U.S. Department of the Interior
Bureau of Land Management

FREQUENTLY ASKED QUESTIONS
Bureau of Land Management's Proposed Land Use Planning Rule

November 9, 2026

The Bureau of Land Management is proposing updates to decades-old land use planning regulations to cut unnecessary red tape, improve coordination with partners and speed up decision-making for public lands across the country. The proposed changes are intended to make the planning process more efficient, easier to understand and better aligned with current law and agency priorities. The BLM first developed land use planning regulations in 1979 and has made few substantive revisions to these procedures since.

PROPOSED RULEMAKING

1. **What is the purpose of the proposed planning rule?**
   This proposed rule is intended to streamline, modernize, and better align the BLM's land use planning process with section 202 of the Federal Land Policy and Management Act (FLPMA) (43 U.S.C. 1712). The proposed rule would eliminate processes not required by statute that impose delays and roadblocks, removes unnecessary program-specific procedures that could be better addressed in other parts of the regulations, while improving the BLM's coordination with federal, state, and local governments, and tribes. The proposed rule would also improve the readability of the planning regulations.

2. **Why is the BLM proposing these changes now?**
   The BLM first developed land use planning regulations in 1979 (44 FR 46386, August 7, 1979). The BLM made significant revisions to the regulations in 1983 to clarify the role of cooperating agencies and "eliminate burdensome, outdated, and unneeded provisions" (48 FR 20364, May 5, 1983) but has only made minor changes since. These changes would update planning terminology, eliminate duplicate requirements and simplify parts of the planning process that have become unnecessarily burdensome over time. Lessons learned from past practices, changes to other laws, and newer technologies have created a need for updated regulations.

3. **How do these proposed regulations comply with FLPMA?**
   Section 202 of FLPMA directs the Secretary of the Interior to "develop, maintain, and, when appropriate, revise land use plans which provide by tracts or areas for the use of the public lands" [43 U.S.C. 1712(a)] and outlines requirements for developing and revising land use plans. Section 202(f) [43 U.S.C. 1712(f)] directs the Secretary of the Interior, by regulation, to "establish procedures . . . to give Federal, State, and local governments and the public, adequate notice and opportunity to comment upon and participate in the formulation of plans and programs relating to the management of the public lands." This proposed rule is intended to streamline, modernize, and better align the BLM's land use planning process with section 202 of FLPMA).

4. **How can the public learn more about the proposed rule?**
The BLM will host a virtual public information session on Thursday, December 3, 2026, starting at 5 p.m. MT, using Microsoft Teams. You must register to participate at Webinar: Revision of Regulations for Planning, Programming, Budgeting. The meeting will be recorded and posted to BLM.gov, for those who are unable to attend. Please contact the BLM at BLM_HQ_PlanningRule@blm.gov or 208-373-3818 for reasonable accommodations to participate. People who use a telecommunications device for the deaf (TDD) may call the Telecommunications Relay Service at 711 during normal business hours.

5. **Will there be an opportunity to communicate with federally recognized tribes and Alaska Native Corporations on a government-to-government basis?**
Yes. The BLM will host a virtual information session for Tribes and Alaska Native Corporations on Thursday, December 10, 2026, at 5 p.m. MT. A calendar invitation and details will be provided directly to Tribes and Alaska Native Corporations.

Tribes and Alaska Native Corporations which would like to formally consult with the BLM on the proposed regulations should reach out to the BLM Directorate of Resources and Planning at BLM_HQ_PlanningRule@blm.gov or 208-373-3818, or to their local BLM point of contact or tribal liaison if preferred, to schedule a meeting.

6. **What opportunities does the public have to comment?**
The public may provide input on the entire proposal during the comment period. The BLM has specifically requested comments in the introduction to the rule on moving protest filings to an electronic-only format, scope of consistency particularly entities to include in the consistency review, new local governments' consistency review process, whether or how to define a local government official, what a valid Area of Critical Environmental Concern (ACEC) nomination should include and when the nominations should be submitted. Comments will be accepted until January 11, 2027.

