



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
South Dakota Field Office
310 Roundup Street
Belle Fourche, South Dakota 57717-1698
www.blm.gov/mt

In Reply Refer To:
1616.051

June 2015

Dear Reader:

Enclosed is the Proposed Resource Management Plan and Final Environmental Impact Statement (Proposed RMP/Final EIS) for Bureau of Land Management (BLM) administered public land in South Dakota. This includes BLM administered surface and federal mineral estate throughout South Dakota.

The BLM prepared the Proposed RMP/Final EIS in consultation with cooperating agencies, taking into account public comments received during this planning effort. The Proposed RMP/Final EIS provides a framework for the future management direction and appropriate use of the BLM administered public land in South Dakota. There are 37 counties with BLM administered public land in South Dakota. The majority is located in Harding, Butte, Lawrence, Pennington, Custer, Fall River, Meade, Perkins and Stanley Counties. Refer to Table 1-1 of Chapter 1 of the Proposed Plan/Final EIS for a list of all counties with BLM administered land. The document contains land use planning decisions to guide the BLM's management of all BLM administered public land in the South Dakota planning area.

This Proposed RMP/Final EIS is one of fifteen sub-regional planning efforts being conducted as part of the BLM's National Greater Sage-Grouse Planning Strategy. The Proposed RMP/Final EIS identifies conservation measures to conserve, enhance and/or restore Greater Sage-Grouse habitat in response to the US Fish and Wildlife Service's (USFWS) March 2010 "warranted, but precluded" Endangered Species Act listing petition. The USFWS found that the inadequacy of regulatory mechanisms was identified as a significant threat to Greater Sage-Grouse in their finding on the petition to list the Greater Sage-Grouse. RMP conservation measures were identified as the BLM's principal regulatory mechanism.

The Proposed RMP/Final EIS has been developed in accordance with the National Environmental Policy Act of 1969, as amended, and the Federal Land Policy and Management Act of 1976, as amended. The Proposed RMP/Final EIS is largely based on Alternative D, the preferred alternative in the Draft RMP/EIS, which was released on June 14, 2013. The Proposed RMP/Final EIS contains the Proposed Plan, a summary of changes made between the Draft RMP/EIS and Proposed RMP/Final EIS, impacts of the Proposed Plan, a summary of the written and verbal comments received during the public review period for the Draft RMP/EIS, and responses to the comments. In addition, the document includes supporting documentation, such as bibliography, maps, and appendices.

Pursuant to the BLM's planning regulations at 43 CFR 1610.5-2, any person who participated in the planning process for this Proposed RMP and has an interest which is or may be adversely affected by the planning decisions may protest approval of the planning decisions within 30 days from date the Environmental Protection Agency (EPA) publishes the Notice of Availability of the Final EIS in the Federal Register. For further information on filing a protest, please see the accompanying protest regulations in the pages that follow (labeled as *Attachment 1*). The regulations specify the required elements of your protest. Take care to document all relevant facts. As much as possible, reference or cite the planning documents or available planning records (e.g., meeting minutes or summaries, correspondence, etc.).

Emailed protests will not be accepted as valid protests unless the protesting party also provides the original letter by either regular mail or overnight delivery postmarked by the close of the protest period. Under these conditions, the BLM will consider the emailed protest as an advance copy and will afford it full consideration. If you wish to provide the BLM with such advance notification, please direct emailed protests to: protest@blm.gov.

All protests must be in writing and mailed to one of the following addresses:

Regular Mail:

Director (210)
Attn: Protest Coordinator
P.O. Box 71383
Washington, D.C. 20024-1383

Overnight Delivery:

Director (210)
Attn: Protest Coordinator
20 M Street SE, Room 2134LM
Washington, D.C. 20003

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

The BLM Director will make every attempt to promptly render a decision on each protest. The decision will be in writing and will be sent to the protesting party by certified mail, return receipt requested. The decision of the BLM Director shall be the final decision of the Department of the Interior on each protest. Responses to protest issues will be compiled and formalized in a Director's Protest Resolution Report made available following issuance of the decisions.

Upon resolution of all land use plan protests, the BLM will issue an Approved RMP and Record of Decision (ROD). The Approved RMP and ROD will be mailed or made available electronically to all who participated in the planning process and will be available on the BLM website at <http://www.blm.gov/mt/st/en.html>.

Unlike land use planning decisions, implementation decisions included in this Proposed RMP/Final EIS are not subject to protest under the BLM planning regulations, but are subject to an administrative review process, through appeals to the Office of Hearings and Appeals (OHA), Interior Board of Land Appeals (IBLA) pursuant to 43 CFR, Part 4 Subpart E. Implementation decisions generally constitute the BLM's final approval allowing on-the-ground actions to proceed. Where implementation decisions are made as part of the land use planning process, they are still subject to the appeals process or other administrative review as prescribed by specific resource program regulations once the BLM resolves the protests to land use planning decisions and issues an Approved RMP and ROD. The Approved RMP and ROD will therefore identify the implementation decisions made in the plan that may be appealed to the Office of Hearing and Appeals.

We thank you for your participation in this planning process.

Sincerely,



Lori (Chip) Kimball
South Dakota Field Manager

Attachment: Protest Regulations

Protest Regulations

[CITE: 43 CFR 1610.5-2]

TITLE 43--PUBLIC LANDS: INTERIOR
CHAPTER II--BUREAU OF LAND MANAGEMENT, DEPARTMENT OF THE INTERIOR
PART 1600--PLANNING, PROGRAMMING, BUDGETING
Subpart 1610 – Resource Management Planning
Sec. 1610.5-2 – Protest Procedures

- (a) Any person who participated in the planning process and has an interest which is or may be adversely affected by the approval or amendment of a resource management plan may protest such approval or amendment. A protest may raise only those issues which were submitted for the record during the planning process.
- (1) The protest shall be in writing and shall be filed with the Director. The protest shall be filed within 30 days of the date the Environmental Protection Agency published the notice of receipt of the final environmental impact statement containing the plan or amendment in the Federal Register. For an amendment not requiring the preparation of an environmental impact statement, the protest shall be filed within 30 days of the publication of the notice of its effective date.
- (2) The protest shall contain:
- (i) The name, mailing address, telephone number and interest of the person filing the protest;
 - (ii) A statement of the issue or issues being protested;
 - (iii) A statement of the part or parts of the plan or amendment being protested;
 - (iv) A copy of all documents addressing the issue or issues that were submitted during the planning process by the protesting party or an indication of the date the issue or issues were discussed for the record; and
 - (v) A concise statement explaining why the State Director's decision is believed to be wrong.
- (3) The Director shall promptly render a decision on the protest.
- (b) The decision shall be in writing and shall set forth the reasons for the decision. The decision shall be sent to the protesting party by certified mail, return receipt requested. The decision of the Director shall be the final decision of the Department of the Interior.