

## Redline of Revisions

1. The following paragraphs revise BLM NEPA Handbook (H-1790-1) Section 6.5.2.1 (page numbers 45-48):

### 6.5.2.1 Connected Actions

Connected actions are those proposed Federal actions that are “closely related” and “should be discussed” in the same NEPA document (40 CFR 1508.25 (a)(1)). ~~Actions~~ Proposed actions are connected if they automatically trigger other actions that may require an ~~EIS~~ environmental impact statement; cannot or will not proceed unless other actions are taken previously or simultaneously; or if the actions are interdependent parts of a larger action and depend upon the larger action for their justification (40 CFR 1508.25 (a)(~~i, ii, iii~~)). Connected actions are limited to Federal actions that are currently proposed (ripe for decision). Actions that are not yet proposed are not connected actions but may need to be analyzed in the cumulative effects analysis if they are reasonably foreseeable.

If the connected action is also a proposed BLM action, we recommend that you include both actions as aspects of a broader “proposal” (40 CFR 1508.23), analyzed in a single NEPA document. You may either construct an integrated purpose and need statement for both ~~the~~ your proposed action and the connected action, or you may present separate purpose and need statements for ~~the~~ your proposed action and the connected action. Regardless of the structure of the purpose and need statement(s), you must develop alternatives and mitigation measures for both actions (40 CFR 1508.25(b)), and analyze the direct, indirect, and cumulative effects of both actions (40 CFR 1508.25(c)).

For example:

*The BLM proposes prescribed burning to attain desired vegetation characteristics. The BLM also proposes subsequent seeding of the same site to contribute to attaining those same desired vegetation characteristics, which is a connected action. We recommend that you include the prescribed burning and seeding as aspects of a broader proposal, analyzed in a single NEPA document.*

If the connected action is an action proposed by another Federal agency, you may include both actions as aspects of a broader proposal analyzed in a single NEPA document, as described above. In making the determination to include both actions in a single NEPA document, evaluate ~~Evaluate~~ whether a single NEPA document would improve the quality of analysis and efficiency of the NEPA process and provide a stronger basis for decisionmaking. Also, consider the timing of the other agency action and the capabilities of the other agency to act as a cooperating agency or joint lead agency (see sections **12.1 Cooperating Agency Status in Development of NEPA Documents** and **12.2 Joint Lead Agencies in Development of NEPA Documents**).

For example:

*The BLM proposes constructing a trail to provide recreation access to BLM-managed lands from a campground the Forest Service proposes to construct on adjacent Forest Service lands. The Forest Service campground construction is a connected action. You and the Forest Service may elect to include the BLM trail construction and the Forest Service campground construction as aspects of a broader proposal, analyzed in a single NEPA document, either as joint lead agencies, or with one agency as lead and the other as cooperating.*

If you do not include the connected action with ~~the your~~ proposed action as aspects of a broader proposal analyzed in a single NEPA document, you must, at a separate NEPA document would need to be prepared for the connected action. It may be useful to incorporate by reference portions of the NEPA document for the connected action, if available, into the NEPA document for the proposed action. At a minimum, you must demonstrate that you have considered the connected action in the NEPA document for the proposed action (40 CFR 1508.25). ~~(i.e., describe the connected action and its relationship to the proposed action, including the extent to which the connected action and its effects can be prevented or modified by BLM decision-making on the proposed action). In this case, a separate NEPA document would need to be prepared for the connected action. It may be useful to incorporate by reference portions of the NEPA document completed for the connected action, if available, into the NEPA document for the proposed action.~~

~~A non-Federal action may be a connected action with a BLM proposed action. The consideration of a non-Federal connected action is limited in your NEPA analysis, because the NEPA process is focused on agency decision making (40 CFR 1500.1(c), 40 CFR 1508.18, 40 CFR 1508.23). Therefore, you are not required to include a non-Federal connected action together with a BLM proposed action as aspects of a broader proposal, analyzed in a single NEPA document. Proposals are limited to Federal actions (40 CFR 1508.23). You would not have to develop or present the purpose and need for the non-Federal action, and you are not required to consider alternatives available to the non-Federal party for its action. If there are effects on BLM managed resources, it may be useful to develop and suggest alternatives or mitigation for those non-Federal connected actions (see **section 6.8.4, Mitigation and Residual Effects**).~~

~~As with a Federal connected action, you must, at a minimum, demonstrate that you have considered the non-Federal connected action in the NEPA document for the proposed action (40 CFR 1508.25) (i.e., That is, you must describe the connected action and its relationship to the proposed action, including the extent to which BLM decisionmaking on the proposed action may prevent or modify the connected action and its effects can be prevented or modified by BLM decision making on the proposed action).~~

~~If the connected non-Federal action and its effects can be prevented by BLM decision-making~~  
The NEPA process is focused on agency decisionmaking (40 CFR 1500.1(c), 40 CFR 1508.18, 40 CFR 1508.23). Therefore, a non-Federal action, even if “closely related” to a proposed BLM action, will not be a connected action pursuant to the Council on Environmental Quality regulations, because connected actions are limited to Federal actions. Rather, if the non-Federal action or its effects can be prevented or modified by BLM decisionmaking, then the effects of

the non-Federal action are properly considered indirect effects of the BLM action and must be analyzed as effects of the BLM action (40 CFR 1508.7, 40 CFR 1508.25(c)) (see section **6.8.2, Direct and Indirect Effects**).

