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Bureau of Land Management Planning: Opportunities for Public Involvement



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Bureau of Land Management Planning:
Opportunities for Public Involvement

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Bureau of Land Management Planning: Opportunities for Public Involvement

The Bureau of Land Management (BLM) plans for the management and use of more than 470 million acres of Federal lands. Planning has become a major program for the Bureau only recently. Until the mid-1960's the major emphasis of the BLM was on livestock management. With the passage of multiple use and environmentally oriented legislation, Congress has directed the Bureau to manage federal lands for a variety of uses and sustained yield objectives, and to approach planning from an interdisciplinary point of view.

In 1976 Congress passed the Federal Land Policy and Management Act^{1/} (FLPMA). FLPMA is a major piece of legislation that established long-term goals and objectives for BLM managed lands and directed the Bureau to formulate new regulations^{2/} that clearly outline a land use planning process. These regulations were published in 1979 and consequently the Bureau is changing its planning program. The BLM is in a transition period. As the Bureau changes over to the new planning system, some parts of the old system will still be in effect, and some interim activities will take place that are temporary. This publication discusses both planning systems from the perspective of public involvement and explains some of the history behind the development of the Bureau and its planning program.

Historical Perspective

The BLM is the youngest of all the land managing federal agencies. It was created by the Secretary of Interior in 1946, when the General Land Office was combined with the Grazing Service. Its primary function was to manage lands that were under the jurisdiction of grazing districts established as a result of the Taylor Grazing Act. Gradually, more multiple use and sustained yield directives were incorporated into the Bureau's management policies. FLPMA directs the BLM to manage its lands so that

"...they are utilized in the combination that will best meet the present and future needs of the American people...without impairment of the productivity of the land and quality of the environment..."^{3/}

^{1/} Footnote numbers refer to references listed at the end of this publication.

FLPMA also directs the Bureau to use public involvement throughout the planning process.

Public Involvement is Required

Public involvement refers to the process by which the Bureau and other federal land managing agencies obtain and utilize citizen participation in their land use planning programs. Public involvement is required at specific stages in the planning process, discussed later, and is generally accepted and encouraged at any time by Bureau employees. For you to become involved in the BLM planning process, you should contact your local office. It is helpful to become familiar with the people who work there and to learn what they do. Find out which stage of the planning process they are working on and ask to be put on the mailing list. This should keep you informed about upcoming public involvement opportunities.

Structure of the Bureau of Land Management

The primary operational unit of the BLM is the Resource Area. The Resource Area is managed by an Area Manager who is responsible for the day to day management activities. The Area Manager has a staff of resource specialists, who carry out the actual field work and who are the people most familiar with the on-the-ground BLM operations.

From two to six Resource Areas make up a BLM District. The District is the primary administrative unit of the BLM. In charge of each District is a District Manager, who coordinates the activities that occur in the Resource Areas and is responsible for the total resource management in the District.

Each of the western states (except Washington, where the BLM lands are managed by the Oregon State Office) has a State BLM office. The State Director works with the District Managers in coordinating the management of the BLM lands in the State. The District Manager is the initial decision maker and generally is responsible for decisions concerning the District; however, the State Director is consulted and works with the District Manager before any major decisions are reached.

The national office in Washington D.C. is comprised of the national Director and a small staff, who deal with policy and legislative questions and determine the general direction of the BLM. There are 178 Resource Areas in the western states, excluding Alaska, averaging 950,000 acres each. There are 54 Districts, exclusive of Alaska. Due to specific legislative mandates, several areas follow the general planning program, but with some additional provisions and/or exemptions. These include Alaska, the southern California desert, the active coal mining areas, and the O & C lands (Oregon and California Revested Railroad Lands) in Oregon.

Who do you want to influence?

In influencing policy it is important to remember that although developing a friendly rapport with the specialist with whom you most closely work is useful, it is the District Manager who makes most of the decisions concerning the local District. The District Manager is the "responsible line official" who signs off on (or accepts responsibility for) the major planning documents.