7. **How can I comment?**
Public comments may be submitted online at regulations.gov by entering "1004-AF53" in the search box. Go to the "Dockets" tab, where you will find the proposed rule. Click on the title of the rule and a page will open with a field for providing your comment. If you wish to submit a lengthy comment, you may find it easiest to compose your comment in a documents application and cut and paste into the comment box, as the system may time out.

Written comments may also be mailed, personal, or messenger delivery to:
Bureau of Land Management Director (630)
Attn: RIN 1004-AF53
849 C Street NW, Room 5646
Washington, DC 20240

8. **How long is the comment period?**
The 60-day comment period will begin November 10, 2026, and concludes January 11, 2027.

PLANS AND PLANNING DECISION-MAKING

9. Does the proposed rule change who approves a land use plan?
No. BLM state directors are still responsible for approving land use plans.

10. Does the proposed rule change how boundaries of planning areas will be drawn?
The proposed rule removes language specifying a boundary delineation, allowing maximum flexibility to identify planning areas that make sense to on-the-ground management, rather than a default of BLM district or field office administrative boundaries.

11. How would the proposed rule affect planning efforts that are already in progress?
The proposed rule would have no effect on planning efforts already in progress. At the time an approved, final rule goes into effect, ongoing planning efforts would be required to follow the new regulations, as they apply to the remaining steps.

PUBLIC PARTICIPATION

12. Will there still be public participation in planning?
Yes. FLPMA section 202(a) requires the BLM to develop and revise land use plans "with public involvement" and section 309(e) requires the BLM by regulation, to establish "procedures, including public hearings where appropriate, to give the Federal, State and local governments and the public adequate notice and an opportunity to comment upon the formulation of standards and criteria for, and to participate in, the preparation and execution of plans and programs for, and the management of, the public lands."

13. Why is the BLM proposing changes to public involvement for planning?
The proposed rule sets a baseline requirement that is less rigid than the current regulations. The proposed rule would allow the BLM greater flexibility to determine the appropriate public participation for the areas and people involved in the specific planning process. For example, the current regulations require planning efforts, including amendments, that are supported by environmental impact statements to hold a minimum of a 90-day public comment period on the draft plan. A 90-day minimum public comment period is more than double the comment period formerly required under the Council on Environmental Quality's regulations for implementing the procedural requirements of the National Environmental Policy Act (NEPA), which the Council on Environmental Quality rescinded (91 FR 618, January 8, 2026). There is also no corresponding public comment requirement in either NEPA (42 U.S.C. §§ 4321–4347) or the Department of the Interior's 2026 NEPA procedures (91 FR 8738, February 24, 2026). With the requirement to complete environmental impact statements in two years absent an extension [42 U.S.C. § 4336a(g)(1)], a 90-day public comment period is burdensome to BLM's ability to comply with NEPA. Furthermore, use of a long comment period as reliance for quality public engagement is not always the right approach for each planning effort. The proposed procedures introduce flexibility to the process, so that the BLM can formulate public involvement in a manner that appropriately supports the planning effort. The proposed text would allow the BLM the flexibility to determine for each planning effort if the minimum required public engagement would be adequate or what public engagement beyond the minimum required would best support the planning effort, while also ensuring the BLM can meet the statutory requirements under NEPA for timely completion of analysis.

14. **How much time would the public have to review land use plans?**
When the BLM solicits input, the public would have a minimum of 30 calendar days to review any portion of the planning process. When the BLM identifies that more than 30 calendar days for review would be appropriate, then a maximum of 60 total calendar days would be allowed for a review.

15. **Why is the BLM proposing having a public meeting instead of a comment period?**
The BLM could hold a public meeting in lieu of a comment period when permissible under other authorities -- such as NEPA -- and when adequate notice to the public is provided. As an example, the BLM may need to conduct amendments to consider changes to land tenure decisions to allow small parcels of public lands to be made available for disposal, to address unintentional trespass, or to provide sales to communities. A plan amendment of this nature is generally only of interest to the local community, and a public meeting may be able to be held to provide for more engaged involvement and allow the analysis to progress more quickly, without the delay of needing to wait for a 30-day comment period. The proposed provision allows the BLM the flexibility to be able to avoid delays to planning efforts, particularly where there is only localized interest in the decision being considered.

