision in paragraph (a)(3)(i) of this section that protesting parties include their email address (if available) in addition to other identifying information.</p> <p>We proposed in paragraph (a)(3)(iii) of this section to replace the requirement to provide a “statement of the part or parts of the plan or amendment being protested” with a new requirement to identify the plan component(s) believed to be inconsistent with Federal laws or regulations applicable to public lands, or the purposes, policies and programs of such laws and regulations.</p> <p>We proposed a new requirement in paragraph (a)(4) of this section that the BLM make protests available to the public upon request.</p> <p>We proposed a new provision in paragraph (b) of this section that the BLM make the decisions on protests and the reasons for the decisions available to the public.</p> <p>We proposed a new provision in paragraph (c) that</p>	<p>The final rule adopts this proposed section with revisions.</p> <p>Paragraphs (a), (a)(3)(iv), and (a)(3)(v) of this section are revised to clarify that if an issue arises after the close of the formal public comment period on a draft resource management plan, the public may submit a protest regarding that issue.</p> <p>Paragraph (a)(4) of this section is revised to provide that in making the protests available to the public, the Director shall withhold any protected information that is exempt from disclosure under applicable laws or regulation.</p> <p>Paragraph (c) of this section is revised to require that the BLM Director notify protesting parties if their protest is dismissed and provide the reasons for the dismissal.</p>

Existing Section	Proposed Section	Final Section	Summary of Proposed Rule	Summary of Final Rule
			the BLM Director may dismiss any protest that does not meet the requirements of this section.	
§ 1610.5-3	§ 1610.6-3	§ 1610.6-3	<p>This section describes requirements related to conformance with the resource management plan.</p> <p>We proposed minor edits to this section to improve readability and for consistency with changes made to other sections.</p>	The final rule adopts this proposed section with only minor revisions.
§ 1610.4-9	§ 1610.6-4	§ 1610.6-4	<p>This section describes monitoring and evaluation of the resource management plan.</p> <p>We proposed to revise this section for consistency with proposed §§ 1610.1-2 and 1610.1-3 which refer to “monitoring and evaluation standards” and monitoring procedures.”</p> <p>We proposed to replace existing language that the BLM “shall provide for evaluation to determine whether mitigation measures are satisfactory, whether there has been significant change in the related plans of other Federal agencies, State or local governments, or Indian tribes, or whether there is new data of significance to the plan” with a requirement for evaluation “to determine whether there is sufficient cause to warrant amendment or revision of the resource management plan.”</p> <p>We proposed a new requirement for the responsible official to make an evaluation report available for public review.</p>	<p>The final rule adopts this proposed section with revisions.</p> <p>The final rule divides this section into multiple sections.</p> <p>Paragraph (a) of this section does not adopt the reference to “monitoring procedures” which were a proposed type of implementation strategy.</p> <p>Paragraph (a)(1) is revised to include language from final § 1610.1-2(b)(3) which requires the BLM to evaluate the resource management plan to determine whether the resource management plan objectives are being met.</p> <p>Paragraph (a)(2) is revised to include “relevant new information” and clarify that this information or other sufficient cause warrants “consideration” of amendment or revision.</p> <p>Paragraph (b) of this section is revised to include a new requirement for the BLM to post the evaluation report on its website.</p>
§ 1610.5-4	§ 1610.6-5	§ 1610.6-5	<p>This section describes plan maintenance.</p> <p>We proposed to revise this section to describe maintenance as changes to “correct typographical</p>	The final rule adopts this proposed section.

Existing Section	Proposed Section	Final Section	Summary of Proposed Rule	Summary of Final Rule
			<p>or mapping errors or to reflect minor changes in mapping or data.”</p> <p>We proposed to revise this section for consistency with proposed § 1610.1-2 by replacing “terms conditions, and decisions” with “plan components.”</p> <p>We proposed a new requirement for the BLM to notify the public and make the changes made through plan maintenance available for public review at least 30 days prior to their implementation.</p>	
§ 1610.5-5	§ 1610.6-6	§ 1610.6-6	<p>This section describes plan amendments.</p> <p>We proposed clarifying edits throughout this section and edits for consistency with changes made to other sections.</p> <p>We proposed replacing the phrase an amendment “shall be initiated” with the phrase an amendment “may be initiated” and revising the list of circumstances that may trigger the need for an amendment.</p> <p>We proposed to replace the existing requirement to evaluate the effect of the amendment on “the plan” with a requirement to evaluate the effect of the amendment on “other plan components.”</p> <p>We proposed to remove the requirement regarding procedures for EIS-level amendments in existing § 1610.5-5(b), and instead identify the specific steps where EIS-level amendments must follow the same procedures as those required for preparing and approving a resource management plan in final §</p>	<p>The final rule adopts this proposed section with revisions.</p> <p>Paragraph (a) of this section is revised to include that the BLM will provide for “tribal consultation” when amending a resource management plan.</p>