BLM Planning: A Process in Transition

Due to new planning regulations, the BLM is now in a transition period. The old planning system is being phased out, and by 1985 the new system is to be fully implemented. It takes about 4 years for the Bureau to complete a District level land use plan. All plans started after October 1, 1980, will incorporate the features of the new system. However, many Districts are in the middle of their planning efforts and these Districts will be using parts of both systems. It is estimated that it will be at least 10 years, or until 1991, before all Resource Areas are operating under a Resource Management Plan, the name of the new planning documents.

Because of the new regulations, there are many unanswered questions about specific procedures, both inside and outside the agency. Some Districts, over the next 5 years, will be following the old planning system, some Districts will be applying the new system, and some will be using a combination of the two systems. So, it is necessary to understand both systems in order to become an active participant.

The Old Planning System: The Management Framework Plan (MFP)

The Management Framework Plan (MFP) is the basic planning document under the old system. It specifies a set of goals, objectives, and multiple use constraints for a specific planning area and guides the development of detailed plans for the management of each resource. The MFP process usually requires various Resource Area specialists to develop plans for their particular resource. These recommendations are analyzed by the Area Manager, who identifies conflicts, makes trade-offs, and proposes an overall plan. The District Manager works with the Area Manager in reaching these decisions. Public input is obtained and used throughout the planning process.

Most Resource Areas are divided into planning units. Several Management Framework Plans can be written for a Resource Area. Some Resource Areas are combined into planning areas, so one Management Framework Plan may be written for several Resource Areas. Usually, though, the planning unit is smaller than the Resource Area, and more than one MFP will be written for each Resource Area.

There are three distinct stages in the old planning system: (1) an inventory of biological and physical resource conditions in the planning unit, called the Unit Resource Analysis (URA); (2) the collection of social and economic data; and (3) the decision-making stage, which is the actual Management Framework Plan. There are three steps within the MFP stage, and these will be discussed in detail later.

Structural Components of the Old System

Stage 1. URA-Unit Resource Analysis

- Step 1 - Planning unit base map
- Step 2 - Environmental factors assessed
- Step 3 - Current situation assessed
- Step 4 - Optimized plans developed for each resource discipline

Stage 2. Social and Economic Analysis

- SEP - Social and Economic Profile
- PAA - Planning Area Analysis

Stage 3. MFP - Management Framework Plan

Step 1 - Realistic plans for each resource discipline

Step 2 - Conflict identification; trade-off analysis; alternative generation; preferred alternative identified; Environmental Impact Statement process

Step 3 - Decision-making: final plan chosen

Stage 1: Unit Resource Analysis

Stage one, the Unit Resource Analysis (URA), is a document describing the physical and biological characteristics of a specific resource at the planning unit or planning area level. The resource specialists and area personnel compile biological and physical information about each resource discipline. The objective is to gather enough information so that each resource can be considered at its fullest developed or protected potential. This involves four "activity" steps. The first two steps are general and the last two steps are more specific. In URA Steps 3 and 4, the specialist from each of the 11 identified program areas (lands, minerals, range, forestry, wildlife, fisheries, watershed, recreation, visual, cultural, and botanical) develops preliminary plans for the management of that resource.

URA - Step 1. A base map of the entire planning unit or units is made, on which various resource uses can be analyzed and competing uses can be identified by the Area Manager.

URA - Step 2. The environmental factors (climate, geology, soils, air quality, past and current cultural developments, access to the area, and other background information not directly related to any one resource) are identified. Any information that citizens have concerning the physical condition of the land, such as areas of cultural significance or wildlife habitat, etc. is welcomed by the Bureau and will be included in this broad inventory of the resource area.

URA - Step 3. The specialists describe and analyze the current on-the-ground situation concerning each resource discipline. In range, for example, current AUM's (animal unit months) being leased, amount of forage available, current status of range improvement programs, and identification of any problem areas are discussed.

URA - Step 4. The resource specialists in each of the 11 planning program areas develop plans that discuss the opportunities for expansion of their own resource program. No consideration is given to coordinating one resource with another; each specialist optimizes the opportunities for their own program without considering trade-offs. This step has caused confusion for some citizens. It is BLM's purpose to "brainstorm" all possible alternative management options for each planning program area. At this stage, the wildlife biologist, for example, does not consider any constraints and could propose to turn the whole area into a sage grouse preserve, knowing this probably will not happen. The object of this exercise is to come up with as many ideas as possible and to provide a basis for fully understanding resource trade-offs.