16. **Would the BLM be precluded from having public meetings *and* a comment period for any step in the planning process?**
No. The proposed regulations do not restrict the BLM from being able to hold both a comment period and public meetings for a planning effort, when doing so would best support the analysis.

17. **Would the public be provided with an opportunity to comment on a Draft Resource Management Plan or Amendment?**
If the BLM decides to produce a Draft Resource Management Plan or Amendment, the document would be subject to the public participation procedures of the proposed rule.

18. **Does the proposed rule change who has standing to protest a proposed plan?**
No. Standing is not changed and is determined by having previously participated in the planning process prior to the public protest period.

NEPA FOR PLANNING

19. **Would an environmental impact statement still be the required level of NEPA to support the development or revision of a land use plan?**
The level of NEPA required would no longer be governed by planning regulations. It would be subject to review under the current NEPA procedures to determine the level of analysis that would be appropriate.

20. **Would Draft Resource Management Plans and Draft Resource Management Plan Amendments still be issued?**
Neither the planning regulations nor FLPMA require drafts of plans or their supporting analysis. Both the NEPA regulations and current procedures allow for the flexibility to issue drafts when doing so can benefit decision-making. The planning regulations do not preclude nor require issuing a Draft Resource Management Plan or Draft Resource Management Plan Amendment.

21. Would the BLM still need to identify a preferred alternative?
No. The planning regulations have removed requirements related to the implementation of NEPA. Those requirements are instead governed by NEPA and associated procedures.

22. How would the environmental impacts of revised or amended land use plans be analyzed?
The BLM would continue to analyze the impacts of the plan alternatives consistent with governing NEPA procedures.

COORDINATION

23. What is coordination?
FLPMA's coordination requirements ensure the BLM coordinates its planning with the planning and management programs of other federal agencies, state and local governments, and tribes. The proposed rule defines coordination as, "Coordination during the land use planning process means inviting the participation of Federal agencies, State and local governments, and Indian tribes germane to the planning area in the development, revision, or amendment of a land use plan to advise on the general approach of the planning effort as representatives of people and institutions that are affected by decisions made in land use plans."

24. How is the BLM proposing to coordinate under the proposed rule?
The proposed rule aligns the BLM's responsibilities for coordination during the land use planning process with the BLM's obligations under FLPMA section 202(c)(9). The proposed regulations provide a clear definition of coordination with other federal agencies, state and local governments, and tribes that is distinct to the BLM's land use planning process and is based on Congress's recognition that state, local, and tribal government entities play a unique and necessary role in land use planning. As stated by the Public Land Law Review Commission in the 1970 Report to Congress: "First, these governments represent the people and institutions that will be most directly affected by Federal programs growing out of land use planning" (page 61). This intent is reflected in the proposed paragraph (a)(1), which explains that coordination in the planning process means inviting the participation of governmental entities regarding the general approach of the planning effort as representatives of people and institutions that are impacted by the BLM's management of public lands.

25. Who can be part of coordination?
Other federal agencies, state and local governments, and tribes may all be party to coordination during land use planning.

26. Does the consideration of plans count as part of coordination?
The BLM believes that the consideration of plans of state and local governments and tribes is part of the coordination process that occurs during land use planning.

CONSISTENCY REVIEWS

27. What is consistency?
Section 202(c)(9) of FLPMA directs that "[l]and use plans of the Secretary under this section shall be consistent with State and local plans to the maximum extent [the Secretary] finds

consistent with Federal law and the purposes of this Act." The proposed rule defines consistent as: "Consistent means that, as a general rule, no use of public land should be permitted which is prohibited by approved resource-related plans of State or local governments that are germane to the development of land use plans for public lands, unless such use is found by the Bureau of Land Management to be in the national interest."

