

BLM Draft Proposed Planning Rule

Talking Points & Guidance

Background:

The Bureau of Land Management's (BLM) Planning Rule revision process offers a major opportunity for BLM to improve the protection of cultural resources on our public lands by emphasizing these resources in the draft Proposed Planning Rule. The Planning Rule outlines the process by which BLM develops, revises or amends its Resource Management Plans (RMPs), the documents that provide the framework to guide decisions for every action and approved use on the BLM lands.

BLM is currently in the 90 day public comment period on the draft Proposed Planning Rule. Once the comment period is closed, BLM will review the comments, revise the draft Proposed Planning Rule as it deems necessary, and will then issue a final Planning Rule.

Talking Points:

- The BLM is critical to preserving the country's historic and cultural heritage. "BLM lands contain the largest, most diverse, and scientifically most important body of cultural resources of and Federal land managing agency." (From the "Preserve America" Report, Executive Order No. 13287, Progress Report, September 2005. U.S. Bureau of Land Management.)

On the approximately 275 million of surface acres and 750 million of sub-surface acres administered by BLM, it is estimated that there are millions of cultural and historic sites and artifacts.
- The Federal Land Policy and Management Act (FLPMA), mandates the identification and preservation of historical and archeological resources as a BLM priority.
- The National Historic Preservation Act (NHPA) also provides specific direction to BLM on the identification and protection of cultural and historic resources.
- The National Conservation Lands represent the crown jewels of BLM-administered lands, and were established to ensure these lands are conserved for future generations. The National Conservation Lands include BLM's: National Monuments and National Conservation Areas; Wilderness and Wilderness Study Areas, National Scenic and Historic Trails; Wild and Scenic Rivers; and other Special Designations. Many of the Conservation Land's units offer protection to some of the country's most important cultural, historic and archeological resources – the Proposed Planning Rule should facilitate protection of these resources for future generations.
- BLM should clearly address the cultural, historic and archeological mandates and priorities of FLPMA, the NHPA, relevant Secretarial Orders and the intent of the National Conservation Lands System in the Proposed Planning Rule.
- Survey of cultural and historic resources on BLM lands has been woefully inadequate:

- a. Less than 10% of BLM-administered lands have been surveyed for cultural resources since FLPMA was enacted, leaving the vast majority of our cultural heritage on public lands at risk of being lost or damaged due to lack of data to inform resource planning.
 - b. BLM surveys less than ½ percent of its land base for cultural resources annually, with most data coming from NHPA Section 106 compliance surveys for specific projects; data to adequately inform current resource management planning, or the landscape-scale planning processes envisioned by BLM and the Department of Interior, is largely unavailable.
- BLM should prioritize collection of cultural and historic resources data prior to initiating a resource management planning processes to the greatest extent possible; as cultural and historic resources data is inadequate or does not exist in most instance on BLM-administered lands, BLM should ensure that some level of new survey, including but not limited to predictive modeling, is done in the planning process. The Proposed Planning Rule should prioritize and facilitate cultural and historic resource surveys.
 - State Historic Preservation Offices (SHPOs) and Tribal Historic Preservation Offices (THPOs), are critical sources of cultural and historical resource data, and BLM should prioritize and seek their input and collaboration to ensure resource management plans address cultural and historical resources adequately. The Proposed Planning Rule should specifically name SHPOs as a State Agency to be consulted, and THPOs in all tribal consultations.
 - We recognize that BLM has resource constraints that limit what it can accomplish. It is not our expectation that BLM will collect the data it needs on cultural resources to make informed management decisions all at once. However, prioritizing cultural resources in the Proposed Planning Rule as required by FLPMA, NHPA and other authorities will help ensure that BLM meets its statutory responsibilities to identify, manage and protect cultural resources while also promoting a more efficient landscape-scale planning process.

How to submit comments:

The deadline for submitting public comments is **May 24, 2016**.

For information about how to submit comments, see this link:

http://www.blm.gov/wo/st/en/prog/planning/planning_overview/planning_2_0.html

Comments can be mailed to:

Mail Director (630), Bureau of Land Management, U.S. Department of the Interior, 1849 C Street, N.W., Room 2134LM, Washington, DC 20240, Attention: 1004-AE39

Comments can be delivered in person or via delivery service to:

U.S. Department of the Interior, Bureau of Land Management, 20 M Street, S.E., Room 2134LM, Attention: Regulatory Affairs, Washington, DC 20003

Comments can be submitted electronically via the Federal eRulemaking Portal:

<http://www.regulations.gov>

Search for: FRN: "2016-03232", Title: "Resource Management Planning"