Stage 2: Social and Economic Analysis

Stage 2, the social and economic analysis, includes two planning activities, the Social and Economic Profile (SEP), and the Planning Area Analysis (PAA).

Social and Economic Profile (SEP). At the same time as the URA is being developed, social and economic data are collected for the state, regional, and local levels. SEP is usually developed at the District level with the assistance of a state economic analyst or a private consultant. This document is designed to address issues of statewide or regional importance. Local issues are addressed specifically. Each of the 11 program areas is studied, and the relative importance of each to the social and economic structure of the area is determined. The trends of use and demands on public land resources, and the social values of the local residents are identified.

Planning Area Analysis (PAA). A Planning Area Analysis is prepared for each planning area. The PAA describes social, economic, and environmental values of the BLM resources in the planning area. The information is presented in a manner parallel to the information and data contained in the URA. The PAA helps develop rational objectives and recommendations for the Management Framework Plan (MFP) Step 1. The PAA is developed after the preparation of the URA and before work begins on the MFP. If Bureau professional personnel cannot provide the necessary information, outside sources are contacted, such as universities and consultants.

Stage 3: Management Framework Plan (MFP)

The Management Framework Plan has three steps:

MFP - Step 1. The URA, SEP, and PAA are all preliminary information-collecting steps, designed to give the decision maker enough background information so that an intelligent decision can be reached. In MFP-Step 1 each specialist develops a realistic plan for their resource, considering the social-economic data that is available and the legal and policy restraints which apply to management of public lands. The information generated during the URA-Step 4 provides the information base for these resource plans.

MFP - Step 2. During this step, the Area Manager evaluates the MFP-Step 1 proposals from the Resource Area specialists and develops several feasible management alternatives for the area. These alternatives are presented to the public for comment, usually at public meetings. Citizens who attend these meetings can review all the information that has been gathered, and ask questions of the resource specialists. The URA, SEP, and PAA should be available for scrutiny. Any items that are in error, or important facts that have been left out should be brought to the attention of the District Manager in writing. The Area Manager may then adjust the alternatives if there is significant public input indicating a needed change.

Usually a "preferred alternative" is identified after a series of public meetings. The Area Manager evaluates the public comment and other information brought to his/her attention to form a preferred alternative. This alternative is evaluated and analyzed in an Environmental Impact Statement (EIS). Due to various lawsuits and court orders the Bureau's EIS process is very complicated. But it is necessary and required by the National Environmental Policy Act (NEPA). See Appendix 2.

NEPA mandates that the public will have the opportunity to review and comment on the draft EIS and on the final EIS. Generally a 60-day comment period follows the release of a final statement.

To be effectively involved as a citizen, you must study the draft statement. Note any points of confusion, discrepancy in facts and figures, or areas where you cannot understand the Bureau's rationale in reaching a particular conclusion. Send these comments, in a letter, to the District Manager. It is crucial that your response to the EIS be submitted in writing to the District Manager.

The final EIS should address each of the concerns outlined in your letter. If the final statement does not explain how a certain decision was reached that you expressed concern about during the draft public comment period, the final decision can be protested on the basis that the EIS did not document adequately how public input was utilized in the decision-making process.

MFP - Step 3. Step 3 of the Management Framework Plan is where the final decision is made. The MFP-Step 2 material, the EIS, and any other relevant information are evaluated and the District Manager, working closely with the State Director, selects a final plan.

The New Planning System: The Resource Management Plan (RMP)

The purpose of the new planning regulations is to ensure that federal land management decisions are based on the best available information and sound land use planning criteria. The major component of the new system is the Resource Management Plan (RMP). Resource management is defined broadly as including all public land values, renewable and nonrenewable resources of all types, and supporting services.