28. Why is the BLM proposing to reduce the time and steps of process for the governor's consistency review?

The new proposed process would provide an opportunity for states to provide information early where it is most helpful to consider and address in the BLM's planning process. Because the BLM would be able to consider and resolve issues earlier in the planning process, the BLM is proposing to shorten the governor's consistency review period at the end of the planning process from 60 days to 30 days and is proposing to eliminate the appeal opportunity to the BLM Director and associated procedures, including publication of the response by the Office of the BLM Director in the Federal Register. Under the proposed regulations, the BLM would coordinate earlier in the planning process with governors to identify concerns and gain information than it does under the present regulations. This advanced coordination would better inform the BLM's development of management alternatives that address the issues and concerns raised by the governor. This early engagement process is expected to result in the BLM identifying and addressing concerns early in the planning process, leading to more informed decision-making and reducing the need for a separate governor's appeal process at the end of the planning process.

29. Why is BLM proposing to remove other federal agencies and tribes from consistency requirements?

The proposed rule removes consistency requirements from both other federal agency plans and tribal plans because § 202(c)(9) of FLPMA does not direct the BLM to be consistent with these plans and only provides for consistency with state and local government plans.

30. Why is the BLM separating local governments from the governor for consistency review?

The BLM is proposing local governments' consistency review procedures that would establish a new opportunity for local government officials to submit recommendations to resolve inconsistencies directly to the BLM prior to the BLM's approval of the plan, revision, or amendment. This process is separate from the governor's consistency review process but would run concurrently with that process. Under the current regulations, the BLM submits inconsistencies with local plans to a state's governor for resolution. The proposed change would provide local government officials the opportunity to directly present recommendations to the BLM to resolve inconsistencies without going through the governor's office.

31. What does it mean for consistency to be allowance of use and not method of use?

In clarifying that consistency obligations are distinct from coordination, the BLM is proposing to incorporate the definition of "consistency," a principle identified in the 1970 Public Land Law Review Commission Report to Congress, which informed the development and passage of FLPMA. The Report stated, "As a general rule, no use of public land should be permitted which is prohibited by state or local zoning. There may be exceptions, however, and the federal agency should be authorized to allow such a use, but only when the agency makes a finding that overriding national interest requires the use." (Public Land Law Review Commission, One Third of the Nation's Land, 63 (1970)). The proposed changes to the definition of "consistency" clarify

that the BLM would not allow uses on the public lands that would be prohibited under state or local laws or that would otherwise conflict with an approved resource-related plan of a state or local government, except when required by federal law or it is in the national interest to do so. This clarification would not change the BLM's practice of working with state and local governments to manage the impacts of management on public lands, but the proposed rule clarifies how this consistency process would occur.

AREAS OF CRITICAL ENVIRONMENTAL CONCERN

32. What is an area of critical environmental concern (ACEC)?
Section 103(a) of FLPMA defines an ACEC as "areas within the public lands where special management attention is required (when such areas are developed or used or where no development 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."

33. Does the proposed rule change the criteria for designating ACECs?
No. The proposed rule includes clarifying edits to the descriptions of the criteria of both Relevance and Importance but does not change those criteria. The proposed rule also brings down the text from FLPMA of the third criterion required of Special Management Attention, but this insertion into the regulatory text is not a change as the law has always required this criterion regardless of the inclusion in the regulatory text.

34. How would the BLM address nominations for ACECs submitted outside of a planning process and any interim management of nominated ACECs?
Under the proposed rule, the BLM would defer the evaluation of any nominations for ACECs until the next planning effort within scope. The management of nominated lands would be conducted in conformance with the approved Resource Management Plan governing the area.

35. Does removing the 60-day comment period for Draft Resource Management Plans and Amendments with ACECs mean the public can't comment on ACECs?
No. The public will be able to comment on all proposed planning decisions and analysis, including decisions and analysis related to ACECs, during any opportunity provided. The proposed removal of the 60-day comment period is to allow the planning process to govern public participation rather than having a single program insert procedure for the process.

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