For example,

~~You receive a right of way request from a private company to build a road across BLM-managed land to provide access to adjacent private land, on which the company plans to create and operate a quarry. The creation and operation of the quarry cannot proceed unless the road is constructed. The road cannot be constructed without the grant by BLM of a right of way. The grant of the right of way must be analyzed as a BLM action: the BLM can grant or deny the right of way request. The construction of the road and the creation and operation of the quarry are connected actions.~~

~~Alternatives: You must analyze the proposed action of granting the right of way, and consider the alternative of denying the right of way (the No Action alternative) and any other reasonable alternatives related to the right of way request. Because the construction of the road, and the creation and operation of the quarry would not be BLM actions, you do not need to consider alternatives to the road construction and creation and operation of the quarry.~~

~~Direct and Indirect Effects: You must analyze the direct and indirect effects of granting the right of way. You must also analyze the direct and indirect effects of constructing the road and creating and operating the quarry, because these effects could be prevented by a BLM decision to deny the right of way request, and therefore are properly considered indirect effects of the BLM right of way grant.~~

~~Cumulative Effects: You must analyze the cumulative impact of the right of way grant, the road construction, and quarry creation and operation, taking into account the effects in common with any other past, present, and reasonably foreseeable future actions.~~

If the connected non-Federal action cannot be prevented by BLM decision-making, but its effects can be modified by BLM decision-making, then the changes in the effects of the connected non-Federal action must be analyzed as indirect effects of the BLM proposed action. Effects of the non-Federal action that cannot be prevented or modified by BLM decisionmaking may still need to be analyzed in the cumulative effects analysis for BLM action, if they have a cumulative effect together with the effects of the BLM action (see section **6.8.3 Cumulative Effects**).

For example,

~~You receive a right of way request from a private company to build a road across BLM-managed land to provide access to adjacent private land, on which the company plans to create and operate a quarry. In contrast to the example above, the creation and operation of the quarry could proceed with other, reasonably foreseeable, road access. However, conditions on the grant by BLM of a right of way could modify the effects of the quarry creation and operation (e.g., right of way conditions limiting the amount and timing of haul could alter the timing of quarry creation activities and consequent effects). The grant of the right of way must be analyzed as a BLM action. The effects of the road construction must be analyzed as indirect effects of the BLM right-of-way grant. The changes in the effects of~~

~~the quarry creation and operation must be analyzed as indirect effects of the conditions on the BLM right-of-way grant. The unchanged effects of the quarry creation and operation would be analyzed in the cumulative effects analysis for the BLM action to the extent they would have a cumulative effect together with the effects of the BLM action.~~

If the non-Federal action cannot be prevented by BLM decision-making and its effects cannot be modified by BLM decision-making, the effects of the non-Federal action may still need to be analyzed in the cumulative effects analysis for BLM action, if they have a cumulative effect together with the effects of the BLM action (see section **6.8.3 Cumulative Effects**). While analysis of the effects of these non-Federal actions provides context for the analysis of the BLM action, their consideration in the determination of the significance of the BLM action is limited (see section **7.3, Significance**).

For example,

~~You receive a right-of-way request from a private company to build a road across BLM-managed land to provide access to adjacent private land, on which the company plans to create and operate a quarry. The creation and operation of the quarry could proceed with other, reasonably foreseeable, road access. Conditions on the grant by BLM of a right-of-way would not modify the effects of the quarry creation and operation. The grant of the right-of-way must be analyzed as a BLM action. The road construction is a connected action, and its effects must be analyzed as indirect effects of the BLM right-of-way grant. However, the quarry creation and operation are not connected actions; their effects would be analyzed in the cumulative effects analysis for the BLM action to the extent they would have a cumulative effect together with the effects of the BLM action.~~

2. The following paragraphs revise BLM NEPA Handbook (H-1790-1) Section 7.3 on page number 73:

Note that connected and cumulative actions are limited to Federal actions (see sections **6.5.2.1, Connected Actions** and **6.5.2.2, Cumulative Actions**). Nevertheless, the effects of non-Federal actions may be indirect effects of the BLM proposed action if the other action and its effects can be prevented or modified by BLM decisionmaking on the proposed action (see section **6.8.2, Direct and Indirect Effects**). If the effects of another action are properly considered an indirect effect of the BLM proposed action, the effects of the other action must be counted towards the significance of the BLM proposed action. For example:

*The BLM receives a right-of-way request for access for timber harvest on adjacent private land. The timber harvest on private land would be a connected action, because Even though the timber harvest and the right-of-way request are interdependent parts, the timber harvest on private land would not be a connected action, because connected actions are limited to Federal actions (see section **6.5.2.1, Connected Actions**). Whether you count the effects of the timber harvest in determining the significance of the right-of-way grant would depend on whether the effects of the timber harvest could be prevented or modified by BLM decisionmaking*

*(see section 6.5.2.1, **Connected Actions**). In this example, that determination would likely depend on whether the private party has other reasonable access for timber harvest (see section 6.6.3, **Alternatives Considered but Eliminated From Detailed Analysis for discussion of “reasonable”**).*

Alternatively, effects of non-Federal actions that cannot be prevented or modified by BLM decisionmaking on the proposed action may still need to be analyzed in the cumulative effects analysis for the BLM action (see section 6.8.3, **Cumulative Effects**).

3. The following paragraph revises the definition for connected action in the Glossary (page number 130) of the BLM NEPA Handbook (H-1790-1):

**connected action**—those proposed Federal actions that are “closely related” and “should be discussed” in the same NEPA document (40 CFR 1508.25 (a)(1)). Proposed actions are connected if they automatically trigger other actions that may require an ~~EIS~~ environmental impact statement; cannot or will not proceed unless other actions are taken previously or simultaneously; or if the actions are interdependent parts of a larger action and depend upon the larger action for their justification (40 CFR 1508.25 (a)(1)). Connected actions are limited to Federal actions that are currently proposed (ripe for decision). Actions that are not yet proposed are not connected actions, but may need to be analyzed in the cumulative effects analysis if they are reasonably foreseeable.