Public participation

Under the new regulations public participation is to be sought and used throughout the planning process. Public participation plans are prepared early in the process. Early and on-going participation by concerned citizens is an essential element of the new planning system. The system is designed to allow adjustments and flexibility in the initial planning steps in order to prevent a plan from being developed that does not reflect local input. As the planning process progresses the system becomes less flexible. Each step in the RMP builds on the information developed in the previous steps. If you do not voice your concerns during the early planning steps, your point of view may not be considered in the planning process. Legally, you will have more recourse to protest or appeal if you have participated, in a documentable fashion, throughout the whole planning process. The regulations state that only citizens who have commented during the planning process can protest the final decision, and the protest may raise only those issues that were submitted for the record to the District Manager during the planning process. If there is a possibility that the decision may not be acceptable,

it is imperative to give written comments to the District Manager.

Structural Components of the New System

The Resource Management Plan is the basic planning document to be used by the BLM in the future. The RMP is exactly what it states -- a plan that lays out a course of management for use and protection of the resources. Nine basic steps are involved in developing the RMP:

- Identification of the issues
- Development of planning criteria
- Inventory data and information collection
- Analysis of the management situation
- Formulation of alternatives
- Estimation of effects of alternatives
- Selection of preferred alternatives
- Selection of Resource Management Plan
- Monitoring and evaluation

These plans will be developed by interdisciplinary teams composed of BLM employees who have the skills necessary to address the issues identified during the first stage of the planning process. The District Manager selects the members of these teams. Many of these planning steps will occur at the same time or will overlap.

Identification of issues

Each BLM resource area has different problems and management opportunities. The planning team must identify the important issues, concerns, and opportunities. These issues become the center of the planning effort and should be reflected in each step of the planning process. The public is to be included in this initial step, and the BLM will provide an opportunity for citizens to express their concerns about how resources should be developed or protected. Citizens responding to BLM's requests for public input should make sure that they are on the right mailing lists so that they will receive notice of all public meetings.

Bringing issues and/or potential conflicts to the attention of the BLM planning team is important. Citizen input is valuable because often the

BLM staff will not be familiar with the local history and current situation. Public input helps planners determine which issues are of greatest concern to the public, and why they are important.

Development of planning criteria

Because the issues identified determine the direction of the planning process, it is necessary to decide what criteria will be used to determine when sufficient information has been gathered. These criteria are also used to evaluate alternatives and to select one alternative as the proposed RMP. The criteria will be published for public comment before they are approved by the District Manager. By being on the mailing list citizens can find out when the criteria are available and can request a copy to review, and then comment on the criteria. When the District Manager selects an RMP, these criteria form the basis for judging if all planning objectives have been accomplished. It is important for citizens to make sure these criteria cover all the issues addressed in the plan.

Inventory data and information collection

Before the planning team can develop any management alternatives, they need to know the present condition of the resources, the past levels of production, and the social and economic interrelationships in the area. The District Manager is responsible for the collection of this type of information; however, the actual work will be done by team members and District and Resource Area staff. Your input at this step can be valuable if you know something about the use or condition of an area that the BLM may not know about. Your contributions will be appreciated.

Analysis of the management situation

The analysis of the management situation is a critical step. The District Manager determines the capability of the land resource to respond to the needs and concerns identified through public participation, the issues identified earlier in the planning process, and BLM policy. This is a highly technical phase of the planning process. The purpose is to describe the ability of BLM managed lands to produce sustained levels of various goods and services. District

management opportunities also are identified. This analysis considers all the factual information gathered about resource conditions and ability to produce, supply and demand forecasts, degree of local dependency on public lands, and possibilities for resolving public conflicts that may arise. There is no direct public involvement at this stage; it is important that participation has occurred and has been submitted for the record, in writing to the District Manager.

Formulation of alternatives

Resource management alternatives are combinations of management activities that are intended to meet planning objectives and to address public issues, concerns and management opportunities. The regulations require preparation of several reasonable alternatives. One must be for "no action," that is, the continuation of present management levels. The other alternatives can range from those favoring resource protection to those favoring resource production. The alternatives should reflect the variety of opinion about a resource area.