Existing Section	Proposed Section	Final Section	Summary of Proposed Rule	Summary of Final Rule
			1610.5.	
§ 1610.5-6	§ 1610.6-7	§ 1610.6-7	<p>This section describes plan revisions.</p> <p>We proposed replacing the phrase “a resource management plan shall be revised” with “the BLM may revise a resource management plan.”</p>	The final rule adopts this proposed section with minor edits.
§ 1610.5-7	§ 1610.6-8	§ 1610.6-8	<p>This section describes situations where action can be taken based on another agency’s planning documents.</p> <p>We proposed in paragraph (a) of this section to include tribal plans among the other agency plans that may be relied on as the basis for a BLM action.</p> <p>We proposed in paragraphs (a) and (b) of this section to specify that the other agency’s plan must be consistent with Federal laws and regulations applicable to public lands, and the purposes, policies and programs of such laws and regulations.</p> <p>We proposed to remove the final sentence of existing paragraph (c) of this section.</p>	<p>The final rule adopts this proposed section with revisions.</p> <p>The first paragraph of this section is revised to replace the phrase “plans or the land use analysis” with “planning documents.”</p> <p>The final rule adds a new paragraph (c) to this section which provides that another agency’s resource assessment may be relied on if it is comprehensive and has considered the resource, environmental, ecological, social, and economic conditions in a way comparable to the manner in which these conditions would have been considered in a planning assessment, including the opportunity for public involvement, and is consistent with Federal laws and regulations applicable to public lands, and the purposes, policies, and programs implementing such laws and regulations.</p> <p>Proposed paragraph (c) is redesignated as final paragraph (d) and the phrase “public participation” is replaced with “public involvement.”</p>
§ 1610.6	§ 1610.7	§ 1610.7	We proposed minor edits to this section, with no substantive changes from existing regulations.	The final rule adopts this section with minor revisions.
§ 1610.7	§ 1610.8	§ 1610.8	This section describes requirements for certain types of designation of areas.	There are no changes to this section from existing regulations.

Existing Section	Proposed Section	Final Section	Summary of Proposed Rule	Summary of Final Rule
			There were no proposed changes to this section, which contains only a heading, from existing regulations.	
§ 1610.7-1	§ 1610.8-1	§ 1610.8-1	<p>This section describes requirements for the designation of areas unsuitable for surface mining.</p> <p>We proposed minor edits to this section, with no substantive changes from existing regulations.</p>	The final rule adopts this section with minor revisions.
§ 1610.7-2	§ 1610.8-2	§ 1610.8-2	<p>This section describes requirements for the designation of ACECs. We proposed reorganizing this section into multiple sections.</p> <p>We proposed in paragraph (a) of this section to replace the statement that ACECs “be identified and considered throughout the resource management planning process” with a statement that ACECs “be identified through inventory of public lands and during the planning assessment.”</p> <p>We proposed in paragraph (a)(2) of this section to remove the phrase “more than local significance.”</p> <p>We proposed in paragraph (b) of this section to include new language stating that potential ACECs would be considered for designation during the preparation or amendment of a resource management plan, and to include language moved from the existing definition of an ACEC in § 1601.0-5 which provides that “[t]he identification of a potential ACEC shall not, in of itself, change or prevent change of the management or use of public lands.” This paragraph also added a provision that potential ACECs must require special management attention.</p> <p>We proposed in paragraph (b)(1) of this section</p>	<p>The final rule adopts this section with revisions.</p> <p>Paragraphs (a) and (a)(2) of this section are revised to include the word “natural” before “hazards.”</p> <p>Paragraph (b) includes new language that potential ACECs will be considered for designation “consistent with the priority established by FLPMA” (43 U.S.C 1712(c)(3))</p> <p>In paragraph (b) of this section, we remove the word “potential” stating that ACECs require special management attention.</p> <p>Paragraph (b)(1) adds a requirement for the BLM to publish a notice in the <u>Federal Register</u> and provide a public comment period when a draft resource management plan or plan amendment involves possible designation of one or more potential ACECs, and specifies that this comment period may be integrated with the notice and comment period for the draft resource management plan or plan amendment.</p> <p>Paragraph (b)(2) adds “resource use determinations” as an example of special management attention.</p>

Existing Section	Proposed Section	Final Section	Summary of Proposed Rule	Summary of Final Rule
			<p>replacing the requirement to publish a notice in the <u>Federal Register</u> listing each proposed ACEC and specifying resource use limitations with a requirement to notify the public of each proposed ACEC and include any special management attention.</p> <p>We proposed to remove the existing requirement to provide a 60 day public comment period on the draft resource management plan or plan amendment when an ACEC is involved.</p> <p>We proposed in paragraph (b)(2) of this section to require that the approved plan include a list of all designated ACECs, and include any special management attention.</p>	
§ 1610.8	§ 1610.9	§ 1610.9	<p>This section describes transition provisions under the new planning rules.</p> <p>We proposed removing existing paragraph (a)(2) of this section.</p> <p>We proposed adding new paragraphs (c)(1), (c)(2), and (d) to address the transition from resource management plans approved under the existing regulations to resource management plans that would be prepared, revised, or amended under the final regulations.</p>	<p>The final rule adopts this section with revisions.</p> <p>Paragraph (c)(2) is revised to clarify the requirements for consistency of a proposed action with a resource management plan that is amended under the final regulations.</p>