Estimation of the effects of the alternatives

The District staff estimates and displays, usually on maps and overlays, the physical, biological, and social effects of what would happen if each alternative were implemented. This is a technical step of the planning process and again involves no direct public participation. This estimation must discuss the environmental effects of the alternatives, as required by NEPA. Included are any adverse environmental effects that could not be avoided if the alternative is implemented, the relationship between short term uses of the environment and the long term productivity, and any irreversible or irretrievable commitments of resources that would be involved if the alternative were implemented. The analysis includes: descriptions of the direct and indirect effects of the alternatives and their significances; possible conflicts between each alternative and the objectives of federal, regional, state, and local land use plans, energy requirements, and conservation potential of various alternatives; the natural or depletable resource requirements; and means to mitigate adverse environmental impacts. During this step the Environmental Impact Statement is developed by the interdisciplinary team.

Selection of preferred alternatives

The District Manager selects a preferred alternative. This alternative is incorporated into the draft plan and draft EIS. The resulting document is submitted to the Environmental Protection Agency and published as a draft EIS. At this time the public has a critically important opportunity to participate: a 90-day public review period. Participate in this review. The final RMP will not be selected until after all comments received from the public and other government agencies have been evaluated. If your suggestions are not incorporated into the plan, you should be told why. Citizens should review the draft document thoroughly. It is a good idea to get together with friends or colleagues and review the draft as a group. The resulting discussion can bring new ideas up for consideration and makes the process of reviewing a draft statement a little easier. Since emotional responses are difficult to analyze, it is best to incorporate as much factual information as possible into your comments.

Selection of the Resource Management Plan

The District Manager considers all the factual information developed along with the public comments received and selects a proposed resource management plan and final environmental impact statement using the planning criteria selected earlier. If the proposed RMP is not within the range of alternatives in the draft plan and draft environmental impact statement, and the environmental impact is significantly different, a new draft plan must be written.

Monitoring and evaluation

The adopted plan is to be evaluated at least every 5 years. Standards and intervals for evaluation are to be based on the sensitivity of the resources involved. The evaluation standards help determine:

- Whether mitigation measures are satisfactory;
- Whether any established environmental limits on activities have been met or exceeded;
- Whether there has been significant change in plans of federal, state, or local governments; or
- Whether significant new data has been discovered that would necessitate a change in the plan.

Protest Procedures

Citizens do have protest rights and these are spelled out clearly in the regulations. It is much more important, however, to participate throughout the planning process. This ensures that your concerns are being addressed and lessens the likelihood of a plan being developed that does not meet the needs of the entire community. Another important reason for participating is that citizens must be involved at some time in the planning process in order to protest the final decision. A protest may raise only those issues which were submitted for the record to the District Manager during the planning process.

The protest must be in writing, and must be sent to the State Director within 30 days after the Final Environmental Impact Statement is filed with the Environmental Protection Agency.

If you feel you have grounds to protest a BLM decision, check the wording in the regulations (CFR part 1601.6-1, parts c, d and e) to make sure the proper procedure is followed. But in general, what is needed in a protest statement is:

Citizen's name, mailing address, and interest, such as rancher, local business person, environmentalist, etc.;

A statement of the part or parts of the plan protested;

A copy of the issue or issues protested;

A copy of all the documents submitted to the District Manager for the record (during the planning process) that addresses the issue; and

A short, concise statement explaining why you think the District Manager's decision is wrong.

The State Director should render a decision on the protest promptly and return a copy by certified mail.

Disagreement with the State Director can be appealed by the same process to the Director of the BLM in Washington, D.C. His decision is final.

How to Get Involved

The Bureau of Land Management is required to use public input throughout the planning process. Your local District Office will publish announcements in the newspaper when they start any major planning program. Citizens should

pay attention to these notices and make sure they understand what the Bureau is doing.

It will help you if you develop a friendly rapport with the people in the BLM office. If they know you are interested, you will be notified about upcoming events.

Being on the right mailing lists is essential. Send a letter, call, or stop in at the District Office to let them know what your interests are. The State Office also maintains mailing lists on a variety of other programs, and publishes a monthly newsletter that is available upon request.

Summary of Public Involvement

The Bureau is required to collect public opinion at specified times throughout the planning process, but citizen input is welcomed at any time throughout the planning process. Public participation is mandated at five points, as a minimum, during the planning process. These are:

1. During the identification of issue;
2. When comment is requested on the planning criteria;
3. During the 90-day review period after the draft environmental impact statement is published;
4. During the 30-day review period after the final environmental impact statement is published, and
5. When any significant changes are made to the plan as a result of action on a protest.

The Bureau must provide at least 15 days prior notice of any public meetings and allow 30 days when written comment is requested.

When the draft plan and draft environmental statement are released, 90 days are available to file comments with the State Director. When the final plan and final environmental statement are released, you have 30 days provided for comment on the document.

Paying attention to these deadlines and making sure written comments are submitted to the District Manager enable citizens to participate in the planning process, and helps citizens understand why and how decisions are made. Public input is critical to the success of the BLM's planning process. By getting involved early and following the process along to completion, you can have a major impact on the future of the public lands managed by the BLM. Since the Bureau wants and needs public input, and since citizens can help

the Bureau make better decisions, why not take part in the process?

References

1. Federal Land Policy and Management Act, October 21, 1976. Public Law 94-579, 94th Congress.
2. Public Lands and Resources; Planning System, Bureau of Land Management, Department of the Interior, Part II, August 7, 1979. Federal Register/ Vol. 44, No. 153/Tuesday, August 7, 1979/Rules and Regulations.
3. Federal Land Policy and Management Act, Sec. 103. c.

Appendix 1: Federal Land Distribution in the Western States, by Agency

In the 11 western states (Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington and Wyoming) almost 48 percent of the total land area is managed by one of several federal agencies. If Alaska is included in these figures, more than 65 percent of the land in these states is under federal management. The BLM has jurisdiction over the largest amount of federal land, managing more than 470 million acres.

Federal Land Distribution in Western States (in thousands of acres)*

State	Total acres	Total Federal	% Federal	BLM	USDA-FS	USDI-Fish Wildlife	USDI NPS	USDI BIA
Alaska	365,482	359,925	98.5	295,674	20,717	22,236	7,005	20,034
Arizona	72,688	32,034	44.1	12,596	2,463	877	1,630	90
California	100,207	47,610	47.5	15,578	20,234	69	4,258	541
Colorado	66,486	24,784	37.3	8,355	14,365	52	535	782
Idaho	52,933	33,748	63.8	11,989	20,375	41	80	828
Montana	93,271	27,661	29.7	8,142	16,717	539	1,160	5,275
Nevada	70,264	61,617	87.7	48,376	5,113	2,202	262	1,154
New Mexico	77,766	25,824	33.2	12,957	9,219	316	242	7,843
Oregon	61,599	32,414	52.6	15,740	15,577	466	161	761
Utah	52,697	33,491	63.6	22,641	8,048	5	889	2,277
Washington	42,694	12,863	30.1	307	9,081	128	1,801	2,511
Wyoming	62,343	30,311	48.6	17,408	9,251	45	2,311	1,887

*Source: Statistical Abstracts of U.S. 1979, U.S. Dept. of Commerce and U.S. Bureau of Land Management, Public Land Statistics, 1976.

Appendix 2: The National Environmental Policy Act (NEPA)

In 1969 Congress passed the National Environmental Policy Act (NEPA). This Act has had far-reaching effects on the activities of federal agencies because it requires that the environmental consequences of proposed federal actions be considered before a decision to proceed with a project is made.

In order to comply with NEPA, the BLM wrote a "programmatic EIS" for each of the resource disciplines at a broad national level. In 1974 the Sierra Club and the Natural Resources Defense Council (NRDC) took the BLM to court on the basis that in regards to grazing (and timber) activities, the programmatic EIS was not site specific and was insufficient to meet the EIS requirements of NEPA. The BLM lost this suit and consequently was ordered by the court to prepare site specific EIS's on grazing (and timber) activities in some 145 (originally 212) grazing areas.

In the MFP planning system, the EIS is tacked on to the end of the planning process. The BLM, under the old planning system, may not be in full compliance with NEPA since only the effects of the grazing and timber activities are analyzed in the EIS. Under the new system, the plan and the EIS will be essentially the same document, and the effects of the entire plan (all resource activities) will be analyzed in the EIS.